

2008 Farm Bill
Conference Report

Forestry Related Provisions
Preliminary Summary by Topic
Updated: May 21, 2008

I. STATEWIDE ASSESSMENTS AND PLANNING AND COMPETITIVE FUNDING PROCESS

A. National Priorities (*Title VIII Forestry, Sec. 8001- amendments to Cooperative Forestry Assistance Act*) [NEW LANGUAGE]

The Secretary of Agriculture is directed to focus on the following National Priorities relative to allocation of funds:
Conserve and manage working forest landscapes for multiple values and uses
Protect forest from threats and restore appropriate forest types in response to threats
Enhance public benefits from private forests
Secretary must report to congress no later than September 30, 2011 how funds have been used to accomplish National Priorities as well as outcomes achieved

B. Long-term State-wide Assessments and Strategies (*Title VIII Forestry, Sec. 8002- amendments to Cooperative Forestry Assistance Act*) [NEW LANGUAGE]

In order to be eligible for funding pursuant to the Cooperative Forestry Assistance Act the State Forester of equivalent must submit to the Secretary no later than June, 2010 (approx.) an Assessment of forest resource conditions and a long-term forest resource Strategy

The Assessment must include:
Conditions and trends of forest resources
Threats to forest lands pursuant to National Priorities
Areas or regions of state that are considered priorities
Multi-state areas that are regional priorities

The State-wide Strategy must include:
Strategies for addressing threats identified in the Assessment
Description of resources necessary to accomplish the State-wide Strategy

The State Forester must update and re-submit the Assessment and State-wide Strategy on a schedule to be determined by the Secretary

Assessment and State-wide Strategy preparation must be coordinated with the following:

State Forest Stewardship Coordinating Committee
State wildlife agency pursuant to state wildlife action plans
State Technical Committee
Federal land management agencies as apply
Lead agency for Forest Legacy Program

Assessment and State-wide Strategy preparation must also incorporate:

Any forest management of the State
Community wildfire protection plans
State wildlife action plans

Following approval by Secretary, the Assessment and State-wide Strategy is considered sufficient to satisfy all planning and assessment requirements contained in the Cooperative Forestry Assistance Act

Current requirements relative to development of a Forest Stewardship Plan are repealed, and the State Coordinating Committee is charged with making recommendations pursuant to the Assessment and State-wide Strategy (*Title VIII Forestry, Sec. 8006- amendments to Cooperative Forestry Assistance Act*)

Funding:

Authorized up to \$10 million annually for FY 2008-2012
Secretary may also use any funding made available for planning per the Cooperative Forestry Assistance Act not to exceed \$10 million per year in combination with specifically authorized funding

C. Competitive Allocation of Funds (*Title VIII Forestry, Sec. 8007- amendments to Cooperative Forestry Assistance Act*) [NEW LANGUAGE]

Beginning not later than June, 2011 (approx.), the Secretary must competitively allocate funds authorized pursuant to the Cooperative Forestry Assistance Act by a process determined in consultation with the **Forest Resource Coordinating Committee**

Priority for funding will be given to **State-wide Strategies** that promote **National Priorities**

D. Forest Resource Coordinating Committee (*Title VIII Forestry, Sec. 8008- amendments to Cooperative Forestry Assistance Act*) [SIGNIFICANT REVISION TO EXISTING PROVISIONS]

The Forest Resource Coordinating Committee is updated and re-organized to provide for expanded representation for 3-year terms, including:

Three (3) State Foresters
A state fish and wildlife agency representative
A non-industrial private forest landowner
A representative from the forest industry
A conservation organization representative
A land grant college representative
A private forestry consultant
A representative from a State Technical Committee
Other appointments as may be determined by the Secretary

Committee duties include:

Direction and coordination for achieving **National Priorities** with specific attention to non-industrial private forest landowners
Clarify individually agency responsibilities with respect to achieving **National Priorities**
Provide advice on allocation of funds including **Competitive Funds**
Meet annually

II. WORKING LAND PROGRAMS AND MARKETS

A. Healthy Forests Reserve Program (*Title VIII Forestry, Sec. 8205- amendments to Healthy Forests Restoration Act of 2003*) [REAUTHORIZATION OF EXISTING PROGRAM WITH NEW PROVISIONS]

Reauthorizes the Healthy Forest Reserve Program for fiscal years 2009-2012.

