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S.2427 - Forest Stewardship Act of 1990

101st Congress (1989-1990)

Sponsor: [Sen. Leahy, Patrick J. \[D-VT\]](#) (Introduced 04/05/1990)

Committees: Senate - Agriculture, Nutrition, and Forestry

Latest Action: Senate - 04/05/1990 Read twice and referred to the Committee on Agriculture. ([All Actions](#))

Tracker: **Introduced**

Summary(1) **Text(1)** Actions(1) Titles(2) Amendments(0) Cosponsors(4) Committees(1) Related Bills(0)

There is one version of the bill.

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Introduced in Senate

S 2427 IS
101st CONGRESS
2d Session
S. 2427

To provide for the establishment of a coordinated and cooperative Federal, State and local forest program for the management and enhancement of forest lands, and for other purposes.

IN THE SENATE OF THE UNITED STATES

April 5 (legislative day, JANUARY 23), 1990

Mr. LEAHY (for himself, Mr. LUGAR, Mr. BAUCUS, and Mr. CONRAD) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To provide for the establishment of a coordinated and cooperative Federal, State and local forest program for the management and enhancement of forest lands, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the `Forest Stewardship Act of 1990'.

SEC. 2. REFERENCES.

Whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101 et seq.).

SEC. 3. FINDINGS, PURPOSE, AND POLICY.

Section 2 of the Act (16 U.S.C. 2101) is amended to read as follows:

`SEC. 2. FINDINGS, PURPOSE, AND POLICY.

`(a) FINDINGS- Congress finds that--

- `(1) most of the productive forest land of the United States is in private, State, and local governmental ownership, and the capacity of the United States to produce renewable forest resources is significantly dependent on such non-Federal forest lands;
- `(2) adequate supplies of timber and other forest resources are essential to the Nation, and adequate supplies are dependent on efficient methods for establishing, managing, and harvesting trees and processing, marketing, and using wood and wood products;
- `(3) nearly one-half of the wood supply of the Nation comes from non-industrial private timberlands and such percentage could rise with expanded assistance programs;
- `(4) managed forest lands provide habitats for fish and wildlife, as well as aesthetics, outdoor recreation opportunities, and other forest resources;
- `(5) the soil, water, air quality, and aesthetics of the Nation can be maintained and improved through good stewardship of privately held forest resources;

`(6) insects and diseases affecting trees occur and sometimes create emergency conditions on all land, whether Federal or non-Federal, and efforts to prevent and control such insects and diseases often require coordinated action by both Federal and non-Federal land managers;

`(7) fires in rural areas threaten human lives, property, and forests and other resources, and Federal-State cooperation in forest fire protection has proven effective and valuable;

`(8) trees and forests are of great environmental and economic value to urban areas;

`(9) managed forests contribute to improving the quality, quantity, and timing of water yields, that are of broad benefit to society;

`(10) over half the forest lands of the Nation are in need of some type of conservation treatment;

`(11) forest landowners are being faced with increased pressure to convert their forest land to development and other purposes;

`(12) increased population pressures and user demands are being placed on private, as well as public, landholders to provide a wide variety of products and services including fish and wildlife habitat, maintenance of biological diversity, aesthetic quality, and recreational opportunities;

`(13) stewardship of privately held forest resources requires a long-term commitment that can only be fostered through local, State, and Federal governmental actions;

`(14) the Department of Agriculture, through the coordinated efforts of the Agriculture Research Service, Agriculture Stabilization and Conservation Service, Cooperative State Research Service, Extension Service, Forest Service, Soil Conservation Service cooperating with other Federal agencies, and State foresters and other political subdivisions, has the expertise and experience to assist private landowners in achieving individual goals and public benefits; and

`(15) Federal funding for State and private forest management assistance has been reduced by 44 percent between 1979 and 1989.

