



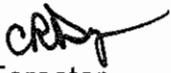
Joe Manchin III  
Governor

Charles R. Dye  
Director/State Forester

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## MEMORANDUM

TO: Joint Committee on Government and Finance

FROM: Charles R. Dye   
Director/State Forester

SUBJECT: Managed Timberland Impact Assessment

DATE: December 18, 2007

Attached is the report which assesses the impact of the Managed Timberland Program on West Virginia as required by West Virginia Code §11-1C-11<sup>©</sup>.

CRD:plc

Attachment

cc: Kellley Goes  
Jon Amores  
Donald W. Hebb  
Gregory Cook  
Jeremy McGill

# **REPORT ON MANAGED TIMBERLAND PROGRAM**

Prepared by the West Virginia Division of Forestry

C. R. Dye, Director/State Forester

December 12, 2007

## **Brief Overview**

In 1946 the residents of West Virginia passed a constitutional amendment that provided a formula to determine property tax for forest landowners that practiced sound forest management. The Managed Timberland Program act, passed by the West Virginia Legislature during the 1990 Regular Session, was done to comply with the "Forestry Amendment." Legislative rules for the act were passed during the 1991 Regular Session. The legislative rules specified how property in managed timberland was to be evaluated. Stumpage price was the major factor in computing the appraised value of the property enrolled in this program. As stumpage prices began to rise in the early 1990s, the appraised value of managed timberland properties also rose. The number of acres in managed timberland increased each year until 1995, at which time Managed Timberland properties became the highest valued forested properties in many counties. This resulted in many individuals withdrawing their properties from the program. In 1998, the Legislature amended the law incorporating a new method of appraisal, which relies heavily on land productivity. Since 1998, the number of acres enrolled in the Managed Timberland Program each year has stabilized.

A major change is occurring in the ownership of West Virginia's forest land. During the last ten years, the forest products industry has been liquidating their land. Although some of this acreage is being sold for development purposes, most is being purchased by large interstate or multi-national investment companies. Resident forest product businesses have not sold their land and in fact have purchased additional acreage. These companies appear to be initiating more intensive forest management practices than the previous owners.

An increasing number of nonindustrial landowners are enrolling in the program. Some of these owners are small sportsman clubs or hunting clubs who generally own less than 1,000 acres.

**History of Managed Timberland Acreage**  
 (Acres as certified by the Division of Forestry By September 1 of each year).

<b>Year</b>	<b>Acres</b>
1995	2,381,073.34
1996	2,011,022.71
1997	1,870,960.81
1998	2,133,142.64
1999	2,127,773.09
2000	2,312,340.00
2001	2,104,323.87
2002	2,203,015.20
2003	2,148,463.35
2004	2,245,736.64
2005	2,296,135.00
2006	2,180,337.00
2007	2,268,690.22

Since the amendment of 1998, there have been an increasing number of private non-industrial forest landowners who have entered into a contract to enroll their timberland with the Division of Forestry and have their property certified as managed timberland. Many of these landowners have used the Forest Stewardship program to acquire forest management plans for their property. The U.S. Forest Service Stewardship program is of great assistance in this effort. One of the goals of the managed timberland program is to encourage forest landowners to begin to use sustainable silvicultural practices on their property. This is best accomplished by following a Forest Stewardship plan.

**Number of owners and acres of stewardship plans cumulative totals by year**

<b>Year</b>	<b>Owners</b>	<b>Acres</b>
1998	297	41,187
1999	604	91,993
2000	814	125,776
2001	1136	178,556
2002*	1303	205,386

2003*	1354	210,510
2004	1526	229,457
2005	1769	261,546
2006	1942	282,710
2007	2062	293,904

\* In 2002, the U.S. Forest Service funding for this program was very limited due to the severe wildfire season in the West. The funds were borrowed and not returned to West Virginia until April of 2003. By that time it was too late to get landowners enrolled in the program and a plan developed before the end of the fiscal year. All plans produced in 2003 were done by Division of Forestry employees.

### **Impacts of the Program on Forest Industry**

1. The Managed Timberland Program encourages timberland owners, both private and industrial, to intensively manage their property on a sustained basis. The management of timberland is a long-term investment; therefore, yields are critically sensitive to cost and interest rates. Interest rates are determined by the world's economy; therefore, the forest landowner must control all other costs, including property taxes, in order to obtain an acceptable rate of return. The Managed Timberland Program allows for this by linking property taxes to soil productivity and stumpage prices, which ultimately determine the rate of return on the investment.
2. The Managed Timberland Program allows landowners to classify their property as timberland rather than as potential development areas in high growth areas of the State. The lower tax rate associated with Managed Timberland, as opposed to potential development property, allows the landowner to continue his or her long-term investment at an acceptable rate of return. The alternative without the Managed Timberland Program would encourage the landowner to liquidate his or her investment to avoid a loss.
3. The Managed Timberland Program encourages new forest industries to locate manufacturing facilities in West Virginia. Long-term raw material supply is more favorable in the State because of the Managed Timberland Program. Urban sprawl in many states has increased land values to the point where timber management is no longer a viable economic option for the landowner. Therefore, forest product manufacturing facilities no longer have a raw material supply and are forced to shut down.
4. Some investors have been buying property, enrolling it in the managed timberland program and then selling off lots. This has caused some concern, and county commissioners have suggested that a rollback tax be created to penalize people who are receiving the tax benefits without maintaining the property in forest usage. They suggest that a penalty be implemented to have the landowner pay taxes based on the higher evaluation of the present use for up to five years that they have been in the managed timberland program. There could be an exemption for land sold to a county development authority for an industrial park or other new business.