

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1972 AMENDMENT

Amendment by Pub. L. 92-318 effective after June 30, 1970, see section 506(n) of Pub. L. 92-318, set out as an Effective Date note under section 326a of Title 7, Agriculture.

§ 582a-8. Competitive forestry, natural resources, and environmental grants program**(a) Establishment**

The Secretary of Agriculture (hereafter referred to in this section as the "Secretary") shall establish a competitive forestry, natural resources, and environmental grant program to award grants for the conduct of research or forest restoration as described in subsection (c).

(b) Eligible entities

To be eligible to receive a grant under subsection (a), an entity shall—

(1) be a State agricultural experiment station, a college or university, a research institution or organization, a Federal agency, a private organization, or a corporation that has a demonstrable capacity to conduct forestry, natural resources, and environmental research as determined by the Secretary; and

(2) prepare and submit to the Secretary, an application at such time, in such manner, and containing such information as the Secretary shall require, including the proposed use of the amounts that may be received under a grant.

(c) Priorities**(1) Research**

In awarding the initial grants under subsection (a) the Secretary shall give priority to applicants who will use such grants for research concerning—

(A) the biology of forest organisms, including physiology, genetic mechanisms, and biotechnology;

(B) ecosystem function and management, including forest ecosystem research, biodiversity, forest productivity, pest management, water resources, and alternative silvicultural systems;

(C) wood as a raw material, including forest products and harvesting;

(D) human forest interactions, including outdoor recreation, public policy formulation, economics, sociology, and administrative behavior;

(E) international trade, competition, and cooperation related to forest products;

(F) alternative native crops, products, and services that can be produced from renewable natural resources associated with privately held forest lands;

(G) viable economic production and marketing systems for alternative natural resource products and services;

(H) economic and environmental benefits of various conservation practices on forest lands;

(I) genetic tree improvement; and

(J) market expansion.

(2) Forest restoration

Grants may be used to support programs that restore forest tree species native to

American forests that may have suffered severe levels of mortality caused by non-native insects, plant pathogens, or others pests.

(A) Required component of forest restoration strategy

To receive a grant under this subsection, an eligible institution shall demonstrate that it offers a program with a forest restoration strategy that incorporates not less than one of the following components:

(i) Collection and conservation of native tree genetic material.

(ii) Production of propagules of native trees in numbers large enough for landscape scale restoration.

(iii) Site preparation of former of native tree habitat.

(iv) Planting of native tree seedlings.

(v) Post-planting maintenance of native trees.

(B) Award of grants

The Secretary shall award competitive grants under this subsection based on the degree to which the applicant addresses the following criteria:

(i) Risk posed to the forests of that State by non-native pests, as measured by such factors as the number of such pests present in the State.

(ii) The proportion of the State's forest composed of species vulnerable to non-native pests present in the United States.

(iii) The pests' rate of spread via natural or human-assisted means.

(d) Facilities and equipment**(1) Authority**

Grants made under this section may be used to update research facilities and equipment available to facilitate the conduct of state-of-the-art research in forestry, natural resources, and the environment.

(2) Priorities and criteria

The Secretary, in consultation with the Cooperative Forestry Research Council appointed under section 582a-4(b) of this title, may develop criteria and priorities for the awarding of grants for use under paragraph (1).

(e) Recommendations

The Secretary shall request the Cooperative Forestry Research Council referred to in subsection (d)(2) to provide recommendations regarding grant priorities.

(f) Term

The Secretary may make grants under this section for periods of not to exceed 5 years.

(g) Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary to carry out this section.

(Pub. L. 101-624, title XII, § 1232, Nov. 28, 1990, 104 Stat. 3543; Pub. L. 115-334, title VIII, § 8708, Dec. 20, 2018, 132 Stat. 4882.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Forest Stewardship Act of 1990 and as part of the Food, Agriculture,

Conservation, and Trade Act of 1990, and not as part of the McIntire-Stennis Act of 1962 which comprises this subchapter.

AMENDMENTS

2018—Subsec. (a). Pub. L. 115-334, §8708(1), inserted “or forest restoration” after “research”.

Subsec. (c). Pub. L. 115-334, §8708(2), amended subsec. (c) generally. Prior to amendment, subsec. (c) related to applicant priority based on use of grants for certain research areas.

