

Policy and Procedure 7-6

State-Owned Lands Program

Issued By:	Robert W. Farrell, State Forester	DocuSigned by: <i>Robert W. Farrell</i>	11/6/2023
Effective Date:	September 1, 2023		
Codes/Mandates:	<p>§10.1-1105. Additional powers and duties of State Forester</p> <p>§10.1-1106. State Forester to control forest reserves and funds; reforestation; preservation of timber, etc.</p> <p>§10.1-1120. Forest Management of State-Owned Lands Fund.</p> <p>§10.1-1121. Definitions.</p> <p>§10.1-1122. Management, harvesting, sale of timber on state-owned land.</p> <p>§10.1-1123. Use of the Fund; management, receipt and expenditure of moneys.</p> <p>§ 2.2-1156. Sale or lease of surplus property and excess building space</p>		
References:	<p>Cardinal HCM – How to Use Chartfields DOF Quick Reference Guide</p> <p>State-Owned Lands Management Plan template</p> <p>State-Owned Lands Property Inventory spreadsheet (shared with the Regions)</p> <p>State-Owned Lands Projects spreadsheet (retained by the state lands manager)</p> <p>DOF & DGS Guidelines for the State-Owned Lands Forest Management Plan effective 3/1/2021</p> <p>DOF & DGS Memorandum of Understanding effective 3/1/2021</p> <p>Agency numbers and control agency numbers found under the current link (July 2009)</p>		
Forms:	<p>Form 7.18 State-Owned Land Forest Planning Information</p> <p>Form 7.19 State-Owned Land Forest Management Project Request</p> <p>Form 7.20 State-Owned Land Project Expense Summary</p> <p>Form 12.1 Reforestation Tree Seedling and Service Order</p> <p>Form 108 Procurement Checklist</p>		

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PURPOSE

To provide guidance to the Department of Forestry (DOF) field staff when recommending and carrying out forestry work on state-owned lands. Typically, properties under the DOF responsibility consist of most any Commonwealth-owned lands except for those currently owned by the Department of Conservation and Recreation (DCR), Department of Wildlife Resources (DWR), Virginia Outdoors Foundation and Department of Forestry.

POLICY

The Department of Forestry shall develop forest management plans for state-owned lands with the assistance of affected state agencies, departments and institutions to address the management, sale and harvest of timber, and reforestation on these lands ([§10.1-1122 A](#)).

DEFINITIONS

“**Agency**” and “**DOF**” means the Virginia Department of Forestry.

“**Commonwealth**” means the Commonwealth of Virginia.

“**Code**” means the Code of Virginia (1950), as amended

“**DF**” means District Forester within each District

“**DGS**” means the Virginia Department of General Services.

“**DRF**” means Deputy Regional Forester

“**Forest**” means land, other than commercial orchards, that sustains as its principal cover a growth of trees or woody shrubs, irrespective of the merchantability of the growth, cutover land unless it has been cleared or improved for other use, and open land when it bears at least eighty (80) well distributed seedlings or sprouts of woody species per acre.

“**Fund**” means the Forest Management of State-Owned Lands Fund as defined under [§10.1-1121 of the Code](#).

“**Owner Agency**” means any agency, department, or institution of the Commonwealth of Virginia that either has under its control or possession or manages land with Forest.

“**SOL**” means State-Owned Lands (Non-DOF owned, State-Owned Lands managed by DOF)

“**State-Owned Lands**” means forestland owned or managed by the various departments, agencies and institutions of the Commonwealth and designated by the Department of General Services as being of sufficient size and value to benefit from a forest management plan. State-owned land shall not include properties held or managed by the Department of Wildlife Resources, the Department of Forestry, The Virginia Outdoors Foundation, or the Department of Conservation and Recreation, which currently have no access to the State-Owned Lands Fund Program.

“**SLM**” means State Lands Manager

PROCEDURES

Overview

DOF, will develop a forest management plan for state-owned lands with the assistance of affected state agencies, departments and institutions ([§10.1-1122 A](#)). DOF district staff are to become aware of the state-owned land properties located in their districts by contacting their respective deputy regional foresters or the state lands manager. State-owned lands typically under DOF responsibility reside with the Department of Corrections, Department of Transportation, other agencies, and numerous colleges and universities. The state lands manager will develop an annual work plan for

management of the state land properties, based on management recommendations found in each respective state lands plan, which are identified within the regions and submitted to the deputy regional forester.

