

§ 701.29

§ 701.28 [Reserved]

§ 701.29 Designated counties.

The State committee in consultation with the State Forester, will designate the counties or parts of counties in which the program will be operated. The following will be considered in making the selections:

- (a) The total acreage in the county devoted to desirable types of softwood and hardwood timber.
- (b) The estimated area in the county that is under eligible ownership.
- (c) The estimated acreage suitable for the production of forest products.
- (d) The availability of funds.
- (e) The enhancement of other forest resources.

§ 701.30 Eligible person, land, and ownerships.

(a) An eligible person is a private individual, group, Indian Tribe or other native group, association, corporation excluding corporations whose stocks are publicly traded, or other legal entity which owns eligible land. Firms principally engaged in the manufacture of wood products are not eligible. However, forest landowners who manufacture forest products on a part-time or irregular basis, are eligible.

(b) Eligible land is "nonindustrial" private forest land capable of producing at least 50 cubic feet of wood per acre per year.

(c) Eligible farms are those not exceeding a total of 1,000 acres of eligible private nonindustrial forest land in the United States or any commonwealth, territory or possession of the United States. The State Committee with the concurrence of the State Forester may approve cost-sharing with landowners owning more than 1,000 but not more than 5,000 acres of eligible forest land where it is deemed to be to the public's significant benefit.

(d) Significant public benefits are primarily those resulting from cost-effective timber production, with related benefits to aesthetics, recreation, other resource values, watershed protection and erosion reduction.

§ 701.31 Program funds.

(a) *State and counties.* Each designated State and county will receive a

share of the funds provided nationally for the program. Funds will be distributed on the basis of the forest production opportunities in each State, considering the acreage of private non-industrial forest lands, the number of eligible owners, the potential productivity of such lands and the need for reforestation, timber stand improvement, other forestry management needs, and the enhancement of other forest resources. The Director, Conservation and Environmental Protection Division, FSA, will allocate funds after consultation with representatives of the U.S. Forest Service and a committee of not less than five State foresters or equivalent State officials selected by a majority of the State foresters or equivalent State officials. The State committee will consult with the State forester when determining the allocation of such funds to the designated counties.

(b) A limitation on the amount of funds which may be obligated under long-term agreements shall be established by the State committee in accordance with guidelines provided by the Deputy Administrator, State and County Operations.

§ 701.32 Eligible practices and cost-share requirements.

(a) Cost-sharing may be available for the following National practices and authority:

(1) *Practice FP1.* Planting Trees.

(2) *Practice FP2.* Improving a Stand of Forest Trees.

(3) *Practice authority—SF Practice.* Special Forestry Practices. The Director, Conservation and Environmental Protection Division, FSA, after consultation with the Forest Service, may approve special forestry practices needed to solve a significant and unique local condition for which the National practices are not adequate. Such practices may be approved for inclusion in a county program after consultation with the program development group, and the recommendation of the county committee, the service forester, the State committee and the State forester.

(b) A forest management plan is required as a condition of cost-sharing.