

# SB3602



## 102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB3602

Introduced 1/19/2022, by Sen. Brian W. Stewart

### SYNOPSIS AS INTRODUCED:

525 ILCS 15/5

from Ch. 96 1/2, par. 9105

Amends the Illinois Forestry Development Act. Provides that in order to be eligible to submit a forest management plan to participate in the cost share program, a timber grower must own or operate at least 5 contiguous acres (instead of 10 contiguous acres) of land in this State on which timber is produced. Makes a corresponding change.

LRB102 24223 NLB 33452 b

A BILL FOR

1 AN ACT concerning conservation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Forestry Development Act is  
5 amended by changing Section 5 as follows:

6 (525 ILCS 15/5) (from Ch. 96 1/2, par. 9105)

7 Sec. 5. A forest development cost share program is created  
8 and shall be administered by the Department of Natural  
9 Resources.

10 A timber grower who desires to participate in the cost  
11 share program shall devise a forest management plan. To be  
12 eligible to submit a proposed forest management plan, a timber  
13 grower must own or operate at least 5 ~~10~~ contiguous acres of  
14 land in this State on which timber is produced, except that, no  
15 acre on which a permanent building is located shall be  
16 included in calculations of acreage for the purpose of  
17 determining eligibility. ~~Timber growers with Department~~  
18 ~~approved forest management plans covering less than 10 acres~~  
19 ~~in effect on or before the effective date of this amendatory~~  
20 ~~Act of the 96th General Assembly shall continue to be eligible~~  
21 ~~under the Illinois Forestry Development Act provisions.~~ The  
22 proposed forest management plan shall include a description of  
23 the land to be managed under the plan, a description of the

1 types of timber to be grown, a projected harvest schedule, a  
2 description of forest management practices to be applied to  
3 the land, an estimation of the cost of such practices, plans  
4 for afforestation, plans for regenerative harvest and  
5 reforestation, and a description of soil and water  
6 conservation goals and wildlife habitat enhancement which will  
7 be served by implementation of the forest management plan.

8 Upon receipt from a timber grower of a draft forest  
9 management plan, the Department shall review the plan and, if  
10 necessary, assist the timber grower to revise the plan. The  
11 Department shall officially approve acceptable plans. Forest  
12 management plans shall be revised as necessary and all  
13 revisions must be approved by the Department. A plan shall be  
14 evaluated every 2 years for reapproval.

15 The eligible land shall be maintained in a forest  
16 condition for a period of 10 years or until commercial  
17 harvest, whichever last occurs, as required by the plan.

18 The Department shall enter into agreements with timber  
19 growers with approved forest management plans under which the  
20 Department shall agree to pay a share of the total cost of  
21 acceptable forest management plans and practices implemented  
22 under the plan. The cost share amount is up to 80% of the total  
23 cost of the forest management practices for such practices  
24 approved to be funded from monies appropriated for this  
25 purpose for subsequent fiscal years. Cost share funds shall be  
26 paid from monies appropriated to the Department by the General

1 Assembly for that purpose from the Illinois Forestry  
2 Development Fund or any other fund in the State Treasury.

3 The Department, upon recommendations made to it by the  
4 Council, may provide for the categorization of forest  
5 management practices and determine an appropriate cost share  
6 percentage for each such category. Forest management practices  
7 submitted by timber growers on whose timber sales fees of 4% of  
8 the sale amount were paid as provided in Section 9a of the  
9 "Timber Buyers Licensing Act", approved September 1, 1969, may  
10 be accorded a priority for approval within the assigned  
11 category. Such timber growers may receive a cost share amount  
12 which is increased above the amount for which they would  
13 otherwise qualify by an amount equal to the fees paid by the  
14 timber grower on sales occurring in the 2 fiscal years  
15 immediately preceding the fiscal year in which the forest  
16 management practices are approved and funded; provided,  
17 however, that the total cost share amount shall not exceed the  
18 total cost of the approved forest management practices.

19 Upon transfer of his or her right and interest in the land  
20 or a change in land use, the timber grower shall forfeit all  
21 rights to future payments and other benefits resulting from an  
22 approved plan and shall refund to the Department all payments  
23 received therefrom during the previous 10 years unless the  
24 transferee of any such land agrees with the Department to  
25 assume all obligations under the plan.

26 (Source: P.A. 96-217, eff. 8-10-09; 96-545, eff. 8-17-09.)