State-Owned Lands Fund

The Code of Virginia establishes a State-Owned Lands Fund. The fund shall be used to defray the costs of timber sales, to develop forest management plans for state-owned lands and to implement specific projects identified in these plans, such as site preparation, purchase and planting of seedlings, spray release, BMP installation and payment for DOF services. The purpose of the state-owned lands program is to promote and implement sustainable forest management within the context of the land use goals of the property's owner. Management activities are intended to lead to improved forest condition and must be conducted in a fiscally responsible manner.

Under the Code of Virginia [§10.1-1122 B](#) – Management, harvesting, sale of timber on state-owned land, it states “Prior to the sale of timber from state-owned lands, the proposed sale shall be first approved by the Department of General Services (DGS). The Department shall make or arrange for all sales so approved and shall deposit all proceeds to the credit of the Fund, except that when sales are made from timber on land held by special fund agencies or the Department of Military Affairs, or from timber on land which is gift property specified in subsection H of [§2.2-1156](#), the Department shall deposit in the Fund only so much of the proceeds as are needed to defray the cost of the sale and to implement the forestry management plan on that particular tract of land. The remainder of the proceeds from such a sale shall then be paid over to the special fund agency concerned, the Department of Military Affairs, or the agency or institution holding the gift properties, to be used for the purposes of that agency, department, or institution.”

State-Owned Lands Identification

Each state-owned land will be assigned an identification number by the state lands manager. This number will generally be established using the “control agency number – agency code number – site number” (i.e., Lord Fairfax Community College would be 260-298-1). The control agency number and agency code number are established under the [Commonwealth CAPP Manual Agency and FIPS Codes](#), and identified within the Guidelines for the State-Owned Lands Forest Management Plan between DOF & DGS signed March 10, 2021. The state lands manager will assign the site number based upon the site owned by the particular agency/institution owning the land that has participated in the program in the past (e.g., Eastern Shore Community College has one site that has historically participated in the program so its site number is 1). Going forward any new site number would be assigned based upon the last site number used for the previous site numbered for that agency/institution's properties.

Note: Once the SLM assigns a "State-Owned Land Number" to a property, all correspondence and documents will include this state-owned land number and the IFRIS or other DOF tract number (if available). {See IFRIS Reporting}

Assessment of State-Owned Lands

It is important to assess the potential for forest management on any state-owned lands regardless of the acreage of the property. Regional staff should visit every state-owned land property identified by the state lands manager at least once to perform an assessment of the property for forest management potential.

The assessment should consist of:

1. An estimate of the current forested acres
 - If 10 acres or more, a state-owned land management plan will be developed.
 - If less than 10 acres, no management plan is needed.
2. An estimate of the current open land acreage (grassland, fields or abandoned field)
3. An estimate of the number of acres or linear feet of established or potential riparian areas (i.e., creeks, streams, waterways, water bodies) along with whether the riparian area is presently established or could be established.
 - If water bodies exist, determine if there is potential for forest management activities to improve water quality.
 - Assessment information should be summarized and sent in an email to the DRF, the district forester depending on region protocol, and SLM for recording.

State-Owned Land Management Plan Required

Plans will be developed, and updated as needed, on all SOL properties containing 10 or more acres of forestland.

- ◆ A plan will have a lifespan of 10 years and should be kept current as projects are completed.
- ◆ Keeping up with the current status of the plans is the responsibility of the respective district and regional staff in coordination with the DRF and SLM. A database will be maintained, and kept current, by the SLM & DRF. Any updates should be submitted by district staff via email to the DRF, DF (dependent on region protocol), and the SLM
- ◆ The district staff will begin the process of scheduling and working with the appropriate agency contact to update an existing management plan or develop a new management plan with assistance from the SLM to identify the correct contact

No State-Owned Land Management Plan Required

If it is determined that no management plan is required:

- ◆ The SLM will document the date of the assessment and that no forest management plan is needed.
- ◆ If a project is proposed for any state-owned land in which only an assessment has been completed, an IFRIS or other DOF tract number will be created for the property and all data recorded into IFRIS or other database.
- ◆ No project can proceed on state-owned lands without having a state-owned lands management plan or [Form 7.19 State-Owned Land Forest Management Project Request](#) completed.

