

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1041 Session of
2001

INTRODUCED BY GREENLEAF, ERICKSON, BOSCOLA, COSTA, KUKOVICH,
LAVALLE AND LEMMOND, SEPTEMBER 5, 2001

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY,
SEPTEMBER 5, 2001

AN ACT

1 Establishing the Forest Stewardship Program and the Stewardship
2 Incentive Program in the Bureau of Forestry of the Department
3 of Conservation and Natural Resources; and establishing the
4 Pennsylvania Forest Stewardship Committee and providing for
5 its powers and duties.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Short title.

9 This act shall be known and may be cited as the Forest
10 Stewardship Act.

11 Section 2. Definitions.

12 The following words and phrases when used in this act shall
13 have the meanings given to them in this section unless the
14 context clearly indicates otherwise:

15 "Bureau." The Bureau of Forestry of the Department of
16 Conservation and Natural Resources of the Commonwealth.

17 "Committee." The Pennsylvania Forest Stewardship Committee
18 established under section 3.

19 "Private, nonindustrial forest land." Rural, as determined

1 by the State Forester, lands with existing tree cover or
2 suitable for growing trees, and owned by any private individual
3 or group.

4 "State Forester." The State Forester of Pennsylvania.

5 Section 3. Advisory committee.

6 (a) Establishment.--The Pennsylvania Forest Stewardship
7 Committee is hereby established as an advisory committee in the
8 bureau.

9 (b) Powers and duties.--The committee shall provide advice,
10 assistance and recommendations to the State Forester and the
11 bureau concerning the:

12 (1) Development, implementation, monitoring and updating
13 of the Pennsylvania Forest Stewardship Plan.

14 (2) Development of a list of approved forest activities
15 for the Stewardship Incentive Program.

16 (3) Any other matter as the State Forester or the bureau
17 may request.

18 (c) Members.--The members of the committee shall be
19 appointed by the Secretary of Conservation and Natural Resources
20 upon the recommendation of the State Forester. The members of
21 the committee shall represent Federal, State and local
22 government agencies and private organizations with professional
23 knowledge or interest in the management of the forest ecosystem.
24 The number of committee members shall be determined by the
25 secretary upon the recommendation of the State Forester.

26 (d) Expenses.--Members of the committee shall serve without
27 compensation but shall be reimbursed for their actual and
28 necessary expenses in carrying out their duties as committee
29 members.

30 (e) Meetings.--The committee shall meet at least twice a

1 year. The committee shall annually elect a chairman and vice
2 chairman from among its members. A member of the committee who
3 is a Federal or State employee shall be ineligible to be elected
4 as chairman or vice chairman of the committee.

5 (f) Quorum.--A majority of the members of the committee
6 shall constitute the quorum of the committee necessary to
7 conduct the business of the committee. A member of the committee
8 may designate in writing another person to serve on the
9 committee as that member's alternate.

10 (g) Administration services.--The bureau shall provide
11 administrative services for the advisory committee.

12 Section 4. Forest Stewardship Program.

13 (a) Establishment.--There shall be a Forest Stewardship
14 Program in the Bureau of Forestry of the Department of
15 Conservation and Natural Resources. The bureau shall implement
16 the program, authorized by Federal law and administered
17 nationally by the United States Department of Agriculture Forest
18 Service, as provided in this section.

19 (b) Purpose.--The purpose of the program is to assist
20 private landowners to:

21 (1) More actively manage their forests and their related
22 resources.

23 (2) Keep their forests in a productive and healthy
24 condition for current and future generations.

25 (3) Increase the economic and environmental benefits of
26 their forests.

27 (c) Pennsylvania Forest Stewardship Plan.--The bureau, in
28 consultation with the committee, shall develop a Pennsylvania
29 Forest Stewardship Plan. The plan shall describe how the bureau
30 will implement the program established in subsection (a) to

1 accomplish the purposes of the program. The plan shall be
2 updated as necessary.