Deletes the enrollment cap and provides that forest land may also be enrolled through permanent easements

Limits cost-share enrollment options to no more than 40 percent of the total annual program funds

Funding:

Authorizes funding from the Commodity Credit Corporation for \$9,750,000 for fiscal years 2009 through 2012 and remain available until expended

B. Conservation Stewardship Program (*Title II Conservation, Sec. 2301- amendments to Title XVII Food Security Act of 1985*) [SIGNIFICANT RESTRUCTURING OF FORMER PROGRAM]

The former Conservation Security Program is restructured to establish a new program- Conservation Stewardship Program. Forested land is included as eligible but only as "an incidental part of an agricultural operation." Non-industrial private forest land is specified as subject to a "Special Rule" in which participation may not constitute more than 10 percent of the annual total acres enrolled in the Program.

C. Farmland Protection Program (*Title II Conservation, Sec. 2401- amendments to Food Security Act of 1985*) [REAUTHORIZATION OF EXISTING PROGRAM]

Reauthorizes Farmland Protection Program and includes forest land as eligible if it contributes to the viability of an agricultural operation or serves as a buffer to prevent agricultural lands from development.

Funding:

Authorized for funding pursuant to the Commodity Credit Corporation as follows:

Fiscal year 2008- \$97 million
Fiscal year 2009- \$121 million
Fiscal year 2010- \$150 million
Fiscal year 2011- \$175 million
Fiscal year 2012- \$200 million

D. Environmental Quality Incentives Program (*Title II Conservation, Sec. 2501- amendments to Food Security Act of 1985*) [REAUTHORIZATION OF EXISTING PROGRAM WITH SIGNIFICANT ADDITIONS REGARDING FORESTRY]

Includes "forest management" as an expanded purpose of EQIP as well as an eligible "production system."

Expands the definition of "eligible land" to include non-industrial private forest land as well as land on which "forest-related products are produced."

Expands the definition of a conservation "practice" to include forest management

Specifies that a qualifying program plan as approved by the Secretary for a forestry component in EQIP may be:

A Forest Stewardship Plan
A practice plan approved by the State Forester
A plan determined appropriate by the Secretary

Funding:

Authorized for funding pursuant to the Commodity Credit Corporation as follows:

Fiscal year 2008- \$1,200,000,000
Fiscal year 2009- \$1,337,000,000
Fiscal year 2010- \$1,450,000,000
Fiscal year 2011- \$1,588,000,000
Fiscal year 2012- \$1,750,000,000

E. Wildlife Habitat Incentives Program (*Title II Conservation, Sec. 2602- amendments to Food Security Act of 1985*) [REAUTHORIZATION OF EXISTING PROGRAM]

Non-industrial private forest land is eligible for program implementation

The Secretary may give priority to projects that address issues raised by state, regional and national conservation initiatives

F. Conservation Reserve Program (Title II Conservation, Sec. 2109- amendments to Food Security Act of 1985) [REAUTHORIZATION OF EXISTING PROGRAM WITH CERTAIN PROVISIONS FOR TREE PLANTING]

Maximum enrollment at any one time is reduced from 39.2 million acres to 32 million acres

Trees planting, re-planting, and thinning for purposes of windbreaks, shelterbelts, and wildlife corridors qualify for 50 percent cost-share payments for at least 2 years but no more than 4 years

Funding for program

\$100 million is authorized for the fiscal year period 2009 through 2012 from the Commodity Credit Corporation for cost-share to conduct "thinning activities" on enrolled land

G. Wetlands Reserve Program (Title II Conservation, Sec. 2201- amendments to Food Security Act of 1985) [REAUTHORIZATION OF EXISTING PROGRAM]

Maximum enrollment not to exceed 3,041,200 acres

Language to clarify eligibility and new limits on payments:

For easements valued at \$500,000 or less the Secretary may make not more than 30 annual payments

For easements valued at more than \$500,000 or more the Secretary may make at least 5 but not more than 30 annual payments

Compensation will be the lowest of:

Fair market value

An amount corresponding to a geographic cap

Offer made by landowner

H. Pilot Program for Enrollment of Wetland and Buffer Acreage in Conservation Reserve Program (Title II Conservation, Sec. 2106- amendments to Food Security Act of 1985) [REVISION OF EXISTING LANGUAGE]

During the period 2008 through 2012 an owner or operator may enroll in a pilot program to protect certain wetland resources including buffer areas not to exceed a total of 100,000 acres in an individual state or 1 million acres nationally

Among several commitments to conserve wetland resources, the owner/operator must agree to establish appropriate vegetative cover including bottomland hardwood and related forest-type species on eligible acreage

