

## **SUSTAINABLE FORESTS ACT OF 2008**

AN ACT to establish and implement a sustainable forests policy for the nation's forest resources and forest lands.

### **SEC. 1 FINDINGS, PURPOSE, AND POLICY**

(a) FINDINGS. ----- Congress finds that----

- (1) Forests provide nearly two thirds of the nation's clean drinking water;
- (2) Forests provide habitat for hundreds of wildlife species, including 90% of the habitat needed for threatened and endangered species;
- (3) Forests are critical to the nation's economic security, as a source of renewable energy, clean water, wood products, and outdoor recreation;
- (4) Forests are threatened by insects and disease, invasive plants, and the pressures of a growing population;
- (5) Catastrophic wildfire now threaten life and property as well as diminishing the sustainability of forests for an array of public values;
- (6) Forests are key indicators of climate change and can mitigate greenhouse gas emissions through carbon sequestration;
- (7) Forests face problems as a result of shifting markets and other factors that have driven forest investment toward other parts of the globe, reducing productive capacity in the U.S.;
- (8) Forest industry divestitures to other categories of ownership of over 30 million acres of timberland in the past ten years may have negative consequences for forestland conservation and longer-term commitments to sustainable forest management;
- (9) Large transitions over the next 15 years in family forest ownership, driven by the aging of present owners, will impact commitment to continued conservation and sustainable management of privately owned forests;
- (10) Current federal policy affecting private and publicly owned forests in the U.S. is fractured into numerous statutes falling under a host of jurisdictions;

- (11) Many regulations that apply to private forests have effects opposite of their intent, and many “incentives” no longer motivate contemporary forest owners;
- (12) There is a lack of coordination among existing federal, state, and local agencies and institutions which impact the capability to facilitate planning and management of forests in the context of rapid change that address conflict in constructive ways; and
- (13) American forest-based values are at risk: self-reliance, social justice, economic vitality, environmental quality, and community livability to name just a few. Dramatic change in forest policy and practice is needed immediately to prepare for the future.

(b) PURPOSE. ---- The purpose of this Act is to assure the United States is able to sustain and enhance the values and public benefits provided by our nation’s forests, reversing widespread decline in forest health, and slowing the conversion of forests to other land uses permanently removing forest cover. The Act will achieve these objectives by:

- (1) Adopting a national policy for sustainable forests to guide the future stewardship and investment of the nation’s forests;
- (2) Creating a national consensus for specific priority measures to implement an integrated national policy and programs for sustainable forests that reflect contemporary forest ownership, science, uses and values; and
- (3) Promoting, reviewing, and amending if needed, existing federal authorities, policies, and programs to ensure support for sustainable forests.

(c) POLICY. ---- Congress supports a policy of sustainable forests to guide the stewardship of the nation’s forests to meet the forest related needs of the present and future generations. This requires that economic, social and environmental values from forests across multiple ownerships and jurisdictions be supported by a legal, financial, and institutional structure in which these values are mutually supporting.

(d) CONSTRUCTION. ----- All agencies of the Federal Government shall review their present statutory authority, administrative regulations, and current policies and

procedures to determine whether there are any deficiencies or inconsistencies therein which prohibit full compliance with the purposes and provisions of this Act and the Action Plan referred to in section 3. The Departments of Agriculture and Interior, Environmental Protection Agency, and Internal Revenue Service shall report on this review and recommend amendments and measures as may be necessary to bring their authority and policies into conformity with the intent, purposes, and procedures set forth in this Act and the Action Plan referred to in section 3 to Congress not later than 2010.

## **SEC. 2 SUSTAINABLE FORESTS TASK FORCE**

(a) SUSTAINABLE FORESTS TASK FORCE.----- There is established the Sustainable Forests Task Force (hereafter in this section referred to as the "Task Force") to advise the Secretaries of Agriculture and Interior, and the Administrator of the Environmental Protection Agency with respect to implementing a sustainable forests policy for the nation.