`(b) PURPOSE- It is the purpose of this Act to authorize the Secretary of Agriculture (hereinafter in this Act referred to as the `Secretary') with respect to non-Federal forest lands, to assist in--

`(1) the establishment of a coordinated and cooperative Federal, State, and local forest stewardship program for management of the non-Federal forest lands of the United States;

`(2) the encouragement of the production of timber;

`(3) the prevention and control of insects and diseases affecting trees and forests;

`(4) the prevention and control of rural fires;

`(5) the efficient utilization of wood and wood residues, including the recycling of wood fiber;

`(6) the improvement and maintenance of fish and wildlife habitat;

`(7) the planning and conduct of urban forestry programs;

`(8) the establishment of a forest stewardship program to broaden existing forest management, fire protection, and insect and disease protection programs on non-Federal private forest lands to meet multiple use objectives of landowners in an environmentally sensitive manner;

`(9) the establishment of a forest stewardship reserve program that provides private landowners with opportunities to protect ecologically valuable or threatened non-Federal forest lands; and

`(10) the strengthening of educational, technical and financial assistance programs that provide assistance to non-Federal forest land owners.

`(c) POLICY- It is the policy of Congress that it is in the national interest for the Secretary to work through and in cooperation with State foresters, or equivalent State officials and the private sector in implementing Federal programs affecting non-Federal forest lands.

`(d) CONSTRUCTION- This Act shall be construed to complement the policies and direction under the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 2101).'

SEC. 4. FOREST STEWARDSHIP ASSISTANCE.

Section 3 of the Act (16 U.S.C. 2102) is amended to read as follows:

`SEC. 3. FOREST STEWARDSHIP ASSISTANCE.

`(a) IN GENERAL- The Secretary, acting through the appropriate Federal, State and local agencies, and the private sector shall establish and implement expanded programs that provide educational and technical assistance to meet the goals of this Act.

`(b) ASSISTANCE- The Secretary may provide financial, technical, educational, and related assistance to the State foresters, State extension directors, and equivalent State officials to enable such officials to provide technical information, advice, and related assistance to private forest landowners and

managers, vendors, forest resource operators, forest resource professionals, public agencies and individuals to enable such persons to carry out activities that are consistent with the purposes of this Act, including--

- `(1) protecting, maintaining, enhancing, and preserving forest lands and the multiple values and uses that depend on such lands, including--
 - `(A) monitoring the condition of the forest to ensure a healthy condition;
 - `(B) conserve the soil and water resources associated with their forest lands;
- `(2) identifying, protecting, maintaining, enhancing, and preserving rare and endangered wildlife and fish species and their habitats;
- `(3) implementing the latest forest stewardship and management technologies;
- `(4) selecting, producing, and marketing alternative forest crops, products and services from forest lands;
- `(5) protecting forest land from damage caused by fire, insects, and disease;
- `(6) identifying highly aesthetic forest land and implement management activities to protect, regenerate, and improve the aesthetic character of such lands;
- `(7) managing the rural-land and urban-land interface to balance the use of forest resources in and adjacent to urban and community areas and to protect forest lands from development;
- `(8) identifying and managing recreational forest land resources
- `(9) protecting forest land from development; and
- `(10) managing the timber resources of forest lands, including--
 - `(A) the harvesting, processing, and marketing of timber and other forest resources and the marketing and utilization of wood and wood products;
 - `(B) the conversion of wood to energy for domestic, industrial, municipal, and other uses;
 - `(C) the planning, management, and treatment of forest land, including site preparation, reforestation, thinning, prescribed burning, and other silvicultural activities designed to increase the quantity and improve the quality of timber and other forest resources;
 - `(D) investing a portion of the proceeds from the sale of timber or other forest resources in stewardship activities that preserve, protect, maintain, and enhance their forest land;
 - `(E) ensuring that forest regeneration or reforestation occurs if needed to sustain long-term resource productivity and to help prevent major climatic changes as a result of the greenhouse effect;
 - `(F) protecting and improving forest soil fertility and the quality, quantity, and timing of water yields; and
 - `(G) protecting and improving fish and wildlife and their habitats.

