

**JOINT LEGISLATIVE AIR AND WATER POLLUTION
CONTROL AND CONSERVATION COMMITTEE**

**REPORT OF THE
FORESTRY TASK FORCE**

**PURSUANT TO
HOUSE RESOLUTION 256 of 2003**

June, 2005

TO: All Members of the General Assembly

FROM: Representative Scott E. Hutchinson, Chairman
Senator Raphael J. Musto, Vice Chairman

SUBJECT: Report on Legislative Forestry Task Force

DATE: July 25, 2005

Pursuant to House Resolution 256 of 2003, the Joint Legislative Air and Water Pollution Control and Conservation Committee submits the report of the Forestry Task Force. The recommendations adopted and presented in this report are the culmination of efforts on the part of the Forestry Task Force and its Advisory Committee. Senator Roger Madigan, Bradford County, served as chairman of the Forestry Task Force.

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INTRODUCTION

Forests cover over 17 million acres in Pennsylvania, about 60 percent of the total land area. Approximately 71 percent of the state's forests are privately owned (12.5 million acres). Four million acres of public forestland is composed of: 2.1 million acres of state forestland, 1.4 million acres of Pennsylvania Game Commission land and 513,000 acres in northwest Pennsylvania in the Allegheny National Forest.

Some of the most heated environmental controversies in recent years center around multiple use management policies for Pennsylvania's forestlands. The controversy has brought about significant changes in the way the forestlands are allocated and managed.

During the 2003 session of the Pennsylvania General Assembly, Representative Jim Lynch, Warren County, introduced House Resolution 256, Printer's Number 1510 (see Appendix A). The resolution called for a legislative study on "issues concerning the renewal and management of this Commonwealth's forests" and charged the Legislative Forestry Task Force and Advisory Committee, with staff assistance from the Joint Legislative Air and Water Pollution Control and Conservation Committee, to conduct this study.

The Legislative Forestry Task Force is composed of four members of the Pennsylvania General Assembly; two members of the Senate and two members of the House of Representatives. The Forestry Task Force role with regard to this legislative report was to seek comments and recommendations from citizens, conservation groups, forest associations, and the timber and forest industries. The Advisory Committee is composed of 16 members from many disciplines including: education; forestry; the timber products industry; the Pennsylvania Game Commission and others. Their main purpose is to offer guidance on pertinent issues relating to the management of Pennsylvania's forests.

Pursuant to House Resolution 256, the Forestry Task Force focused on five important issues:

- 1. Forest planning and management on Federal and State lands.**
- 2. Recreational opportunities in State parks and forests.**
- 3. The promotion of timber management to private landowners.**
- 4. Government and nongovernmental acquisition of forestland.**
- 5. Forest bioreserves.**

As part of House Resolution 256, the Forestry Task Force is directed to "hold hearings and take testimony". Toward that end, the Forestry Task Force conducted five public meetings between August, 2003 and March, 2005. Each meeting provided Forestry

Task Force and Advisory Committee members with a background presentation about a forestry issue and offered the opportunity for comment.

This report is the result of information presented to the Forestry Task Force and reflects comments and discussions by members of the Forestry Task Force and Advisory Committee. Recommendations for future policies and programs are included in this report.

The following organizations presented information to the Forestry Task Force:

- **Allegheny National Forest**
- **International Mountain Bicycling Association**
- **Northcentral Pennsylvania Conservancy**
- **Pennsylvania Department of Conservation and Natural Resources, Bureau of Forestry**
- **Pennsylvania Forest Products Association**
- **Pennsylvania Land Trust Association**
- **Penn State University, School of Forest Resources**
- **Pennsylvania State Snowmobile Association**
- **USDA Forest Service**

All of the issues discussed in the following report relate to forest structure and forest development in Pennsylvania. A basic understanding of these forest dynamics begins with forest planning and management.

FOREST PLANNING AND MANAGEMENT ON FEDERAL AND STATE LANDS

Pennsylvania's forests supply timber products, wildlife habitat, soil and watershed protection, aesthetics, and recreational opportunities. How they are managed is of vital interest to everyone.

Understanding the relationships among forest structure, management activities, and ecological responses is central to wise management of forest systems. In order to protect and manage the forests, the Pennsylvania Department of Conservation and Natural Resources (Department) must use the best science, technology and information available to guide its decision making process. The Department's Bureau of Forestry has the difficult

task of planning the management of one of the nation's most abundant public hardwood forests.