Incentive payments will be consistent with rental payments for filterstrips in the Conservation Reserve Program

I. Community Forest and Open Space Conservation Program (Title VIII Forestry, Sec. 8003- amendments to Cooperative Forestry Assistance Act) [NEW LANGUAGE]

The Chief of the Forest Service may award grants not to exceed 50 percent of the cost for fee-simple acquisition of forest land that is:

Threatened by conversion to non-forest use

Provide benefits to communities

Eligible grant recipients include:

Local government entity

Indian tribe

Not-for-profit organization

Grant applicant must submit a project proposal to the State Forester that includes:

Description of land

Forest plan

Other information as may be required by Chief of the Forest Service

State Forester must submit a project description list of all proposals subject to schedules and forms as prescribed by the Chief of the Forest Service

Eligible grant entities must:

Provide public access to project property

Ensure that property is not sold or converted to non-forest uses subject to reimbursement provisions to the federal government and loss of future eligibility under the Program

The Chief of the Forest Service may allocate up to 10 percent of annual Program funding to State Foresters for technical assistance services

Funding :

Authorized such sums as necessary

J. Qualified Forestry Conservation Bonds (Title XV Trade and Tax Provisions, Sec. 15316- amendments to Food Security Act of 1985) [NEW LANGUAGE]

Establishes a national program for the issuance of tax-exempt timber conservation bonds to provide revenue for acquisition of forest lands with restrictions to ensure perpetual conservation.

Requirements include:

Some portion of land must be adjacent to property of the Forest Service

At least one-half of the land must be transferred to the Forest Service at no net cost to the United States

Not more than half of the acquired land may be retained by the State

All land must be subject to a Native Fish Conservation Plan approved by the U.S. Fish and Wildlife Service

Acquisitions must be at least 40,000 acres

Bonds may be issued by a State or political subdivision as well as non-profit organizations.

The national qualified forestry conservation bond limitation is \$500 million

K. Voluntary Public Access and Habitat Incentive Program (Title II Conservation, Sec. 2606- amendments to Food Security Act of 1985) [NEW LANGUAGE]

Secretary may provide grants to encourage forest landowners to make their property available for public access for wildlife-dependent recreation purposes.

Priority will be given to States that propose projects that:

Maximize participation and acceptance to landowners

Provide appropriate wildlife habitat

Provide incentives on lands already enrolled in certain federal government programs

Leverage other sources of assistance

Make location information available to the public

Secretary shall promulgate rules for program implementation

Funding for program

\$50 million is authorized from the Commodity Credit Corporation for the fiscal year period 2009 through 2012.

L. Environmental Services Markets (Title II Conservation, Sec. 2709- amendments to Food Security Act of 1985) [NEW LANGUAGE]

Secretary to establish technical guidelines and science-based methods to measure environmental benefits as a means to facilitate participation of forest landowners and others in emerging markets with priority given to carbon markets.

Guidelines to be developed for:

Measuring environmental service benefits

Protocols for reporting benefits

A Registry to record and maintain benefits measured

Verification process including the use of third-parties to be established to confirm that the forest landowner has implemented the respective land management measure

In developing guidelines the Secretary shall consult with:

Farm, ranch, and forestry producers

Financial institutions involved in environmental services trading

Institutions of higher education

Non-government organizations

Private sector representatives

Other interested persons as determined by the Secretary

III. BIOMASS AND ENERGY

A. Biomass Crop Assistance Program (Title IX-Energy, Sec. 9011- amendments to Farm Security and Rural Investment Act of 2002) [NEW LANGUAGE]

Secretary authorized to support establishment and production of eligible crops for energy in selected areas including assistance to landowners to harvest, store, and transport eligible material to conversion facilities.

Non-industrial private forest landowner not otherwise enrolled in certain federal government programs qualify for consideration to receive up to 75 percent cost recovery to establish eligible crops including site preparation and tree planting.