`(c) STATE FORESTRY ASSISTANCE- The Secretary is authorized to provide financial, technical, and related assistance to State foresters, or equivalent State officials, to--

- `(1) develop genetically improved tree seeds;
- `(2) procure, produce, and distribute tree seeds and trees for the purpose of establishing forests, windbreaks, shelterbelts, woodlots, and other plantings;
- `(3) plant tree seeds and trees for the reforestation or afforestation of non-Federal forest lands that are suitable for the production of timber, recreation, and for other benefits associated with the growing of trees;
- `(4) plan, organize, and implement measures on non-Federal forest lands, including thinning, prescribed burning, and other silvicultural activities designed to increase the quantity and improve the quality of trees and other vegetation, fish and wildlife habitat, and water yielded therefrom; and
- `(5) protect or improve soil fertility on non-Federal forest lands and the quality, quantity, and timing of water yields.

`(d) IMPLEMENTATION- In implementing this section, the Secretary shall cooperate with other Federal, State, and local natural resources agencies, universities and the private sector.

`(e) AUTHORIZATION OF APPROPRIATIONS- There are authorized to be appropriated such sums as may be necessary to carry out this section.'

SEC. 5. FOREST STEWARDSHIP MANAGEMENT PROGRAM.

The Act (16 U.S.C. 2101 et seq.) is amended--

(1) by redesignating sections 4 through 9 as sections 6 through 11, respectively; and

(2) by inserting after section 3 the following new sections:

`SEC. 4. FOREST STEWARDSHIP MANAGEMENT PROGRAM.

`(a) ESTABLISHMENT- The Secretary, in consultation with the State foresters, or equivalent State officials, shall establish a program, to be known as the `Forest Stewardship Management Program' (hereinafter referred to in this Act as the `Program'), to encourage the voluntary long-term stewardship of existing private nonindustrial forest lands.

`(b) GOALS- The goal of the Program shall be to place an additional 25,000,000 acres of nonindustrial private forest land under forest management in accordance with landowner objectives and to provide multiple benefits to the Nation between 1991 and 1995.

`(c) ELIGIBILITY-

`(1) IN GENERAL- All existing private nonindustrial forest lands that are not in management under existing Federal, State, or private sector financial and technical assistance programs are eligible for assistance under the Program. Private nonindustrial forest lands that are managed under existing Federal, State, or private sector financial and technical assistance programs may be eligible for assistance under the Program if the landowner agrees to comply with the requirements of the Program or if forest management activities are expanded or enhanced to meet the requirements of this Act.

`(2) COST SHARING- Landowners shall be eligible for cost sharing assistance under this section if such landowners own not more than 1,000 acres of land, except that the Secretary may approve the provision of cost sharing assistance to landowners that own more than 1,000 acres of such land if the Secretary determines that significant public benefits from such will accrue. The Secretary shall not approve of the provision of cost sharing assistance to any landowner owning in excess of 5,000 acres of private forest land. A landowner shall not receive cost share assistance for timber management under this section if such landowner receives cost share assistance under section 6.

`(3) STATE PRIORITIES- The Secretary in consultation with the State forester, or equivalent State official, and other State natural resource management agencies may recommend State priorities for bringing forest land into the Program that will promote unique forest management objectives in that State.

`(4) APPROVED ACTIVITIES-

`(A) DEVELOPMENT- The Secretary, in consultation with the State Forest Stewardship Advisory Committees established under section 12(b), shall develop a list of approved forest management activities that will be eligible for cost-share assistance under the Program within each State.

`(B) TYPE OF ACTIVITIES- Approved activities under subparagraph (A) may include--

`(i) the management and maintenance of forests for shelterbelts, windbreaks, aesthetic quality and other conservation purposes;

`(ii) the sustainable growing and management of forests for timber production pursuant to the forestry incentives program under section 6 of this Act;

`(iii) the protection, restoration, and use of forest wetlands;

`(iv) the enhanced management and maintenance of native vegetation on other lands vital to water quality;

`(v) agro-forestry management;

`(vi) the growing and management of trees for energy conservation purposes;

`(vi) the management and maintenance of fish and wildlife habitat; and

`(vii) the management of outdoor recreational opportunities.

`(C) EXISTING ENVIRONMENTAL LAWS- In developing and applying approved activities under subparagraph (A), the Secretary shall ensure that such approved activities are consistent with existing Federal and State environmental laws and policies.