In recent years, the focus of forest management has shifted from timber management to an emphasis on multiple use management policies. The most significant change in forest policy was made in 2003, when the Bureau of Forestry unveiled a new State Forest Resource Management Plan (SFRMP) for the 2.1 million acres of forest it regulates in 20 districts in 48 Pennsylvania counties. The plan evolved into an ecosystem management-based approach that attempts to accommodate human resource needs, sustain critical ecosystem functions, and maintain native biodiversity.

The 450-page SFRMP sets management guidelines that, for the first time, establish a sustainable forestry goal and recognizes that state forests are intended for multiple uses including timber supply, mineral extraction, recreation, watershed protection, and wilderness preservation. The purpose of the SFRMP is to:

- **Provide direction for land use including broad resource management objectives and strategies.**
- **Establish an appropriate balance between various land uses.**
- **Provide direction for more detailed resource planning.**

According to the SFRMP, a key element in maintaining ecosystem integrity and viability is the conservation of biological diversity. Pennsylvania is one of the most biologically diverse states in the country; a diversity that is at the heart of its economic strength in the form of revenue and jobs created in the state. Pennsylvania's forest products industry is the state's fourth largest manufacturing sector contributing more than \$5 billion per year to the Commonwealth's economy. And more than 100,000 people working in 2,200 firms statewide make their living in this industry.

As greater demands are made on Pennsylvania's forestlands, decision makers at various levels of government as well as private industry and conservation organizations are seeking better science-based information for informed answers to today's complex problems. The Bureau of Forestry is ready to take the next step forward as a leader in biodiversity conservation. Improved coordination and joint planning, making better use of information resources, and better integrating and focusing the Bureau of Forestry's work related to biodiversity can significantly move it ahead in its effective conservation of the state's biodiversity.

RECOMMENDATIONS

The forestry task force recommends that the Bureau of Forestry should:

- **Assure on-going opportunities for public involvement and interaction during any management planning activities - especially prior to the Bureau of Forestry's next revision of the SFRMP.**
- **Renew its commitment to the forest land use planning process by clarifying its land use objectives and planning framework.**
- **Continue to coordinate with other state and federal agencies on related issues that impact management of the public forests.**
- **Continue to work with the PA Game Commission to promote effective and strategic management of the deer herd in order to restore forest regeneration.**

RECREATIONAL OPPORTUNITIES IN STATE PARKS AND FORESTS

The Bureau of Forestry did not actively manage recreation in the early years of its existence. Although Pennsylvanians have always used state forests for recreational activities, the lands were managed primarily for the natural resources they provided.

Since the early 1970's, other values, including tourism, recreation, and conservation, have assumed increased importance in management planning. In order to meet growing demand and changing demographics and provide increased multi-recreational opportunities, the SFRMP establishes a sustainable forestry goal and recognizes the forest's increased recreational uses.

The demands on state forests for recreational activities are ever increasing, as are the types of recreation the public desires. Driven by a growing population and changes in income and other demographics, recreation uses of all types have increased. State forests represent a vast recreational resource, including over two million acres of land open to public hunting. In addition to hunters, the land is used by snowmobilers, all-terrain vehicle (ATV) drivers, mountain bikers, horseback riders and hikers.

Although there was general acceptance of the SFRMP by the public during the Bureau of Forestry's public hearings, there were vastly different viewpoints depending upon an individual's use of the forest resource. The Forestry Task Force learned that while major issues heard at the hearings include land designation (wild areas, natural areas, bio-reserves, and old growth), and resource extraction (natural gas and timber), by far the largest number of comments (over one-third) centered on recreation (off-road vehicles and snowmobiles) or access to state forests.

Public comments on forest recreation showed both ATV and snowmobile enthusiasts wanted more trails on state forestland – especially connector trails. Meanwhile, non-motorized users such as hikers, mountain bikers and horseback riders, were concerned with the quality of their recreational experience.

While increased use in visitation is a positive trend, it does not come without the potential for problems and stress on forest resources, including vandalism, trail conflicts, and threats to fragile areas. Without positive action to control and prevent these impacts, these conflicts will continue to increase as demand mounts for recreation services in state forestlands. Meeting the legitimate demands of forest recreation users will require a high level of attention in order to manage and control the possibility of negative impacts.