Annual payments may also be made to support collection, harvest, storage and transportation costs

Forest landowners participating in program must have a Forest Stewardship Plan or equivalent

B. Forest Biomass for Energy (Title IX-Energy, Sec. 9012- amendments to Farm Security and Rural Investment Act of 2002) [NEW LANGUAGE]

Forest Service is authorized to develop a competitive research and development program to promote use of forest biomass for energy

Priorities for project selection include:

Technology development for use of low value biomass, particularly derived from forest health treatments

Integration of forest biomass in biorefineries

Development of new transportation fuels

Improve growth and yield of trees for renewable energy

Eligible entities include:

Forest Service
Other federal agencies
State and local governments
Indian tribes
Lang grant colleges
Private entities

Funding for program
\$15 million annually is authorized for fiscal years 2009 through 2012

C. Community Wood Energy Program (*Title IX, Energy, Sec. 9013- amendments to Farm Security and Rural Investment Act of 2002 - the Biomass Research and Development Act of 2000 is repealed*) [NEW LANGUAGE]
The Forest Service is authorized to establish a grant program to promote the development of wood-based energy systems that service public facilities owned or operated by state or local governments

Competitive grants up to \$50,000 per recipient may be awarded based upon:
Energy efficiency of the proposed system
Cost effectiveness
Other conservation and environmental criteria

State or local government applicants must also develop a community wood-energy plan to qualify for the matching grant program

Funding for program
\$5 million annually is authorized for fiscal years 2009 through 2012

D. Comprehensive Study of Biofuels (*Title XV Trade and Tax Provisions, Sec. 15322- amendments to Food Security Act of 1985*) [NEW LANGUAGE]

The Secretary of Agriculture, Secretary of Energy, and Administrator for the Environmental Protection Agency will enter into agreement with the National Academy of Sciences to prepare an analysis of current findings relative to biofuels including:

Current and projected production
Production capabilities in the U.S., including regional forest inventories
Domestic effects of biofuels production including impacts on forest acreage, price of forest products
Forest export and import dynamics
Impact of tax credit on silvicultural capabilities of commercially available forest inventories

The initial Report findings will be completed by November, 2008 (approx) with subsequent reports to be completed within the next 42 months.

E. Cellulosic Biofuel Production Tax Credit (*Title XV Trade and Tax Provisions, Sec. 15321- amendments to Food Security Act of 1985*) [NEW LANGUAGE]

Tax credit (\$1.01/gallon) established for producers of cellulosic biofuels to be effective after December 31, 2008

Cellulosic biofuel includes any liquid fuel produced from lignocellulosic or hemicellulosic matter that is available on a renewable basis and meets registration requirements of the Environmental Protection Agency

IV. FOREST HEALTH AND DISASTER RECOVERY

A. Emergency Forest Restoration (*Title VIII Forestry, Sec. 8203- amendments to Title IV of the Agricultural Credit Act of 1978- Emergency Conservation Program*) [NEW LANGUAGE]

Secretary of Agriculture may make payments not to exceed 75 percent of the costs to non-industrial private forest landowners who carry out measures to restore forest land impacted by natural disasters.

Eligible participants must be able to demonstrate that impacted land had tree cover immediately before the disaster

Qualifying restoration measures include those that:
Address damage that if not treated would impair or endanger natural resources
Materially affect future use of the land
Restores forest health

The Secretary of Agriculture must promulgate regulations no later than June, 2009 (approx)

Funding:
Authorized as may be necessary and remains available until expended

B. Pest and Disease Revolving Loan Fund (*Title X Horticulture and Organic Agriculture, Sec. 10205*) [NEW LANGUAGE]

Establishes the Pest and Disease Revolving Loan in the Treasury to provide loans to eligible units of local government for the acquisition of equipment necessary to monitor, remove, dispose of, and replace infested trees on land within the jurisdiction of the unit and within borders of a quarantined area.

The local government must enter into an agreement with the Secretary to establish a loan repayment schedule

Funding
Authorizes for appropriation such sums as necessary

V. TAXES, FINANCE AND LOANS

A. Endangered Species Habitat Recovery Tax Treatment (*Title XV Trade and Tax Provisions, Sec. 15303*) [NEW LANGUAGE]

After December 31, 2008 landowners may deduct expenses associated with site-specific management actions that implement recovery plans pursuant to the Endangered Species Act of 1973

B. Temporary Reduction in Rate of Tax on Qualified Timber Gain of Corporations (*Title XV Trade and Tax Provisions, Sec. 15311*) [NEW LANGUAGE]

Timber owners may elect to deduct from gross income 60% of qualified timber gain (gain from the sale of timber held for more than one year).