CARDINAL & IFRIS Reporting

The reporting of the state-owned lands work time and tract accomplishments in Cardinal and IFRIS is essential to properly manage the State Lands Fund and documentation of management work performed. When reporting any work on state-owned lands not owned by DOF, use the following categories and codes.

- ◆ **Cardinal Time Code:** Time worked on State-Owned Lands Projects would be entered using Chart Fields. [See Cardinal HCM – How to Use Chartfields DOF Quick Reference Guide](#)
- ◆ **Time Code:** HCM 170
- ◆ **Tract Number:** All state-owned lands in which a forest management plan has been developed will be assigned a tract number in IFRIS. The ownership information will be classified as follows: Group Type - State, Public Type – State-Owned or State. The tract number will be communicated to the SLM once assigned.
- ◆ **IFRIS or other DOF Tract:** Unless already created all state-owned lands in which a forest management plan is developed, will have a tract established in IFRIS or other database available and assigned an IFRIS or DOF tract number with ownership information included that also specifies the tract under **Group Type as State**, and under **Public Type as State-Owned or State**. The IFRIS or other DOF tract number shall be communicated to state lands manager.
- ◆ **Accomplishments:** Mapped project work accomplishments on each tract, such as plans completed, planting, site preparation work or other project management activity, will be recorded in IFRIS for each state-owned land tract just as would be done for private land.

State-Owned Land Management Plan

Each state-owned land property meeting the criteria for needing a current State-Owned Land Management Plan must have a plan developed or updated for the property. A current plan is defined as being developed within the past 10 years. Keeping up with the current status of the plans is the responsibility of the respective district and regional staff in coordination with the deputy regional forester and the state lands manager. It is essential for the regional field staff to coordinate with agency owner contact to conduct periodic reviews of the management plans for the state-owned land properties in their districts to assess the forest management project needs. The state lands manager will assist regional staff in the identification of agency owner contacts where multiple properties are involved that cross districts.

DOF shall use [Form 7.18 State-Owned Land Forest Planning Information](#) to gather information from the agency or institution owning the land. Every effort needs to be made to discuss the information on the Form 7.18 with the decision makers owning the property, some of whom may or may not be located locally. In the case of off-site decision makers, the state lands manager will assist in the gathering of information.

All sections of the Form 7.18 will be completed when able prior to any forest management plan being written for the property to ensure the plan meets the goals and objectives of the property owner. The Form 7.18 will be distributed as follows:

- ◆ Original – Retained in the district staff’s office
- ◆ Copy – Sent to the deputy regional forester and / or district forester
- ◆ Copy – Sent to the state lands manager
- ◆ Copy – Retained by the owner agency contact

The Virginia State-Owned Land Management Plan template will be used as a guide for preparing a State-Owned Land Management Plan.

Plan Composition

At a minimum, a State-Owned Land Management Plan will include the following information:

- ◆ Cover page Signature Area for delivery / receipt of the plan
- ◆ Owner agency contact and authorization information
- ◆ Management objectives
- ◆ Tract location and description including any known easements or deed restrictions
- ◆ Current stand conditions, including
 - acres (both open lands and forested)
 - forest types (including riparian areas existing or potential to create)
 - soils
 - age
 - size
 - stocking
 - water resources
 - other important information (i.e., invasive plants, cemetery or other historic resources, etc.)
- ◆ Specific management practice/project recommendations
- ◆ Threatened and endangered species found
- ◆ Detailed map (including tract boundary, stands, road names or numbers, etc.)
- ◆ Once the plan is initially drafted, the plan shall be sent to the deputy regional forester and / or the district forester for review. Once the deputy regional forester has reviewed the plan and any corrections made, the deputy regional forester will forward to the state lands manager for final review. The state lands manager will accept the plan or return it to the deputy regional forester for additional edits if needed.