RECOMMENDATIONS

The Forestry Task Force recommends that the Bureau of Forestry:

- **Provide for additional field staff for public contact including patrol and enforcement throughout the state forest system.**
- **Provide the necessary staffing and operating funds to implement recreation programs and activities, including a clearinghouse for recreation information. Information could be designed for various user groups on the forest resources that are available to them.**
- **Increase citizens' and visitors' ability to experience the outdoors by promoting outdoor recreation and outdoor learning opportunities.**
- **Continue to develop partnerships with small businesses, tourist promotion agencies, conservation groups and private outfitters (such as the partnership with Venture Outdoors) to develop and promote additional recreational opportunities in the state forest system.**
- **Coordinate its recreation functions with other agencies, such as the Bureau of State Parks, and other interested parties.**

THE PROMOTION OF TIMBER MANAGEMENT TO PRIVATE LANDOWNERS

Pennsylvania's privately owned forestlands are extensive and important. Over two-thirds of the Commonwealth's forestland (12.5 million acres) is privately owned. The extent of privately owned forests and the many individuals that own and manage them are, in and of themselves, reason for wide public attention. But privately owned forests should be recognized for the many goods and services they provide. A significant portion of the persons employed by the state's forest industry is dependent on timber sup-

plied by private forest landowners. The timber and forest products industry relies on private forests for over 80 percent of its raw material needs. Continued access to this vital source of wood supply is critical to the future growth of the forest products industry and the state's rural economic base.

Privately owned forests also provide a setting for many individuals to pursue their recreational interests. In addition, privately owned forests provide a wide range of important ecological services. They protect soil, ensure water quality, and provide habitat for wildlife.

The characteristics of private forestland ownership (especially non-industrial private forests) have recently been comprehensively assessed by the USDA Forest Service. The Forestry Task Force had the opportunity to hear from Mr. Will McWilliams, Research Forester with the Forest Service, and Mr. Brett Butler, Coordinator for the National Woodland Owner Survey, about timber management on private forests. The following is a summary of their discussion.

In Pennsylvania, private landowners own approximately 12 million acres of the forested land in the Commonwealth. More than 90,000 families or individuals own five acres or more of forested land. The average parcel is only 24 acres. Collectively all these owners manage over 70 percent of the forest resource that makes up Pennsylvania. This fact alone lends credence to the importance of private forestland stewardship. Sound land management practices by landowners are paramount to ensure the renewable resource of trees for the forest and timber industry.

Private forest landowners are a diverse group, and they own and manage a diversity of forestlands. To better serve private landowners, the U.S. Forest Service conducted the National Woodland Owner Survey. The survey consisted of 30 questions, many of them requiring multiple answers. These questions followed three basic question lines:

- 1. What are they managing for? What are their management objectives?**
- 2. What kinds of activities have they done on their property in the recent past? What do they plan to do in the future?**
- 3. What do they perceive to be the biggest management problems and needs that they face?**

The first thing the survey shows about private forest landowners is that the number of owners is increasing and tract sizes are decreasing. The data shows that in Pennsylvania, 74 percent of the forestland is privately owned and families and individuals own 80 percent of this. Families and individuals own 59 percent of the total forestland base.

The survey found that nearly 70 percent of the landowners believe the primary reason for owning forestland is that it is simply “part of the farm” or “residence”. The second most cited reason for owning forestland was for an appreciation of natural lifestyles and the aesthetic beauty of forestland. Sixty-six percent of respondents identified this as their main reason for owning forestland.

Land investment often is thought of as a hedge against inflation. Private forest landowners who list land investment as the reason for owning account for one-third of all owners. In spite of the vast majority of landowners indicating that timber production is neither a primary nor secondary objective, a significant percentage (21 percent) of owners do sell their trees for harvest.

In addition to timber harvest, private landowners are active managers in other ways such as maintaining roads and trails on their properties. Access is important to them, and 33 percent of owners reported that they maintain roads and trails. Private landowners are tree planters – 20 percent of them reported planting trees.

Overall, Pennsylvania continues to enjoy and derive benefits from an abundance of privately owned forestlands. Their use and management are important considerations for future sustainability, and during the course of the Task Force’s deliberations and the public meetings common areas of concern were expressed. The Task Force identified several challenges for future investment in the sustainability of privately owned forestlands, the primary challenges being education and technical assistance.