Revises timber real estate investment trust (REIT) rules for timber property to:
Clarify that gains from the sale of timber held for less than one year is qualifying income
Provide that mineral royalty income is qualifying income
Change the taxable REIT subsidiary asset test for timber REITs from 20 percent to 25 percent
Make changes to the safe harbors for timber property sales

C. Cellulosic Biofuel Production Tax Credit (*Title XV Trade and Tax Provisions, Sec. 15321- amendments to Food Security Act of 1985*) [NEW LANGUAGE]

Tax credit (\$1.01/gallon) established for producers of cellulosic biofuels to be effective after December 31, 2008

Cellulosic biofuel includes any liquid fuel produced from lignocellulosic or hemicellulosic matter that is available on a renewable basis and meets registration requirements of the Environmental Protection Agency

D. Qualified Forestry Conservation Bonds (*Title XV Trade and Tax Provisions, Sec. 15316- amendments to Food Security Act of 1985*) [NEW LANGUAGE]

Establishes a national program for the issuance of tax-exempt timber conservation bonds to provide revenue for acquisition of forest lands with restrictions to ensure perpetual conservation.

Requirements include:
Some portion of land must be adjacent to property of the Forest Service
At least one-half of the land must be transferred to the Forest Service at no net cost to the United States
Not more than half of the acquired land may be retained by the State
All land must be subject to a Native Fish Conservation Plan approved by the U.S. Fish and Wildlife Service
Acquisitions must be at least 40,000 acres

Bonds may be issued by a State or political subdivision as well as non-profit organizations.

The national qualified forestry conservation bond limitation is \$500 million

E. Conservation Loan and Loan Guarantee Program (*Title V- Credit, Sec. 5002- amendments to Consolidated Farm and Rural Development Act of 1924*) [REAUTHORIZES EXISTING PROGRAM]

Secretary may make loans for qualified conservation projects including establishment of forest cover for sustained yield timber management, erosion control, or shelterbelts.

Definition of Renewable Biomass (Title IX- Energy, Sec. 9001- amendments to Farm Security and Rural Investment Act of 2002) [EXTENSION OF CURRENT LANGUAGE]

Relative to private lands, renewable biomass is defined as any organic matter that is available on a renewable or recurring basis, specifically including trees.

Relative to public lands, renewable biomass is defined as byproducts of preventive treatments that would not otherwise be used for higher value products and harvested pursuant to applicable laws.

VI. NATIONAL FORESTS

A. Boundary Adjustments-National Forests (*Title VIII Forestry, Sec. 8301-8303*) [NEW LANGUAGE]

Authorizes boundary adjustment and land conveyance provisions for certain National Forests

B. Qualifying Timber Contract Options (*Title VIII Forestry, Sec. 8401*) [NEW LANGUAGE]

Revises certain timber sale provisions on National Forests for following conditions:
Timber sales for the period July 1, 2004 to December 31, 2006
Unharvested volumes remaining
Timber purchaser must make written request to Secretary for certain contract options no later than August 1, 2008 (approx)
Does not apply to salvage sales

C. Cultural and Heritage Cooperation Authority (*Title VIII Forestry, Sec. 8101-8107*) [NEW LANGUAGE]

Authorizes the reburial of human remains and cultural items, including human remains and cultural items repatriated under the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.), on National Forest System land

Prevents the unauthorized disclosure of information regarding burial sites, including the quantity and identity of human remains and cultural items on the sites and location of the sites

Authorizes the Secretary to allow, to the maximum extent practicable, access to National Forest System land by Indians and Indian tribes for traditional and cultural purposes

Authorizes the Secretary to protect the confidentiality of certain information, including information that is culturally sensitive to Indian tribes
Preserves all existing tribal rights, all existing agreements among tribes and the Forest Service, existing trust responsibilities, and any other outstanding rights to use of NFS lands.

VII. INTERNATIONAL FORESTRY

A. Office of International Forestry (Title VIII Forestry, Sec. 8202) [REAUTHORIZATION]
Reauthorizes Office of International Forestry through 2012

B. Assistance to Federated States of Micronesia, Republic of Marshall Islands and Republic of Palau (Title VIII Forestry, Sec. 8004- amendments to Cooperative Forestry Assistance Act) [NEW LANGUAGE]
Language reflects new status of trust territories

VIII. RESEARCH AND HIGHER EDUCATION

A. Research (Title VII- Research and Related Matters) [REAUTHORIZATION OF EXISTING PROGRAMS AS WELL AS NEW LANGUAGE]
Combines various research agencies into one within the Office of the Undersecretary for purposes of improving oversight, avoiding duplication, and improving accountability

Reauthorizes the former Cooperative State Research, Education, and Extension Service as the National Institute of Food and Agriculture to be responsible for management of USDA research, extension and education programs. Emphasis is placed on competitively awarding scientifically meritorious research grants.