`(d) DUTIES OF OWNERS- To enter forest land into the Program, the landowners shall--

`(1) prepare and submit to the State forester a forest stewardship management plan that meets the requirements of subsection (e) and that shall--

`(A) be prepared by a professional resource manager;

`(B) identify and describe actions to be taken by the landowner to protect soil, water, range, aesthetic quality, recreation, timber, water, fish and wildlife resources on such land in a manner that is compatible with the objectives of the landowner; and

`(C) be approved by the State forester, or equivalent State official, in accordance with Federal and State law;

`(2) agree to maintain the approved activities on the land that is subject to the management plan for not less than 20 years unless the State forester, or equivalent State official, approves modifications in such plan; and

`(3) agree that during the 20-year period, all activities conducted on such land shall be consistent with the intent of this Act.

`(e) REIMBURSEMENT OF ELIGIBLE ACTIVITIES-

`(1) IN GENERAL- The Secretary shall share the cost of developing and carrying out the forest stewardship management plan under subsection (d), and in implementing the approved activities that the Secretary determines are appropriate and in the public interest, with a landowner who has entered in an agreement to place the forest land of such owner into the Program.

`(2) RATE- The Secretary, in consultation with the State forester, or

equivalent State official, shall determine the appropriate reimbursement rate for making cost share payments under paragraph (1), and the schedule of such payments.

`(3) MAXIMUM- The Secretary shall not make cost share payments under this subsection to a landowner in an amount in excess of 75 percent of the total cost to such landowner of developing and implementing the forest stewardship management plan. Total payments to any one landowner shall be determined by the Secretary.

`(f) PENALTY PAYBACK PROVISIONS- The Secretary shall establish and implement a penalty-payback provision to be applied in the event that a landowner terminates any approved practice required under the forest stewardship management plan of such landowner within the life of the contract.

`(g) PREPARATION- The Secretary shall encourage the use of private agencies, consultants, organizations, and firms to the extent feasible for the preparation of individual forest stewardship management plans and the implementation of approved activities.

`(h) DISTRIBUTION- The Secretary shall distribute funds available for cost sharing under this section among the States only after assessing the public benefit incident to such distribution, and after giving appropriate consideration to--

`(1) the acreage of private forest land in each State;

`(2) the potential productivity of such land;

`(3) the number of owners eligible for cost sharing in each number State; and

`(4) the need for multiple-use forestry investments on such ownerships.

`(i) OTHER AUTHORITY- In implementing this section, the Secretary may use the authorities provided in sections 1001, 1002, 1004, and 1008 of the Agricultural Act of 1970, as added by the Agriculture and Consumer Protection Act of 1973.

`(j) AUTHORIZATION OF APPROPRIATIONS- There are authorized to be appropriated such sums as may be necessary to carry out this section.

`SEC. 5. FOREST RESERVE PROGRAM.

`(a) IN GENERAL- The Secretary may establish a Forest Reserve Program in cooperation with State and political subdivisions for the purpose of protecting environmentally sensitive forest lands that are threatened by conversion to an alternative use through the facilitation of the utilization of conservation easements in the administration of lands and interests in lands for conservation purposes as otherwise provided in law.

`(b) INTEREST IN LAND AND WATER- In addition to the authorities granted under the Weeks Act and the Department of Agriculture Organic Act of 1956, the Secretary may purchase interests in land and water for the protection of forest resources and the preservation of environmental resources from willing forest landowners, on forest lands eligible for inclusion in the forest reserve program established under this section.

`(c) IMPLEMENTATION-

`(1) IN GENERAL- Interest in lands or water under subsection (b) may be held by the Secretary.

`(2) PILOT PROJECTS- Not later than 1 year after the date of enactment of this Act, the Secretary shall establish four pilot projects to meet the goals and requirements of this section for the Forest Reserve Program. The Secretary may ensure that one such pilot project shall be established in each of the Northeast, Midwest, South, and Western regions of the United States.

`(3) DISCRETION- Subsequent State programs or a comprehensive national program under this section shall be implemented at the discretion of the Secretary.

`(d) ELIGIBILITY- The Secretary, in consultation with State Forest Stewardship Advisory Committees established under section 12(b), shall establish eligibility criteria for the inclusion of land threatened by conversion to nonforest uses in the Forest Reserve Program. Of land proposed to be included in the Program the Secretary shall give priority to lands--

`(1) that are threatened by development;

`(2) with unique scenic character; and

`(3) with threatened or endangered species.

