measures set forth in the agreement for which the Secretary determines that cost sharing is appropriate. The portion of such cost (including labor) to be shared shall be that portion that the Secretary determines is necessary and appropriate to implement the forestry practices and measures under the agreement, but not more than 75 percent of the actual costs incurred by the landowner. The maximum amount any individual may receive annually under the program authorized by this section shall be determined by the Secretary in consultation with the committee described in section 2109(c) of this title.

(g) Prerequisites for distribution of funds available for cost sharing

The Secretary shall, for the purposes of this section, distribute funds available for cost sharing among the States only after assessing the public benefit incident thereto, and after giving appropriate consideration to (1) the acreage of private commercial forest land in each State, (2) the potential productivity of such land, (3) the number of ownerships eligible for cost sharing in each State, (4) the need for reforestation, timber stand improvement, or other forestry investments on such ownerships, and (5) the enhancement of other forest resources.

(h) Use of advertising and bid procedure in determining lands to be covered by agreements; prerequisites

The Secretary may, if the Secretary determines that doing so will contribute to the effective and equitable administration of the program authorized by this section, use an advertising and bid procedure in determining the lands in any area to be covered by agreements under this section.

(i) Applicability of other Federal authorities in implementation of provisions

In implementing this section, the Secretary may use the authorities provided in sections 1001, 1002, 1003, 1004, and 1008 of the Agricultural Act of 1970, as in effect before the amendment made by section 336(d)(1) of the Federal Agriculture Improvement and Reform Act of 1996.

(j) Authorization of appropriations

There are hereby authorized to be appropriated for each of fiscal years 1996 through 2002 such sums as may be needed to implement this section, including funds necessary for technical assistance and expenses associated therewith.

(Pub. L. 95–313, § 4, July 1, 1978, 92 Stat. 367; Pub. L. 101–624, title XII, §§ 1214, 1224(1), Nov. 28, 1990, 104 Stat. 3525, 3542; Pub. L. 104–127, title III, §§ 336(a)(2)(B), 373, Apr. 4, 1996, 110 Stat. 1005, 1015.)

REFERENCES IN TEXT

The Agricultural Act of 1970, referred to in subsecs. (d) and (i), is Pub. L. 91–524, Nov. 30, 1970, 84 Stat. 1358, as amended. Title X of the Act (§§ 1001–1008, 1010) was classified generally to chapter 34 (§ 1501 et seq.) of this title prior to repeal by section 336(d)(1) of the Federal Agriculture Improvement and Reform Act of 1996, Pub. L. 104–127, title III, Apr. 4, 1996, 110 Stat. 1006. For complete classification of this Act to the Code see Short Title of 1970 Amendment note set out under section 1281 of Title 7, Agriculture, and Tables.

AMENDMENTS

1996—Subsecs. (d), (i). Pub. L. 104–127, § 336(a)(2)(B), substituted ‘‘as in effect before the amendment made by section 336(d)(1) of the Federal Agriculture Improvement and Reform Act of 1996’’ for ‘‘as added by the Agriculture and Consumer Protection Act of 1973’’.

Subsec. (j). Pub. L. 104–127, § 373(1), substituted ‘‘for each of fiscal years 1996 through 2002’’ for ‘‘annually’’.

Subsec. (k). Pub. L. 104–127, § 373(2), struck out subsec. (k) which read as follows: ‘‘The program developed by the Secretary under this section shall terminate on December 31, 1995.’’

1990—Subsecs. (d), (f). Pub. L. 101–624, § 1224(1), made technical amendment to references to section 2109(c) of this title to reflect renumbering of corresponding section of original act.

Subsec. (k). Pub. L. 101–624, § 1214, added subsec. (k).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2103b, 2106b, 2108 of this title; title 7 section 6962; title 26 section 126.

§ 2103a. Forest Stewardship Program

(a) Establishment

The Secretary, in consultation with State foresters or equivalent State officials, shall establish a Forest Stewardship Program (hereafter referred to in this section as the ‘‘Program’’) to encourage the long-term stewardship of nonindustrial private forest lands by assisting owners of such lands to more actively manage their forest and related resources by utilizing existing State, Federal, and private sector resource management expertise and assistance programs.

(b) Goal

The goal of the Program shall be to enter at least 25,000,000 acres of nonindustrial private forest lands in the Program by December 31, 1995.

(c) "Nonindustrial private forest lands" defined

For the purposes of this section, the term ‘‘nonindustrial private forest lands’’ means rural, as determined by the Secretary, lands with existing tree cover, or suitable for growing trees, and owned by any private individual, group, association, corporation, Indian tribe, or other private legal entity.

