

3. RELEASE OF SEEDLINGS FROM COMPETING VEGETATION;
4. ANIMAL DAMAGE CONTROL OF SEEDLINGS;
- AND
5. OTHER ACTIVITIES THAT THE SECRETARY REQUIRES.

(III) "REFORESTATION" DOES NOT INCLUDE THE GROWING OF CHRISTMAS OR ORNAMENTAL TREES.

(3) (I) "TIMBER STAND IMPROVEMENT" MEANS ANY PRECOMMERCIAL CULTURAL OPERATION MADE TO IMPROVE THE COMPOSITION, CONSTITUTION, CONDITION, AND INCREMENT OF A TIMBER STAND.

(II) "TIMBER STAND IMPROVEMENT" INCLUDES TREE REMOVAL, GIRDLING, POISONING, AND PRUNING ACTIVITIES THAT:

1. ARE NOT DONE ONLY TO HELP REGENERATION; AND
2. DO NOT RESULT IN IMMEDIATELY SALABLE FOREST PRODUCTS.

(B) APPLICANT ELIGIBILITY.

A PERSON WHO OWNS OR LEASES 10 TO 500 ACRES OF LAND MAY APPLY FOR REFORESTATION OR TIMBER STAND IMPROVEMENT CERTIFICATION UNDER THIS SECTION IF THE LAND IS:

(I) CAPABLE OF GROWING MORE THAN 20 CUBIC FEET OF WOOD PER ACRE PER YEAR; AND

(II) AVAILABLE FOR THE APPLICATION OF SCIENTIFIC FOREST MANAGEMENT PRACTICES FOR THE PRIMARY PURPOSE OF GROWING AND HARVESTING FOREST TREE SPECIES.

(C) INITIAL CERTIFICATION.

THE DEPARTMENT SHALL ISSUE AN INITIAL CERTIFICATION OF REFORESTATION OR TIMBER STAND IMPROVEMENT TO AN APPLICANT WHO OWNS OR LEASES 10 TO 500 ACRES OF LAND THAT IS USED AS COMMERCIAL FOREST LAND OR THAT IS BEING RESTORED AND IS CAPABLE OF GROWING A COMMERCIAL FOREST, IF THERE IS:

(1) A SUCCESSFUL PLANTING OF THE REQUIRED MINIMUM NUMBER OF SEEDLINGS WITH ACCEPTABLE SPECIES; OR

(2) TIMBER STAND IMPROVEMENT ACTIVITIES IN ACCORDANCE WITH A FOREST MANAGEMENT PLAN DEVELOPED BY A REGISTERED PROFESSIONAL FORESTER.

(D) FINAL CERTIFICATION.