The final State-Owned Lands Management Plan will be distributed as follows with a signature cover page to be signed by each party ensuring they received the plan when able:

- ◆ Original – Retained in the area forester’s office.
- ◆ Copy – Sent to the state lands manager via posting the plan on the HQ common drive and with an email to the SLM that it has been posted.
- ◆ Copy – Sent to the agency owner contact and/or other authorized parties (if requested).

Project Initiation

- ◆ The state lands manager will work through the deputy regional foresters regarding state land plan needs, timber sales, harvests, and other projects. Regional staff are encouraged to develop relationships with the local land holding agency / institutions and to recommend projects based on the needs of the resource or the agency / institution owner.
- ◆ The deputy regional forester will contact and assign district staff to contact and work with the local owner agency contact for the land or other responsible party as designated by the owner agency. That agency

representative may have authorization to recommend and implement specific management practices based on the state-owned lands management plan and current forest conditions.

- ◆ Once the DOF receives the owner agency's verbal approval to do a project, the deputy regional forester or district staff will contact the state lands manager to obtain a State-Owned Land Project Number.
 - Project numbers will consist of the State-Owned Land Number "- ", and a project number (i.e., 260-298-1-01).
- ◆ The district staff may or the SLM may complete the [Form 7.19 State-Owned Land Forest Management Project Request](#) and attach a detailed map of the project. The DOF will submit Form 7.19 and map to the authorized owner agency representative for his or her project approval. All project work to be implemented needs to be indicated on the Form 7.19 and will include all aspects needed to complete the project.
 - Project Codes are identified below – the district staff should check all aspects to be completed on the Form 7.19 – example: if a harvest is to be performed followed by reforestation.
 - 1 = scrap / firewood sales
 - 2 = clear-cut and reforest
 - 3 = open field planting, pine
 - 4 = open field planting, hardwood
 - 5 = pine thinning
 - 6 = harvest, change land use
 - 7 = forest recreation
 - 8 = aesthetic planting
 - 9 = wildlife planting
 - 10 = salvage cut
 - 11 = timber cruise
 - 12 = pre-commercial thinning, pine
 - 13 = spray release
 - 14 = hardwood silviculture (seed tree, shelter-wood, crop tree release, etc.)
 - 15 = other improvements (prescribed burning, other forest practice)
 - 16 = fuelwood thinning
 - 17 = site preparation (chemical or mechanical)
 - **If the project consists of any type of timber sale, eventual use of state lands funding or deduction of monies to pay any expenses to implement a project, the agency/institution representative making the approval must have agency authorization to sell and/or utilize state-owned assets.**
- ◆ Once the signed [Form 7.19 State-Owned Land Forest Management Project Request](#) and approximate project location map is approved by the owner agency/institution and is returned to DOF, the district staff will forward the original Form 7.19 and map to their deputy regional forester who will forward to the state lands manager for approval.
 - Original – sent with a map to the state lands manager
 - Copy – retained in the district staff's office
- ◆ The state lands manager will approve the [Form 7.19 State-Owned Land Forest Management Project Request](#) and obtain approval of the deputy state forester.
- ◆ If a timber harvest or sale of any kind is recommended, the [Form 7.19 State-Owned Land Forest Management Project Request](#) and map will be sent to the Department of General Services, t (DGS) for their initial review and tentative approval per a Memorandum of Understanding between DOF & DGS dated March 10, 2021. Once tentatively approved by DGS, the form will be routed for the various signatures needed by the state lands manager. Final submission will be made to obtain the DGS Director's signature where the original will be signed and returned to the DOF state lands manager. The following project types involve timber harvests and require DGS approval:
 - 1 = scrap / firewood sales
 - 2 = clear-cut and reforest
 - 5 = pine thinning

- 6 = harvest, change land use
 - 10 = salvage cut
 - 11 = timber cruise
 - 12 = pre-commercial thinning, pine
 - 14 = hardwood silviculture (if timber is being sold)
 - 16 = fuelwood thinning
- ◆ Once signed approvals are obtained by all required parties, the state lands manager will return a copy of the final approved [Form 7.19 State-Owned Land Forest Management Project Request](#) to the deputy regional forester indicating that they can begin working on the project.
- Original – retained the state lands manager