Education and technical assistance are essential for owners of small woodlots who cannot afford to hire consultants to advise them on management strategies. Many woodlot owners are willing to apply good management practices if they know what they are. Maintenance and expansion of university extension programs, with a special emphasis on the production and distribution of user-friendly information on profitable, ecologically sound and cost-effective management strategies, is essential.

Another trend involving private forest ownership deals with timberland investment management organizations (TIMOs). In 1997, International Paper Company sold management rights on 175,000 acres of mostly hardwood timberland in western Pennsylvania and New York to Forest Investment Associates of Atlanta, Georgia, for approximately \$200 million (or about \$1,140/acre). That sale continues a long trend in which the nation’s biggest timber, pulp and wood products firms have sold much of their northeast holdings in favor of faster growing, easier to cut forests in Southern states.

RECOMMENDATIONS

The Forestry Task Force recommends the following initiatives:

- **Improve incentives to increase needed harvest including funding for private landowners who pledge to maintain and manage their working forests. Voluntary programs, such as Pennsylvania's Forest Stewardship Program (which allows owners with five acres or more to get financial and other help managing their woodlands) and other forest stewardship programs, should be encouraged.**
- **Promote more education and outreach for landowners in the area of sustainable forest management. Sources such as the Sustainable Forestry Initiative, Forest Stewardship Council, Tree Farm Program, County Conservation Districts, State Bureau of Forestry and the Penn State Cooperative Extension Service should be used to expand the current education and outreach program with a special emphasis on the production and distribution of user-friendly information on profitable, ecologically sound and cost-effective management strategies.**
- **Study the impact of timber investment management organizations on Pennsylvania forests. Large, industrially-owned holdings are in danger of development or fragmentation, particularly when compared to smaller, less actively managed parcels.**
- **Study the impacts of state and federal tax policies – specifically estate taxes - on private landowners in Pennsylvania.**

GOVERNMENT AND NON-GOVERNMENT ACQUISITION OF FORESTLAND

In Pennsylvania, government and non-government organizations (NGOs), in various ways, control more than 30 percent of the Commonwealth's forested land area. The Forestry Task Force looked into the practice of government and NGO's acquiring forestlands.

The Bureau of Forestry's focus for acquiring land has been in two areas. One was to protect the integrity of existing land through the purchase of in-holdings or buffers of existing forests. The second focus was providing grant assistance to nonprofits such as land trusts, conservancies and municipalities.

Funding for acquiring land comes from several sources, including the Oil and Gas Fund, which derives its revenue from leases on state forestlands, generating between \$3 million and \$4 million annually. The Federal Land and Water Conservation Fund assists states in planning, acquisition, and development of outdoor recreation resources. In its heyday, Pennsylvania received over \$10 million annually from this fund but currently

receives less than \$1 million annually. Land trusts receive substantial funding from the department's Keystone and Growing Greener grants programs. Although the department has not funded any projects through the Forest Legacy Program, it remains a potential source of funding.

While all of these funding sources permit acquisition of lands for state forests, there are certain guidelines that must be followed. A restriction of Growing Greener is that grants for land acquisition must be approved by county commissioners and must not prohibit forestry and commercial production of timber. The Keystone grant program provides 10 percent for parks and forests, 45 percent for local grants, and 10 percent for Land Trust Grants.

Since 1960, the Bureau of Forestry has acquired 119,000 acres, 30,000 of which were acquired in the last several years. Conservancies have been very active with Keystone grants. In the last 10 years, over 70,000 acres have been acquired, of which 42,000 have been transferred to State government agencies (the Bureau of Forestry and the Pennsylvania Game Commission).

There have been concerns expressed by local governments and school districts whenever there is a discussion of government purchasing forestlands. Local governments depend on property taxes for revenue. The more land that goes to public agencies, the greater the burden on the remaining taxpayers.

Locally based land trusts have done conservation work in 56 of Pennsylvania's 67 counties. As of 2003, Pennsylvania land trusts (excluding The Nature Conservancy) were managing 24,000 acres in the Commonwealth.

Currently, state and private land acquisition activities are not guided by any established long term plan or strategy.