(1) Composition.—The Task Force shall be composed of the following:

- (A) The Secretary of the Department of Agriculture;
- (B) The Secretary of the Department of Interior;
- (C) The Administrator of Environmental Protection Agency; and
- (D) Non-Federal representatives appointed by the Secretary of Agriculture and Interior to include the following persons:
  - (i) A Governor;
  - (ii) A State forester or equivalent State officials that can represent the geographically diverse regions of the United States;
  - (iii) A representative of a State fish and wildlife agency;
  - (iv) A private non-industrial forest landowner;
  - (v) A forest industry representative;
  - (vi) A conservation organization representative;
  - (vii) A land-grant university or college representative;
  - (viii) A private forestry consultant

- (ix) A communications and marketing professional;
  - (x) A foundation representative;
  - (xi) A representative from a First Nations entity involved in forest management;
  - (xii) Such other persons as determined by the Secretaries of Agriculture and Interior to be appropriate.
- (2) Initial Appointments. - Appointments under this section to the Task Force shall be made by the Secretaries of Agriculture and Interior not later than 90 days after the date of enactment of this Act.
- (3) Chairperson. - The Task Force shall select a Chairperson from among its members.
- (4) Vacancies. - A vacancy on the Task Force shall not affect its powers and shall be filled in the same manner as the original appointment.
- (5) Compensation. -
- (A) Federal Members.—Members of the Task Force who are full-time officers or employees of the United States shall receive no additional pay, allowances, or benefits by reason of their service on the Task Force.
  - (B) Non-Federal Members.—Non-federal members of the Task Force shall serve without pay, but may be reimbursed for reasonable costs incurred while performing their duties on behalf of the Task Force.
- (6) Meetings. - The Task Force shall meet not later than 120 days after the date of enactment of this Act and shall meet at the call of the Chairperson.
- (7) Voting. - The Task Force shall act and advise by majority vote.
- (8) Assistance. - The Secretary of Agriculture and the Secretary of the Interior shall provide such assistance and support as necessary to meet the objectives of the Task Force. The assistance shall include making Federal facilities, equipment, and technical assistance available on such terms and conditions as the appropriate Secretary considers necessary.
- (9) Termination. - The Task Force shall terminate 90 days after submitting the report required by section 3 (a).

### **SEC. 3 SUSTAINABLE FORESTS ACTION PLAN**

(a) SUSTAINABLE FORESTS ACTION PLAN. - Not later than 18 months after the date of its first meeting, the Task Force shall submit to the Committees, the President, and Governors referred to in subsection (a) (3) of this section, a Sustainable Forests Action Plan (hereafter in this section referred to as the 'Action Plan') that contains essential goals of the sustainable forests policy and considers how progress toward those goals may be affected by developments in national policies on critical topics such as climate change, energy security, social justice, manufacturing and trade, water resources, and rural economic development.

- (1) The Action Plan should provide specific recommendations for how the national policy on sustainable forests referred to section 1 (c) will be operationally translated into laws and programs to achieve:
  - (A) Regional landscape level approaches to sustainable forests that enable coordinated management across public and private ownerships and jurisdictions;
  - (B) Forest based economies and processing capabilities that contribute to economic and employment growth;
  - (C) Protection of high-conservation value forests on both public and private lands, with improved targeting and attention to underrepresented ecosystems and regions;
  - (D) New markets to enhance forest health, including renewable energy development through biomass energy to offset fossil fuel consumption and reduce greenhouse gas emissions;
  - (E) Enduring and predictable mechanisms to reward private forestland owners for the ecosystem services they provide for public benefit;
  - (F) Revision of relevant forest and tax legislation that allow for managed forest lands to compete with real estate market values that are driving forest conversion and fragmentation;
  - (G) Community-based stewardship for ecological restoration, recreation management, and long-term maintenance of a wide variety of conservation values;

- (H) Improved interagency cooperation and better efficiencies for forest related data gathering and reporting;
  - (I) Increased public and private investments in both broad and targeted forest research coupled with technology transfer applications;
  - (J) New institutional structures to facilitate planning and management of forests in the context of rapid change that address conflict in constructive ways, enabling learning from adopted approaches;
  - (K) A level playing field as it pertains to standards of forest practice among industries within international forest products markets;
  - (L) A communications and outreach national program that is regionally grounded, and brings relevance to the concept of sustainable forests; and
  - (M) Other issues relating to sustainable forests as the Task Force considers appropriate.
- (2) The Action Plan should also provide direction and coordination of actions within the Departments of Agriculture, Interior, the Environmental Protection Agency, with State agencies, and the private sector, to effectively address the recommendations provided in the Action Plan.
- (3) Report. - The action plan required under section 3 shall be submitted to the:
- (A) Committees on Agriculture and Resources of the House of Representatives;
  - (B) Committees on Agriculture, Nutrition, and Forestry and Energy and Natural Resources of the Senate;
  - (C) President of the United States; and
  - (D) Governors of all states.