Project in Progress

Timber Sales

- ◆ Once a timber harvest is fully approved. DOF will cruise the area using the methods developed by the DOF State Forest personnel. The district staff should consult with the deputy regional forester and the SLM concerning assistance to implement the project. The state lands manager and State Forest staff will facilitate the determination of volume and value of the timber to be harvested. Since each timber sale can be unique, the state lands manager will coordinate the advertisement, contract development and remainder of the administrative details of the sale. **All sales of timber from state-owned lands must be approved in advance.**
- The only exception to obtaining DGS approval for timber removal is if the timber has no commercial value and no money is to be received for the timber removed (e.g., grubbing of small timber or removal of small amounts of timber associated with the building of a road, parking lot, recreational field, or crop field/open land expansion by the owner agency).
- ◆ When the timber sale volume, appraisal, advertisement and contract have been prepared, the state lands manager will review. Once the announcement is finalized, the state lands manager will send out the sale package to potential buyers within the area and to the Office of Communications for posting of the sale announcement on the DOF web site. Typically, the sale shall be advertised for at least 30 days.
- ◆ Bid openings for sales shall be designated by the state lands manager depending on the location of the sale and the proximity to DOF regional offices. The winning bidder signed bid package, including the deposit check (made out to the “Treasurer of Virginia, Department of Forestry”), will be forwarded to the Finance Office or deposited by an approved program support technician (PST) for processing and appropriate signatures. Deposit checks from unsuccessful bidders will be returned to the bidder. If the successful bidder fails to execute the contract in the prescribed time period, in addition to all other legal remedies available, the deposit will be forfeited. If bids fail to meet the minimum appraised value, the sale may not be awarded. All monies from the sale of forest products from state-owned lands will be sent to the Finance Office or in some cases given to the Regional PSTs for depositing of received monies referencing the state-owned land project number. The deposit check will also serve as the performance bond for the successful bidder and shall be retained until sale completion. The state lands manager will advise finance when bonds can be released.
- ◆ A copy of the contract, with DOF’s signature approval, will then be sent to the winning bidder, the agency / institution representative, the deputy regional forester and the state lands manager will keep the original with a copy sent to DOF Finance Office. The timber harvest cannot begin until this executed contract has been sent to the winning buyer/logger.
- ◆ If this bid is accepted, the winning bidder must agree to pay the balance due for the offered timber within a specified time frame after the bid acceptance date. If the timber sale was a per unit sale, then the bidder must pay the agreed upon stumpage price on a regular interval based on the load tickets from the mill. The checks must be made payable to the “Treasure of Virginia, Department of Forestry”. Per unit sale, checks and load tickets will be sent to the state lands manager for processing and verification for deposit.

- ◆ All timber harvests will require a Pre-harvest plan to be completed prior to the start of harvesting. Region staff should develop the plan based upon communications with the purchaser taking into account the method to be used in the harvesting along with the anticipated harvest season.
- ◆ Many State-Owned Lands timber harvests are sold lump sum, but harvest inspections are still required. During the harvesting of State-Owned Lands the deputy regional forester will assign regional field staff the role of inspecting the harvest with the goal of weekly inspections (but no more than every 10 days) while the harvest is ongoing. Harvest Inspections should consist of ensuring that the buyer follows contract provisions, in addition to silvicultural water quality law compliance. Inspectors represent the landowner and as such, the provisions within the contract are to be enforced. If inspections cannot be made weekly the state lands manager should be notified to assist.
- ◆ If the harvesting of timber is on a per unit basis, the assigned inspector should also ensure that timber harvested is merchandized correctly (pulpwood vs sawtimber). The state lands manager will state what the expectations of merchandizing harvested timber will be at the start of the harvest during a pre-harvest meeting with the buyer that should be attended by the inspector.
- ◆ Revenue received will be recorded by the state lands manager on the State-Owned Lands Project spreadsheet once a signed contract and payment has been received.