RECOMMENDATIONS

The Forestry Task Force recommends that the DCNR should:

- **Produce and publicize a long-term strategic plan for the prospective acquisition of land by that agency and to further guide the acquisition initiatives of NGO grant recipients.**
- **Target any continued funding for easements and forest management activities on lands that produce a sustainable supply of timber for the forest products industry.**
- **Evaluate state grant strategies as they apply to NGO acquisition of forestland ensuring they emphasize sustainable forest management.**

- **Evaluate the impact of conservation easements that are set for a determined period of time (25-year escape clause).**
- **Study the impact that local governments purchasing forests has on forestland management, conservation and the local tax base.**

FOREST BIORESERVES

In many parts of Pennsylvania, population growth and economic expansion have increased the percentage of land devoted to human use. There has been widespread conversion of habitat for agriculture, timber harvesting, and urban development. There are concerns that loss of habitat has greatly increased species vulnerability. Such concerns have led to calls for public policies and private actions to protect species and their habitat on public lands..

A new strategy to conserve biological diversity is the establishment of biological reserves (bioreserve) to preserve key habitats. Within the scope of its State Forest Management Plan, the Bureau of Forestry has undertaken major activities in biodiversity conservation, including initiation of efforts to create a bioreserve system on state forestlands.

The bioreserve strategy is a promising but largely untested approach to conserving biodiversity. The goal of a bioreserve strategy is to maintain the biodiversity of a region in perpetuity. Fundamental to the bioreserve strategy is the concept of zoning the regional landscape into areas of varying restrictions on human activities. The SFRMP breaks down as follows:

- **The multiple resource management zone is the least restrictive zone and applies to areas managed for many resources, such as timber, gas and oil.**
- **The aesthetics/buffer management zone applies to areas where connectivity, aesthetics, and water quality conservation are the primary values.**
- **The limited resource management zone applies to areas where management alternatives are limited due to site quality or topographic restraints.**
- **The natural area management zone applies to areas that are of unique scenic, historic, geologic, or ecological value, which will be maintained in a natural condition.**
- **The wild area management zone applies to areas that are open to public recreation such as hiking, hunting, fishing and wildlife watching. New public access roads, motorized vehicles, mineral development and rights-of-way are prohibited, as is timber harvesting.**
- **The special resource management zone applies to areas that will be managed for specific values such as wild plant sanctuaries.**

- **The anthropogenic site management zone applies to human made structures such as roads and buildings.**

The breakdown by percentage of acres of the various state forest management zones is: multiple use (53%); aesthetic buffer (12%); limited resource (22%); natural area (4%); wild area (8%); special resource (0.4%); and anthropogenic site (0.6%).

The concept of bioserves has been around in one form or another for many years. More recently the movement to create wilderness and natural areas is derived, at least in part, from the recognition that areas in which human activities are constrained contribute to the conservation of certain plant and animal life.

State forests constitute the most extensive public lands in Pennsylvania. The final draft of the SFRMP recognizes this, proclaiming that “all forest lands will function as a bioserve on many levels”.

While the concept of bioserves and land use zoning has a great deal of potential to help manage a sustainable forest, it is not an answer to an end. Concerns have been expressed about this approach of setting aside areas for bioserves for at least three primary reasons. First, most areas have been selected for purposes other than protection of biodiversity, or with limited consideration of this as a purpose. For example, most bioserves have been set aside based on their lack of roads together with high value for passive recreation.

Another concern about the bioserve strategy is that many species and plant communities are not represented or are underrepresented in any form of reserve systems. In addition, most reserves are too small to contain fully functional biotic communities. Many bioserves are not large enough to support viable populations of many species.

Finally, any strategy that suggests restricting human activity on public lands often raises fears of government over regulation.

The Forestry Task Force understands the concerns of the Advisory Committee and is sensitive to the projected impacts that a bioserve strategy would have on the wood products industry and other state forest system users. The Forestry Task Force is also equally sensitive to the issue of biodiversity and the benefits that bioserves could have on certain non-public-owned lands in the state.

RECOMMENDATIONS

The Forestry Task Force recommends that the Bureau of Forestry should:

- **Limit the amount of state forestland that is dedicated to bioreserve zoning.**
- **Explore ways to accommodate a system of bioreserves on public and private lands that doesn't preclude forest management activity.**
- **Design bioreserves to ensure that adequate but limited representation of species and community types are present in the bioreserve system.**
- **Develop an adjoining lands strategy for public forestlands that include working with adjacent private landowners to encourage their participation in voluntary conservation of biodiversity.**
- **Within public lands, promote an adequate but limited connection of core reserves that allow some movement of plants and animals between core areas.**
- **Ensure continued public involvement and review at all levels.**