`(e) APPLICATION- To be eligible to enter forest lands in the Forest Reserve Program, the owner of such land shall prepare and submit, through the State Forester, an application at such time, in such form, and containing such information as the Secretary shall require not later 1 year from the date of enactment of this Act.

`(f) DETERMINATION- The Secretary shall determine the eligibility of forest lands for inclusion within the Forest Reserve Program in consultation with the State forester and other appropriate State natural resource management agencies. If applications exceed the ability of the Secretary to bring forest lands into the Forest Reserve Program, priority shall be given to

those forest lands under the greatest threats pursuant to the criteria described in section 12(d).

`(g) FOREST MANAGEMENT ACTIVITIES- Forest management activities, including timber management, on land entered in the Forest Reserve Program that support the purposes of such Program shall be consistent with the intent of this section. Such activities shall be described and approved under the Forest Reserve Plan submitted under section 4(h)(1).

`(h) DUTIES OF OWNERS- Under the terms of an easement acquired under subsection (g), the landowner shall--

`(1) prepare a forest reserve plan pursuant to the eligibility criteria established under subparagraphs (A), (B), and (C) of section (4)(d)(1) and also provide for--

`(A) the identification of the environmental and ecological rationale for bringing the forest land into the Forest Reserve Program;

`(B) any management activity that is planned under the forest reserve plan and the manner in which the values identified in such plan are to be protected; and

`(C) the disclosure of other information determined appropriate by the Secretary; and

`(2) manage such land in a manner that is consistent with and protects the purposes for which the forest land was placed in the Forest Reserve Program and shall not use such land for conversion to agricultural, development, or other uses during the life of the interest in the land or water that is acquired by the Secretary. Hunting, fishing, and similar recreational leases shall not be considered to be inconsistent with the purposes of this program.

`(i) REIMBURSEMENT-

`(1) COST SHARING- In return for an interest in land or water acquired by the Secretary under this section, the Secretary shall share the cost of purchasing any private property rights that the Secretary determines are eliminated in the Forest Reserve Plan, and for any management program that the Secretary determines is in the public interest with the landowner or State, private or nongovernmental organizations.

`(2) RATE AND SCHEDULE- The Secretary, in consultation with the State forester, shall determine the appropriate reimbursement rate and schedule for various lands in the Forest Reserve Program. Such determination shall be based on--

`(A) the real estate value of the land;

`(B) the ecological and scenic value of the land;

`(C) the degree of threat of loss of forest land;

`(D) income potential planned from use of the land; and

`(E) any other criteria that are developed by the Secretary.

`(3) FEDERAL SHARE- The Federal share of payments under paragraph (1) shall not exceed 75 percent.

`(4) PAYMENTS- Payments under this section shall--

`(A) be lump-sum or periodic payments that are established within the easement; and

`(B) be based on other criteria determined appropriate by the Secretary.

`(5) CONSULTATION- The Secretary shall combine cost-sharing payments under the Forest Reserve Program with State, local and nongovernmental organizations programs.

`(j) EASEMENTS-

`(1) DEFINITION- As used in this section, the terms 'conservation easement', 'scenic easement', or 'easement' means any interest in lands or waters or both owned by the United States, a State or local government entity, or nonprofit organization for any of the purposes described in section 170(h)(4) of the Internal Revenue Code of 1986. Such terms shall also include the acquisition of all rights, title and interests in a property, except those expressly reserved by a Granter that run with the land to the Granters successors in title.

`(2) PROHIBITIONS ON LIMITATIONS- Notwithstanding any provision of State law, no easement held by the United States under this section shall be limited in duration or scope or defeasible by--

`(A) the easement being in gross or appurtenant;

`(B) the management of the easement having been delegated or assigned to a non-Federal entity;

`(C) any requirement under State law for re-recording or renewal of the easement; or

`(D) any future disestablishment of a Federal project area for which the easement was originally acquired.

`(3) AUTHORITY TO ACQUIRE- Unless expressly prohibited by Federal law, wherever the Secretary is authorized to acquire lands under any provision of law, such authorization shall be construed to also include the acquisition

of easements.

