



NEW ENGLAND SOCIETY OF AMERICAN FORESTERS

Representing the forestry profession in New England

POSITION STATEMENT

LOCAL REGULATION of FOREST PRACTICES

Summary

The New England Society of American Foresters (NESAF), believes in and supports the long term sustainability of our private forest lands. NESAF believes that most private landowners share a stewardship ethic in caring for their land. Furthermore, NESAF believes that voluntary efforts, such as Best Management Practices (BMP's), Acceptable Management Practices AMP's), and incentive programs such as the Stewardship Incentive Program (SIP), are the best means to insure sustainability.

There are some forest practices that the public perceives to be harmful and which require some level of regulation, such as Vermont's Act 15 (Heavy Cutting Law) and the Maine Forest Practices Act. Regulations affecting the management of private forests should be done at the state level. In some situations such as public safety, local ordinances may be appropriate. **It is the position of NESAF to oppose unnecessary local forestry regulations.**

Issue

Studies have shown that there are a number of reasons which drive the passage of local forestry regulations (Floyd, Kaeser, Gavis, Luzadis, and Zhang). Local ordinances which protect public property or safety (roads and bridges) or environmental values of individual trees in an urban or suburban setting may be warranted. Ordinances which protect environmental values of private forests, or habitat protection (wetlands and deer wintering areas), which do not recognize political boundaries are better governed at the state level.

Background

It has been reported that there has been an increase in local regulations of forest practices in the Northeast (Cubbage and Siegel 1988, Hickman and Martus 1991, Greene and Siegel 1994). Many times zoning is the method used to regulate land use for forest practices. This can be a lengthy and costly process for forest landowners. Unintended consequences such as the posting of land; or subdivision and development would not be in the best interest of the resource, the public, or the forest products industry. As timber supply shifts from public and industry lands to nonindustrial private forest lands, local regulations of forest practices may become even more prevalent.

Expiration

This position will expire five years from the date of approval. Approved on December 6, 2006 by the Executive Committee of the New England State Society of American Foresters.

Literature Cited

- Cubbage, F.W. and Siegel, W.C. 1988. State and local regulation of private forestry in the East. *Northern Journal of Applied Forestry* 1988 (5):103-108.
- Floyd, D.W.; Kaeser, J.E.; Davis, C.J.; Luzadis, V.A.; Zhang, L. Local Regulations of Forest Practices in New York State: Implications for NIPF Management.
- Greene, J.L. and Siegel, W.C. 1994. The status and impact of state and local regulation of private timber supply. USDA Forest Service General Technical Report RM-225.
- Hickman, C.A. and Martus, C.E. 1991. Local regulation of private forestry in the eastern United States. In *Environmental concerns, government regulations, new technology, and their impact on southern forestry*. USDA Forest Service. Proceedings Reprint.