(d) Implementation

In carrying out the Program the Secretary, in consultation with State foresters or equivalent State officials, shall provide financial, technical, educational, and related assistance to State foresters or equivalent State officials, including assistance to help such State foresters or equivalent officials to provide financial assistance to other State and local natural resource entities, both public and private, and land-grant universities for the delivery of information and professional assistance to owners of nonindustrial private forest lands. Such information and assistance shall be directed to help such owners understand and evaluate alternative actions they might take, including—

(1) managing and enhancing the productivity of timber, fish and wildlife habitat, water quality, wetlands, recreational resources, and the aesthetic value of forest lands;

(2) investing in practices to protect, maintain, and enhance the resources identified in paragraph (1);

(3) ensuring that afforestation, reforestation, improvement of poorly stocked stands,

timber stand improvement, practices necessary to improve seedling growth and survival, and growth enhancement practices occur where needed to enhance and sustain the long-term productivity of timber and nontimber forest resources to help meet future public demand for all forest resources and provide the environmental benefits that result; and

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

(e) Eligibility

All nonindustrial private forest lands that are not in management under Federal, State, or private sector financial and technical assistance programs existing on November 28, 1990, are eligible for assistance under the Program. Nonindustrial private forest lands that are managed under such existing programs are eligible for assistance under the Program if forest management activities are expanded and enhanced and the landowner agrees to meet the requirements of this chapter.

(f) Duties of owners

To enter forest land into the Program, landowners shall—

(1) prepare and submit to the State forester or equivalent State official a forest stewardship plan that meets the requirements of this section and that—

(A) is prepared by a professional resource manager;

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

(C) is approved by the State forester, or equivalent State official; and

(2) agree that all activities conducted on such land shall be consistent with the stewardship plan.

(g) Stewardship recognition

The Secretary, in consultation with State foresters or equivalent State officials, is encouraged to develop an appropriate recognition program for landowners who practice stewardship management on their lands, with an appropriate, special recognition symbol and title.

(h) Authorization of appropriations

There are hereby authorized to be appropriated $25,000,000 for each of the fiscal years 1991 through 1995, and such sums as may be necessary thereafter, to carry out this section.

(Pub. L. 95–313, § 5, as added Pub. L. 101–624, title XII, § 1215(2), Nov. 28, 1990, 104 Stat. 3525; amended Pub. L. 102–237, title X, § 1018(a)(1), Dec. 13, 1991, 105 Stat. 1905.)

PRIOR PROVISIONS

A prior section 5 of Pub. L. 95–313 was renumbered section 8 and is classified to section 2104 of this title.

AMENDMENTS

1991—Subsec. (d). Pub. L. 102–237 substituted ''State foresters'' for ''State Foresters'' wherever appearing in introductory provisions.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2103b, 2106b, 3835a of this title.

§ 2103b. Stewardship Incentive Program

(a) Establishment

The Secretary, in consultation with State foresters or equivalent State officials, shall establish a program within the Forest Service, to be known as the ''Stewardship Incentive Program'' (hereafter referred to in this section as the ''Program''), to meet the objectives and goals of section 2103a of this title.

(b) Eligibility

(1) In general

Owners of nonindustrial private forest lands shall be eligible for cost-sharing assistance under the Program if such owners—

(A) have developed an approved forest stewardship plan pursuant to section 2103a(f) of this title;

(B) agree to implement approved activities pursuant to paragraph (4) in accordance with the plan for a period of not less than 10 years unless the State forester or equivalent State official approves a modification to such plan; and

(C) own not more than 1,000 acres of nonindustrial private forest 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 will accrue from such approval.

(2) Limitation

(A) Secretary

The Secretary shall not approve of the provision of cost-sharing assistance to any landowner owning in excess of 5,000 acres of nonindustrial private forest land.

(B) Landowner

A landowner shall not receive cost-share assistance for management on acreage under this section if such landowner receives cost-share assistance on the same acreage under section 2103 of this title.

(3) State priorities

The Secretary in consultation with the State forester, or equivalent State official, other State natural resource management agencies, and the State Coordinating Committee established pursuant to section 2113(b) of this title, may develop State priorities for cost sharing under this section that will promote unique forest management objectives in that State.

(4) Approved activities

(A) Development

The Secretary, in consultation with the State Coordinating Committees established pursuant to section 2113(b) of this title, shall develop a list of approved forest activities and practices that will be eligible for cost-share assistance under the Program within each State.

(B) Type of activities

The Secretary, in developing a list of approved activities and practices under sub-