`(4) CONSTRUCTION- Notwithstanding any provision of State law, easements shall be construed to effect the Federal purposes for which they were acquired and in interpreting their terms there shall be no presumption favoring the easement holder or fee owner.'

SEC. 6. FOREST HEALTH CONTROL.

Section 7 of the Act (as so redesignated by section 4) (16 U.S.C. 2104) is amended to read as follows:

`SEC. 7. FOREST HEALTH CONTROL.

`(a) IN GENERAL- The Secretary, in cooperation with others on lands in the United States, may protect trees and forests and wood products, stored wood, and wood in use directly on the National Forest System, from natural and man made causes, to--

- `(1) enhance the growth and maintenance of trees and forests;
- `(2) promote the stability of forest-related industries and employment associated therewith through the protection of forest resources;
- `(3) aid in forest fire prevention and control;
- `(4) conserve forest cover on watersheds;
- `(5) protect outdoor recreation opportunities and other forest resources; and
- `(6) extend timber supplies by protecting wood products, stored wood, and wood in use.

`(b) ACTIVITIES- Subject to subsections (c), (d), and (e) and to whatever other conditions the Secretary may prescribe, the Secretary may, directly on the National Forest System, in cooperation with other Federal departments on other Federal lands, and in cooperation with State foresters, or equivalent State officials, subdivisions of States, agencies, institutions, organizations, or individuals on non-Federal lands--

- `(1) conduct surveys to detect and appraise insect infestations and disease conditions and man made stresses affecting trees by establishing a monitoring system throughout the forests of the United States to determine detrimental changes or improvements that occur over time, and report annually concerning such surveys;
- `(2) determine the biological, chemical, and mechanical measures necessary to prevent, retard, control, or suppress incipient, potential, threatening, or emergency insect infestations and disease conditions affecting trees;
- `(3) plan, organize, direct, and perform measures the Secretary determines necessary to prevent, retard, control, or suppress incipient, potential, threatening, or emergency insect infestations and disease epidemics affecting trees;
- `(4) provide technical information, advice, and related assistance to State and private forest landowners on the various techniques available to maintain a healthy forest in managing and coordinating the use of pesticides and other toxic substances applied to trees and other vegetation, and to wood products, stored wood, and wood in use;
- `(5) conduct case studies of pilot tests of research results prior to the full-scale application of such tests in affected forests;
- `(6) implement appropriate silvicultural or management techniques that may improve or protect the health of the forests of the United States; and
- `(7) take any other actions the Secretary determines necessary to accomplish the objectives and purposes of this section.

`(c) CONSENT OF ENTITY- Operations under this section to prevent, retard, control, or suppress insects or diseases affecting forests and trees on land not controlled or administered by the Secretary shall not be conducted without the consent, cooperation, and participation of the entity having ownership of or jurisdiction over the affected land.

`(d) CONTRIBUTION BY ENTITY- No money appropriated to implement this section shall be expended to prevent, retard, control, or suppress insects or diseases affecting trees on non-Federal land until the entity having ownership of or jurisdiction over the affected land contributes, or agrees to contribute, to the work to be done in the amount and in the manner determined appropriate by the Secretary.

`(e) ALLOTMENTS TO OTHER AGENCIES- The Secretary may, out of any money appropriated to implement this section, make allocations to Federal agencies having jurisdiction over lands held or owned by the United States in the amounts the Secretary determines necessary to prevent, retard, control, or suppress insect infestations and disease epidemics affecting trees on those lands.

`(f) LIMITATION ON USE OF APPROPRIATIONS- Amounts appropriated to implement this section shall be available for necessary expenses. No such amounts shall be used to--

- `(1) pay the cost of felling and removing dead or dying trees unless the Secretary determines that such actions are necessary to prevent the spread of

a major insect infestation or disease epidemic severely affecting trees; or
 ` (2) compensate for the value of any property injured, damaged, or destroyed
 by any cause.

The Secretary may procure materials and equipment necessary to prevent, retard, control, or suppress insects and diseases affecting trees without regard to section 3709 of the Revised Statutes, as amended (41 U.S.C. 5), under whatever procedures the Secretary may prescribe, if the Secretary determines that such action is necessary and in the public interest.

