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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 214

01/21/2021

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The bill was read for the first time and referred to the Committee on Environment and Natural Resources Finance and Policy

1.1 A bill for an act

1.2 relating to natural resources; modifying purpose and other provisions of Minnesota

1.3 forests for future program, state nursery operations, Minnesota Forest Resources

1.4 Council, and Sustainable Forest Incentive Act; amending Minnesota Statutes 2020,

1.5 sections 84.66, subdivisions 1, 3; 88.79, subdivision 1; 89.001, subdivision 8;

1.6 89.35, subdivision 2; 89.37, subdivision 3; 89A.03, subdivision 2; 290C.01.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. Minnesota Statutes 2020, section 84.66, subdivision 1, is amended to read:

1.9 Subdivision 1. **Purpose.** The Minnesota forests for the future program identifies and

1.10 protects private, working forest lands for their timber, scenic, recreational, fish and wildlife

1.11 habitat, threatened and endangered species, natural carbon sequestration, and other cultural

1.12 and environmental values.

1.13 Sec. 2. Minnesota Statutes 2020, section 84.66, subdivision 3, is amended to read:

1.14 Subd. 3. **Establishment.** The commissioner of natural resources shall establish and

1.15 administer a Minnesota forests for the future program. Land selected for inclusion in the

1.16 program shall be evaluated on the land's potential for:

- 1.17 (1) producing timber and other forest products;
- 1.18 (2) maintaining forest landscapes;
- 1.19 (3) providing public recreation; and
- 1.20 (4) providing ecological, fish and wildlife habitat, natural carbon sequestration, and
- 1.21 other cultural and environmental values and values consistent with working forest lands.

2.1 Sec. 3. Minnesota Statutes 2020, section 88.79, subdivision 1, is amended to read:

2.2 Subdivision 1. **Employing competent foresters; service to private owners.** The
 2.3 commissioner of natural resources may employ competent foresters to furnish owners of
 2.4 forest lands within the state of Minnesota who own not more than 1,000 acres of forest land,
 2.5 forest management services consisting of:

2.6 (1) advice in management and protection of timber, including written stewardship and
 2.7 forest management plans;

2.8 (2) selection and marking of timber to be cut;

2.9 (3) measurement of products;

2.10 (4) aid in marketing harvested products;

2.11 (5) provision of tree-planting equipment;

2.12 (6) advice in community forest management; ~~and~~

2.13 (7) advice in tree selection and care for natural carbon sequestration and climate
 2.14 resiliency; and

2.15 ~~(7)~~ (8) such other services as the commissioner of natural resources deems necessary or
 2.16 advisable to promote maximum sustained yield of timber and other benefits upon such forest
 2.17 lands.

2.18 Sec. 4. Minnesota Statutes 2020, section 89.001, subdivision 8, is amended to read:

2.19 Subd. 8. **Forest resources.** "Forest resources" means those natural assets of forest lands,
 2.20 including timber and other forest crops; carbon sequestration for climate change mitigation;
 2.21 biological diversity; recreation; fish and wildlife habitat; wilderness; rare and distinctive
 2.22 flora and fauna; air; water; soil; climate; and educational, aesthetic, and historic values.

2.23 Sec. 5. Minnesota Statutes 2020, section 89.35, subdivision 2, is amended to read:

2.24 Subd. 2. **Purpose of planting.** The purposes for which trees may be produced, procured,
 2.25 distributed, and planted under sections 89.35 to 89.39 ~~shall~~ include auxiliary forests,
 2.26 woodlots, windbreaks, shelterbelts, erosion control, soil conservation, water conservation,
 2.27 provision of permanent food and cover for wild life, environmental education, natural carbon
 2.28 sequestration, species adaptation to climate change, and afforestation and reforestation on
 2.29 public or private lands of any kind, but ~~shall~~ do not include ~~the~~ raising of fruit for human
 2.30 consumption or planting for purely ornamental purposes. It is hereby declared that all such
 2.31 authorized purposes are in furtherance of the public health, safety, and welfare.

3.1 Sec. 6. Minnesota Statutes 2020, section 89.37, subdivision 3, is amended to read:

3.2 Subd. 3. **Private lands.** The commissioner may supply only bare root seedlings, woody
3.3 cuttings, and transplant material for use on private land, provided that such material must
3.4 be sold in lots of not less than ~~500~~ 250 for a sum determined by the commissioner to be
3.5 equivalent to the cost of the materials and the expenses of their distribution. The
3.6 commissioner may not directly or indirectly supply any other planting stock for use on
3.7 private lands.

3.8 Sec. 7. Minnesota Statutes 2020, section 89A.03, subdivision 2, is amended to read:

3.9 Subd. 2. **Purpose.** The council must develop recommendations to the governor and to
3.10 federal, state, county, and local governments with respect to forest resource policies and
3.11 practices that result in the sustainable management, use, and protection of the state's forest
3.12 resources. The policies and practices must:

3.13 (1) acknowledge the interactions of complex sustainable forest resources, multiple
3.14 ownership patterns, and local to international economic forces;

3.15 (2) give equal consideration to the long-term economic, ecological, and social needs
3.16 and limits of the state's forest resources;

3.17 (3) foster the productivity of the state's forests to provide a diversity of sustainable
3.18 benefits at site levels and landscape levels;

3.19 (4) enhance the ability of the state's forest resources to provide future benefits and
3.20 services;

3.21 (5) foster no net loss of forest land in Minnesota;

3.22 (6) encourage appropriate mixes of forest cover types and age classes within landscapes
3.23 to promote biological diversity and viable forest-dependent fish and wildlife habitats;

3.24 (7) acknowledge the importance of the state's forest resources in providing natural carbon
3.25 storage and the role climate change will have on tree species selection and adaptation;

3.26 ~~(7)~~ (8) encourage collaboration and coordination with multiple constituencies in planning
3.27 and managing the state's forest resources; and

3.28 ~~(8)~~ (9) address the environmental impacts and implement mitigations as recommended
3.29 in the generic environmental impact statement on timber harvesting.

4.1 Sec. 8. Minnesota Statutes 2020, section 290C.01, is amended to read:

4.2 **290C.01 PURPOSE.**

4.3 It is the policy of this state to promote sustainable forest resource management on the
4.4 state's public and private lands. The state's private forests comprise approximately one-half
4.5 of the state forest land resources. These forests play a critical role in protecting water quality
4.6 and soil resources, and provide extensive wildlife habitat, natural carbon sequestration,
4.7 diverse recreational experiences, and significant forest products that support the state's
4.8 economy. Ad valorem property taxes represent a significant annual cost that can discourage
4.9 long-term forest management investments. In order to foster silviculture investments and
4.10 retain these forests for their economic and ecological benefits, this chapter, hereafter referred
4.11 to as the "Sustainable Forest Incentive Act," is enacted to encourage the state's private forest
4.12 landowners to make a long-term commitment to sustainable forest management.