Reforestation/Afforestation or Other Management Project Implementation

Site Preparation, Planting or Other Forest Management Operations

The district staff in charge of the project will make all the necessary recommendations for any recommended project work, such as site preparation, planting or other management services, on the [Form 7.19 State-Owned Land Forest Management Project Request](#). The SLM district staff must follow the agency's purchasing guidelines when lining up contractors to do the work, or use existing DOF contracts (i.e., aerial herbicide contract, planting contract). It is recommended that district staff work to ensure all documentation is obtained before using a particular contractor including use of the [Form 108 Procurement Checklist](#) for purchasing and a certificate of insurance for performing work on state-owned lands. The state lands manager will work with State Forest staff to establish contracts for use on State-Owned lands where lands are within reasonable proximity to State Forest projects.

Ordering Seedlings

For planting projects, the SLM district staff will order seedlings using the [Form 12.1 Reforestation Tree Seedling and Service Order](#) or via an email to the nursery manager. All normal seedling order needs must be given to the SLM before June 1st, or before March 7th for specific seedling needs such as Longleaf or Shortleaf not normally grown by the nursery. Notification is needed prior to the next year's planting season. Seedlings utilized will be charged to the State Lands Fund cost code with prior approval.

Project Completion

Project Expenses

- ◆ The SLM district staff will keep track of all expenses for each project and complete the [Form 7.20 State-Owned Land Project Expense Summary](#) to include all expenses incurred including their own time and mileage, other personnel time and mileage, seedling cost, planting cost, spraying cost, supply cost, etc. The district staff will cc the DRF and DF when the information is sent to the SLM.
- ◆ If a state-owned land project includes multiple phases over an extended time (e.g., harvest, site prep, planting), a Form 7.20 maybe completed for each phase to ensure timely tracking of project expenses and payments to contractors.
- ◆ The SLM district staff will send the completed [Form 7.20 State-Owned Land Project Expense Summary](#) with attached receipts, invoices and supporting documentation to the appropriate agency when Special Fund properties are being managed. manager
 - If district staff contract for services, a note may be attached to each Form 7.20 indicating how a particular contractor district staff selected if not using specific area or regional contracts. If several were contacted,

each will be listed along with the price they quoted for a particular job. The district staff will also provide any detailed information required to make payment to any contractor to include a completed [Form 108 Procurement Checklist](#), a valid address, phone number and email for the contractor. Typically, an IFB or Quick Quote may be used by the SLM to procure for services needed for each project.

- ◆ The state lands manager will review the [Form 7.20 State-Owned Land Project Expense Summary](#) and supporting documentation to ensure that all costs are valid and documented. If everything is in order, the state lands manager will sign approval and forward to the Finance Office for processing.
 - Original Form 7.20 and documentation – forwarded to the Finance Office
 - Copy of Form 7.20 and documentation – retained by the state lands manager
- ◆ The State-Owned Lands Project spreadsheet will be used by the state lands manager to track all DOF expenses incurred for state-owned lands projects (e.g., project mileage, personnel time, equipment used, timber sale advertisement, paint, etc.). The Form 7.20 total expense will be recorded on this spreadsheet to track total costs for the state-owned lands project.

Transfer/Payment of Money from the Fund

- ◆ The state lands manager will track the receipts/revenue from the sale of forest products sold against the expenses of overall project implementation in the State-Owned Lands Project spreadsheet. For Special-Use Fund properties or military properties where the sale of forest products district staff a part of the overall project to be followed by some form of forest management work, the manager will advise the Finance Office when to release the balance of the project revenue to the special fund property holding agency or institution.
- ◆ The Finance Office will pay any contractor invoices out of the State Lands Fund cost code.
- ◆ If the project has multiple phases with expenses being submitted at the end of each phase, this Project Completion procedure will be repeated until all phases are closed out, all expenses reported, all contractors paid and total project expense is finalized.

AUTHORITY

This policy and procedure is issued by the Virginia state forester.

INTERPRETATION

The state lands manager and deputy state forester are responsible for the interpretation of this policy and procedure.

APPROVAL

I certify that this policy and procedure is approved and ready for publication.

Ed Stoots

State Lands Manager Name (Print)

DocuSigned by:

E. Edward Stoots

10/17/2023

State Lands Manager Signature

Ed Zimmer

Deputy State Forester Name (Print)

DocuSigned by:

Ed Zimmer

10/18/2023

Deputy State Forester Signature