` (g) PARTNERSHIPS- The Secretary shall provide financial assistance through the Forest Service, to partnerships among the Forest Service and State and private forestry organizations, in cooperation with State foresters or equivalent State officials, to monitor forest health and protect the forest lands of the United States. The Secretary shall require contribution by the non-Federal partner in the amount and in the manner determined appropriate. Such non-Federal share can be in the form of cash, services, or equipment, as determined appropriate by the Secretary.

` (h) EMERGENCY SUPPRESSIONS- Any amounts available to the Forest Service may be utilized to provide assistance to State and private forestry organizations for the emergency suppression of forest pests on all lands of the United States.

` (i) AUTHORIZATION OF APPROPRIATIONS- There are authorized to be appropriated annually such sums as may be necessary to carry out this section.'.

SEC. 7. FEDERAL, STATE, AND LOCAL COORDINATION AND COOPERATION.

The Act (16 U.S.C. 2101 et seq.) is amended--

(1) by redesignating sections 10 through 14 as sections 13 through 17, respectively; and

(2) by inserting after section 11 (as so redesignated by section 4) the following new section:

` SEC. 12. FEDERAL, STATE, AND LOCAL COORDINATION AND COOPERATION.

` (a) DEPARTMENT OF AGRICULTURE COORDINATION-

` (1) ESTABLISHMENT OF COORDINATING COMMITTEE- The Secretary shall establish an intra-departmental committee, to be known as the `Forest Resource Coordinating Committee' (hereinafter referred to in this section as the `Coordinating Committee') to coordinate forestry activities.

` (2) COMPOSITION- The Coordinating Committee shall be composed of representatives, appointed by the Secretary, from the Agricultural Research Service, Agricultural Stabilization and Conservation Service, Extension Service, Forest Service and Soil Conservation Service.

` (3) CHAIRPERSON- The Secretary shall designate the Chief of the Forest Service as chairperson.

` (4) DUTIES- The Coordinating Committee shall--

` (A) provide assistance in directing and coordinating actions of the Department of Agriculture that relate to educational, technical, and financial assistance concerning forest land to private landowners;

` (B) clarify individual agency responsibilities concerning forest land, consistent with the legislative authorities of each agency represented on the Committee; and

` (C) advise the Secretary to mediate and facilitate intradepartmental differences regarding the implementation of this Act, and any other Act related to the authority of the Secretary concerning non-Federal forest lands.

` (b) FEDERAL, STATE, AND LOCAL COORDINATION-

` (1) ESTABLISHMENT OF ADVISORY COMMITTEES-

` (A) IN GENERAL- The Secretary, in consultation with the State forester of each State, shall establish a Forest Stewardship Advisory Committee (hereinafter referred to in this Act as the `Advisory Committee') for each such State. Such Committees may be existing State forestry committees if such existing committees include landowners and the general public in their memberships.

` (B) COMPOSITION- The Advisory Committee shall be chaired and administered by the State Forester, or equivalent State official, and shall be composed, to the extent practicable, of--

` (i) representatives from the Forest Service, Soil Conservation Service, Agricultural Stabilization and Conservation Service, and Extension Service;

` (ii) representatives, to be appointed by the State forester, of forestry interests including, individuals that are representative of--

` (I) local government;

` (II) the forest products industry;

` (III) environmental organizations;

` (IV) the public at large;

` (V) forest land owners;

` (VI) land-trust organizations, if applicable in the State;