Reauthorizes Sun Grants to promote research and education relative to biobased energy and technology.

B. Hispanic-Serving Institution Agricultural Land National Resources Leadership Program (Title VIII Forestry, Sec. 8402) [NEW LANGUAGE]
Secretary is authorized to provide competitive grants to Hispanic serving institutions for scholarships in Forestry

Funding
Authorized such sums as appropriate for each fiscal year 2008 through 2012

IX. COOPERATION/PARTNERSHIP PROGRAMS AND GRANTS

A. Cooperative Forest Innovation Partnership Grants (Title VIII Forestry, Sec. 8008- amendments to the Cooperative Forestry Assistance Act)
The Secretary may allocate up to 5 percent of funds pursuant to the Cooperative Forestry Assistance Act for innovative education, outreach, or technology transfer project grants not to exceed 50 percent of the cost that promote achievement of National Priorities.

Eligible project entities include:
State or local governments
Indian tribes
Land-grant college
Private entity

B. Conservation Innovation Grants and Payments (Title II Conservation, Sec. 2509- amendments to Food Security Act of 1985) [REAUTHORIZATION OF EXISTING PROGRAM]
Secretary may award grants through the Environmental Quality Incentives Program for innovative approaches to leveraging federal investment in environmental enhancement and protection

Forest resource management is an eligible competitive project grant

C. Cooperative Conservation Partnership Initiative (Title II Conservation, Sec. 2707- amendments to the Food Security Act of 1985) [REAUTHORIZES EXISTING PROGRAM]

Secretary may enter into multi-year agreements with eligible partners to provide funding to address conservation priorities including non-industrial private forest land.

Technical and financial assistance may be provided to producers

Eligible partners include:
State and local governments
Indian tribes
Producer associations
Farmer cooperatives
Institutions of higher education
Non-governmental organizations related to agricultural production and non-industrial private forest land

Priorities given to projects that:
Have high percentage of non-industrial private land involved in the project
Leverage non-federal sources of funding and participation
Deliver high percentage of applied conservation measures for water quality or state, regional, and national initiatives
Provide innovation in conservation methods with outcome based performance measures
Meet other factors as determined by the Secretary

Funding for program
Funding may be allocated from Conservation Title programs but may not include Conservation Reserve, Wetlands, Farm Protection, or Grassland Reserve programs
90 percent of funding to be determined by the State Conservationist with the advice of the State Technical Committee
10 percent based on national competitive process as determined by the Secretary

X. ADMINISTRATIVE AND ORGANIZATIONAL

A. State Forest Stewardship Coordinating Committee (Title VIII Forestry, Sec. 8006- amendments to Cooperative Forestry Assistance Act) [SIGNIFICANT REVISION TO EXISTING LANGUAGE]
A representative of the State Technical Committee is added to the membership

B. State Technical Committee Duties and Responsibilities (Title II Conservation, Sec. 2711- amendments to Food Security Act of 1985) [REVISIONS TO EXISTING LANGUAGE]
The State Forester as well as owners of non-industrial private forest land is mandated as members of the State Technical Committee

C. Definition of Non-industrial Private Forest Lands (Title II Conservation, Sec. 2001- amendments to the Food Security Act of 1985) [EXTENSION OF EXISTING LANGUAGE]
For purposes of implementation of Conservation Title programs, the term non-industrial private forest land is defined as rural land that:
Has existing tree cover or is suitable for growing trees
Is owned by any nonindustrial private individual, group, association, corporation, Indian tribe, or other private legal entity that has definitive decision-making authority over the land

XI. TRADE

A. Illegal Logging (Title VIII Forestry, Sec. 8204- amendments to the Lacey Act Amendments of 1981) [NEW LANGUAGE]
Expands the Lacey Act (16 U.S.C. 3371 et seq) to prohibit the import, sale, or trade in wood or wood products that have been illegally harvested. Imported timber that is harvested in violation of country-of-origin laws may be seized by respective United States authorities.

B. Softwood Lumber-Softwood Lumber Act of 2008 (Title III Trade, Sec. 3301- amendments to the Tariff Act of 1930) [NEW LANGUAGE]
Requires that importers of foreign softwood lumber to the United States must certify that shipments are consistent with the U.S.-Canada Softwood Lumber Agreement and other relevant trade agreements and that associated export taxes will be paid.

Mike Countess, Policy Analyst
Southern Group of State Foresters