SUBCHAPTER IV—SUSTAINED-YIELD FOREST MANAGEMENT

§ 583. Establishment of sustained-yield units to stabilize forest industries, employment, communities and taxable wealth

In order to promote the stability of forest industries, of employment, of communities, and of taxable forest wealth, through continuous supplies of timber; in order to provide for a continuous and ample supply of forest products; and in order to secure the benefits of forests in maintenance of water supply, regulation of stream flow, prevention of soil erosion, amelioration of climate, and preservation of wildlife, the Secretary of Agriculture and the Secretary of the Interior are severally authorized to establish by formal declaration, when in their respective judgments such action would be in the public interest, cooperative sustained-yield units which shall consist of federally owned or administered forest land under the jurisdiction of the Secretary establishing the unit and, in addition thereto, land which reasonably may be expected to be made the subject of one or more of the cooperative agreements with private landowners authorized by section 583a of this title.

(Mar. 29, 1944, ch. 146, §1, 58 Stat. 132.)

§ 583a. Cooperative agreements with private owners; privileges of private owners; recordation of agreements

The Secretary of Agriculture, with respect to forest land under his jurisdiction, and the Secretary of the Interior, with respect to forest land under his jurisdiction, are severally authorized, for the purposes specified in section 583 of this title, to enter into cooperative agreements with private owners of forest land within a cooperative sustained-yield unit, established pursuant to said section, providing for the coordinated management of such private forest land and of federally owned or administered forest lands within the sustained-yield unit involved. Each cooperative agreement may give the cooperating private landowner the privilege of purchasing without competitive bidding at prices not less than their appraised value, subject to periodic readjustments of stumpage rates and to such other conditions and requirements as the Secretary may prescribe, timber and other forest products from federally owned or administered forest land within the unit, in accordance with the provisions of sustained-yield management plans formulated or approved by the Secretary for the unit; shall limit the time, rate, and method of cutting or otherwise harvesting timber and other forest products from the land of the cooperating private landowner,

due consideration being given to the character and condition of the timber, to the relation of the proposed cutting to the sustained-yield plan for the unit, and to the productive capacity of the land; shall prescribe the terms and conditions, but not the price, upon which the cooperating private landowner may sell to any person timber and other forest products from his land, compliance by the purchaser with such conditions to be required by the contract of sale; shall contain such provisions as the Secretary deems necessary to protect the reasonable interest of other owners of forest land within the unit; and shall contain such other provisions as the Secretary believes necessary to carry out the purposes of this subchapter.

Each cooperative agreement shall be placed on record in the county or counties in which the lands of the cooperating private landowner covered thereby are located, and the costs incident to such recordation may be paid out of any funds available for the protection or management of federally owned or administered forest land within the unit. When thus recorded, the agreement shall be binding upon the heirs, successors, and assigns of the owner of such land, and upon purchasers of timber or other forest products from such land, throughout the life of such cooperative agreement.

(Mar. 29, 1944, ch. 146, §2, 58 Stat. 132.)

§ 583b. Establishment of sustained-yield units to stabilize sale of timber and forest products

The Secretary of Agriculture and the Secretary of the Interior are further severally authorized, whenever in their respective judgments the maintenance of a stable community or communities is primarily dependent upon the sale of timber or other forest products from federally owned or administered forest land and such maintenance cannot effectively be secured by following the usual procedures in selling such timber or other forest products, to establish by formal declaration for the purpose of maintaining the stability of such community or communities a sustained-yield unit consisting of forest land under the jurisdiction of the Secretary establishing such unit, to determine and define the boundaries of the community or communities for whose benefit such unit is created, and to sell, subject to such conditions and requirements as the Secretary believes necessary, federally owned or administered timber and other forest products from such unit without competitive bidding at prices not less than their appraised values, to responsible purchasers within such community or communities.

(Mar. 29, 1944, ch. 146, §3, 58 Stat. 133.)

§ 583c. Agreements between Secretaries of Agriculture and the Interior, or with other Federal agencies having jurisdiction over forest land

Each of the said Secretaries is further authorized in his discretion to enter into cooperative agreements with the other Secretary, or with any Federal agency having jurisdiction over federally owned or administered forest land, or with any State or local agency having jurisdic-