

NORTH CAROLINA GENERAL ASSEMBLY  
1975 SESSION

CHAPTER 676  
HOUSE BILL 1156

AN ACT TO ENCOURAGE AND PLAN FOR GOOD FORESTRY PRACTICES IN NORTH CAROLINA.

The General Assembly of North Carolina enacts:

**Section 1.** Short title. This act shall be known as the Forestry Study Act.

**Sec. 2.** Definitions. As used in this act:

(a) "Secretary" means the Secretary of the Department of Natural and Economic Resources.

(b) "Forest practice" means any activity conducted on or directly pertaining to forest land and relating to growing, harvesting, or processing timber, including but not limited to:

- (1) Road and trail construction and maintenance,
- (2) Harvesting,
- (3) Precommercial thinning,
- (4) Reforestation,
- (5) Fertilization,
- (6) Prevention and suppression of diseases and insects,
- (7) Salvage of trees, and
- (8) Brush control.

"Forest practices" shall not include preparatory work, such as tree marking, surveying, and road flagging and removal or harvesting of incidental vegetation from forest lands, such as berries, ferns, greenery, mistletoe, herbs, mushrooms, and other products which cannot ordinarily be expected to result in damage to forest soils, timber, or public resources.

**Sec. 3.** Statement of purpose, (a) The General Assembly finds that:

- (1) Unfavorable environmental impacts, although currently of a local and sporadic nature, are occurring as a result of forest practices. It is imperative that corrective action be developed now to prevent more serious problems in the future.
- (2) Regeneration of unproductive forest land is a high-priority problem requiring prompt attention and action.
- (3) The technical knowledge exists to design standard operating procedures or guidelines for harvesting and cultural practices which would minimize damage to the soil and water resources of the State. This is not the case with respect to the problem of forest regeneration.
- (4) This State's diverse forest regions require flexibility in the design and administration of such standard operating procedures or guidelines.
- (5) A comprehensive program of education, training, and financial incentives to encourage voluntary compliance with these standard guidelines for forest practices is preferable to enforced regulation. The complexity of developing such programs requires extensive study and evaluation.

(b) The purpose of this act is to direct the Secretary of the Department of Natural and Economic Resources to conduct continuing studies and investigations and make

recommendations to future sessions of the General Assembly. These investigations and recommendations should be:

- (1) Designed to assure the continuous growing and harvesting of forest tree species and to protect the soil, air, and water resources, including but not limited to streams, lakes, and estuaries;
- (2) Designed to coordinate activities among State agencies that are concerned with the forest environment;
- (3) Designed to develop programs to deal with emerging forestry problems, including but not limited to forest taxation, forest incentives, and forest practices;
- (4) Designed to keep the General Assembly fully informed concerning forestry and its related problems and needs; and
- (5) Designed to develop needed legislation to further the purposes of this act.

**Sec. 4.** Duties, powers of the Secretary. The Secretary, in carrying out the policy and purposes of this act, shall:

- (a) Conduct continuing studies and investigations concerning the purposes of this act.
- (b) Continue the work of the Forest Practices Study Committee in investigating the need for forest practices legislation.
- (c) Develop regional guidelines for forest practices within the State.
- (d) Appoint a citizen advisory committee in each of the three geographic regions of the State (Coastal Plain, Piedmont, and Mountain) as may be deemed necessary.
  - (1) Each advisory committee shall be composed of seven members representing various interests and residing in the geographic area and should provide technical advice and assistance to the Secretary in all matters relating to regional forest practices.
  - (2) For each advisory committee three members shall be appointed initially for a one-year term and four members for a two-year term. Thereafter all appointments shall be for a two-year term.
  - (3) The members of the committee shall receive per diem and necessary travel and subsistence expenses in accordance with the provisions of G.S. 138-5.
- (e) Prepare a report to the 1977 General Assembly and succeeding biennial sessions concerning the status of forestry in North Carolina.
- (f) Provide to any appointed citizen advisory committee necessary secretarial and professional staff assistance.

**Sec. 5.** This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 18th day of June, 1975.