3 (d) Eligibility.--Private, nonindustrial forest lands shall
4 be eligible for the program. In order to enter forest land into
5 the program, the landowner shall:

6 (1) Prepare and submit to the State Forester a private
7 forest stewardship plan that:

8 (i) Is prepared by a professional resource manager.

9 (ii) Identifies and describes actions to be taken by
10 the landowner to protect soil, water, range, aesthetic
11 quality, recreation, timber, water and fish and wildlife
12 resources on the land in a manner that is compatible with
13 the objectives of the landowner.

14 (iii) Is approved by the State Forester.

15 (2) Agree that all activities conducted on the land
16 shall be consistent with the Private Forest Stewardship Plan.

17 (e) Assistance to landowners.--The bureau shall provide
18 landowners with informational and technical assistance to help
19 owners understand and evaluate alternative actions they might
20 take, including:

21 (1) Managing and enhancing the productivity of timber,
22 fish and wildlife habitat, water quality, wetlands,
23 recreational resources and aesthetic value of forests.

24 (2) Investing in practices to protect, maintain and
25 enhance the resources identified in paragraph (1).

26 (3) Ensuring that the afforestation, reforestation,
27 improvement of poorly stocked stands, timber stand
28 improvement, practices necessary to improve seedling growth
29 and survival and growth enhancement practices occur where
30 needed to enhance and sustain the long-term productivity of

1 timber and nontimber forest resources to help meet future
2 public demand for all forest resources and provide the
3 environmental benefits that result.

4 (4) Protecting their forests from damage caused by fire,
5 insects, disease and damaging weather.

6 (f) Recognition program.--The bureau shall develop an
7 appropriate recognition program for landowners who practice
8 stewardship management on their lands.

9 Section 5. Stewardship Incentive Program.

10 (a) Creation.--There shall be a Stewardship Incentive
11 Program in the Bureau of Forestry of the Department of
12 Conservation and Natural Resources. The bureau shall implement
13 the Stewardship Incentive Program, authorized by Federal law and
14 administered nationally by the United States Department of
15 Agriculture Forest Service, as provided in this section.

16 (b) Eligibility for assistance.--A landowner is eligible for
17 cost-sharing assistance under this program if the landowner:

18 (1) Has developed an approved private forest stewardship
19 plan under section 4.

20 (2) Has agreed to implement approved activities and
21 practices under subsection (c) in accordance with the plan
22 for a period of not less than ten years unless the State
23 Forester approves a modification to that plan.

24 (3) Owns at least five but not more than 1,000 acres of
25 forest land. The bureau may approve cost-sharing assistance
26 for landowners who own up to 5,000 acres if the State
27 Forester determines that significant public benefits will
28 accrue from such approval.

29 (c) List of approved activities and practices.--The bureau,
30 in consultation with the committee, shall develop a list of

1 approved forest activities and practices that are eligible for
2 cost-sharing assistance under this program. The list of approved
3 activities shall include, but not be limited to:

4 (1) The establishment, management, maintenance and
5 restoration of forests for shelter belts, windbreaks,
6 aesthetic quality and other conservation purposes.

7 (2) The sustainable growth and management of forests for
8 timber production.

9 (3) The protection, restoration and use of forest
10 wetlands.

11 (4) The enhanced management and maintenance of native
12 vegetation on lands vital to water quality.

13 (5) The growth and management of trees for energy
14 conservation purposes.

15 (6) The management and maintenance of fish and wildlife
16 habitat.

17 (7) The management of outdoor recreational
18 opportunities.

19 (d) Cost-sharing payments.--The bureau shall determine the
20 appropriate reimbursement rate for cost-sharing payments and the
21 schedule for making such payments. The bureau shall establish a
22 mechanism for recapturing payments made to a landowner in the
23 event the landowner fails to implement any approved activity or
24 practice specified in the approved Private Forest Stewardship
25 Plan for which the landowner received cost-sharing payments.

26 Section 6. Effective date.

27 This act shall take effect immediately.