- `(VII) conservation organizations;
- `(VIII) the State fish and wildlife department; and
- `(IX) the State Park Service; and
- `(iii) any other individuals determined appropriate by the Secretary.
- `(C) TERMS- The members of the Advisory Committee appointed under subparagraph (B)(ii) shall serve 3-year terms, with the initial members serving staggered terms as determined by the State forester, and may be reappointed for consecutive terms.
- `(D) EXISTING COMMITTEES- Existing State forestry committees may be used to compliment, formulate, or replace the Advisory Committees to avoid duplication of efforts if such existing committees are made up of membership that is similar to that described in subparagraph (B)(ii).
- `(2) DUTIES- An Advisory Committee shall--
 - `(A) consult with other Department of Agriculture and State committees that address State and private forestry issues;
 - `(B) make recommendations to the Secretary concerning the assignment of priorities and the coordination of responsibilities for the implementation of this Act by the various Federal and State forest management agencies that take into consideration the mandates of each such agency;
 - `(C) make recommendations to the State Forester concerning the development of a Forest Stewardship Planning Guide under paragraph (3);
 - `(D) make recommendations to the Secretary concerning the development of approved activities pursuant to section 6(c)(3); and
 - `(E) make recommendations to the State Forester concerning those forest lands that should be given priority for inclusion in the Forest Reserve Program.
- `(3) SUBCOMMITTEES- The Advisory Committees may establish subcommittees to address different programs under this Act.
- `(4) FOREST STEWARDSHIP PLANNING GUIDE- The State forester of each State, in consultation with the Advisory Committee of such State, shall develop a Forest Stewardship Planning Guide that shall--
 - `(A) provide baseline data on the forest resources of the State;
 - `(B) outline threats to the forest resources of the State;
 - `(C) describe economic and environmental opportunities that are linked with the forest resources of the State;
 - `(D) address management problems, opportunities, and objectives associated with intermingled Federal, State, and private land ownership patterns within the State; and
 - `(E) make planning recommendations for Federal, State, and local implementation of this Act.
- `(5) OTHER PLANS- Other State forest management plans may be used as the basis for or in lieu of establishing a guide for the State under paragraph (4) if such plans fully conform to the objectives of this Act.'

SEC. 8. ADMINISTRATION AND LIMITATIONS.

The Act (16 U.S.C. 2101 et seq.) is amended by adding at the end thereof the following new sections:

`SEC. 18. ADMINISTRATION.

- `(a) IN GENERAL- The Secretary shall administer this Act in accordance with regulations that the Secretary shall develop.
- `(b) AFFECT OF OTHER REGULATIONS- Regulations issued this Act and title X of the Agricultural Act of 1970, as added by the Agriculture and Consumer Protection Act of 1973, to the extent not inconsistent with the provisions of this Act, shall remain in effect until revoked or amended by regulations promulgated under this subsection.
- `(c) GUIDELINES- The regulations promulgated under this Act shall include guidelines for the administration of this Act at the Federal and State levels, and shall identify the measures and activities that are eligible for cost sharing under this Act.
- `(d) AGREEMENTS- The Secretary may make grants, agreements, contracts, and other arrangements the Secretary determines necessary to implement this Act.
- `(e) SUPPLEMENTAL CONSTRUCTION- This Act shall be construed as supplementing all other laws relating to the Department of Agriculture and shall not be construed as limiting or repealing any existing law or authority of the Secretary.
- `(f) EXISTING MECHANISMS- Existing mechanisms shall be used to the extent possible to make payments and deliver services to the landowner under this Act.
- `(g) LAND GRANT UNIVERSITIES- The Secretary, in consultation with the State Foresters or equivalent State official, may cooperate directly with other State and local natural resource agencies and land grant universities in implementing this Act in cases in which the State Foresters or equivalent State officials are not able to make fund transfers to other agencies.

`SEC. 19. STATEMENT OF LIMITATION.

`This Act shall not authorize the Federal Government to regulate the use of private land or to deprive owners of land of their rights to property or to income from the sale of property, unless property rights are voluntary sold under the forest reserve program, and this Act does not diminish in any rights and responsibilities of the States and political subdivisions of States.'.

SEC. 9. CONFORMING AMENDMENTS.

The Act is amended--

(1) in subsections (d) and (f) of section 6 (as redesignated by section 5) (16 U.S.C. 2103 (d) and (f)), by striking out `10(c)' each place that such occurs and inserting in lieu thereof `13(c)';

(2) in section 11 (as redesignated by section 7) (16 U.S.C. 2108)--

(A) by striking out `4' in subsection (a) and inserting in lieu thereof `6'; and

(B) by striking out `13' in subsection (f) and inserting in lieu thereof `16'; and

(3) in section 13(g) (as redesignated by section 7) (16 U.S.C. 2111(g)), by striking out `13' and inserting in lieu thereof `16'.