

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994
Part 525
SUSTAINABLE FORESTRY ON STATE FORESTLANDS

324.52501 Definitions.

Sec. 52501.

As used in this part:

- (a) "Breast height" means 4.5 feet from highest ground at the base of the tree.
- (b) "Certification" means a process where an independent third party organization assesses and evaluates forest management practices according to the standards of a certification program resulting in an issuance of a certificate of compliance or conformity.
- (c) "Certification program" means a program that develops specific standards that measure whether forest management practices are consistent with principles of sustainable forestry.
- (d) "Conservation" means the wise use of natural resources.
- (e) "Diameter class specifications" means a classification of trees based on the diameter at breast height.
- (f) "Plan" means the forestry development, conservation, and recreation management plan for state forests as provided for in section 52503.
- (g) "Reforestation" means adequate stocking of forestland is assured by natural seeding, sprouting, suckering, or by planting seeds or seedlings.
- (h) "Residual basal area" means the sum of the cross-sectional area of trees 4 inches or greater in diameter measured at breast height left standing within a stand after a harvest.
- (i) "State forest" means state land owned or controlled by the department that is designated as state forest by the director.
- (j) "Sustainable forestry" means forestry practices that are designed to meet present and future needs by employing a land stewardship ethic that integrates the reforestation, managing, growing, nurturing, and harvesting of trees for useful products with the conservation of soil, air and water quality, wildlife and fish habitat, and visual qualities.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995 ;-- Am. 2004, Act 125, Imd. Eff. May 28, 2004

Popular Name: Act 451

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324.52502 Management of state forest; manner; duties of department.

Sec. 52502.

- (1) The department shall manage the state forest in a manner that is consistent with principles of sustainable forestry.
- (2) In fulfilling the requirements of subsection (1), the department shall do all of the following:
 - (a) Manage forests with consideration of their economic, social, and environmental values by doing all of the following:
 - (i) Broadening the implementation of sustainable forestry by employing an array of economically, environmentally, and socially sound practices in the conservation of forests, using the best scientific information available.
 - (ii) Promoting the efficient utilization of forest resources.
 - (iii) Broadening the practice of sustainable forestry by cooperating with forestland owners, wood producers, and consulting foresters.
 - (iv) Where appropriate, promoting working forests for the production of forest products and ecological value.
 - (v) Actively managing for enhanced wildlife habitat.
 - (b) Conserve and protect forestland by doing all of the following:
 - (i) Ensuring long-term forest productivity and conservation of forest resources through prompt reforestation, soil conservation, afforestation, and other measures.
 - (ii) Protecting the water quality in streams, lakes, and other water bodies in a manner consistent with the department's best management practices for water quality.

(iii) Managing the quality and distribution of wildlife habitats, contributing to the conservation of biological diversity, implementing stand and landscape-level measures that promote habitat diversity and the conservation of forest plants and animals, including aquatic flora and fauna and unique ecosystems, while giving due consideration to loss of economic values.

(iv) Managing forests to mitigate or minimize impacts from wildfire, pests, diseases, and other damaging agents.

(v) Managing areas of ecologic, geologic, cultural, or historic significance in a manner that recognizes their special qualities.

(vi) Managing activities in high conservation value forests by maintaining or enhancing the attributes that define those forests, while giving due consideration to loss of economic values.

(c) Communicate to the public by doing all of the following:

(i) Publicly reporting the department's progress in fulfilling its commitment to sustainable forestry.

(ii) Informing the public of the positive aspects of managed forests.

(iii) Providing opportunities for persons to participate in the commitment to sustainable forestry.

(iv) Preparing, implementing, and keeping current a management plan that clearly states the long-term objectives of management and the means of achieving those objectives.

(d) Promote continual improvement in the practice of sustainable forestry and monitor, measure, and report performance in achieving sustainable forestry.

(e) Consider the local community surrounding state forestland by doing both of the following:

(i) Requiring that forest management plans and operations comply with applicable federal and state laws.

(ii) Requiring that forest management operations maintain or enhance the long-term social and economic well-being of forest workers and local communities.

History: Add. 2004, Act 125, Imd. Eff. May 28, 2004 ;-- Am. 2018, Act 238, Eff. Sept. 25, 2018

Popular Name: Act 451

Popular Name: NREPA

324.52503 Forestry development, conservation, and recreation management plan.

Sec. 52503.

(1) The department shall adopt a forestry development, conservation, and recreation management plan for state-owned lands owned or controlled by the department. Parks and recreation areas, state game areas, and other wildlife areas on these lands shall be managed according to their primary purpose. Subject to subsection (2)(g), the department may update the plan as the department considers necessary or appropriate. The plan and any plan updates shall be consistent with section 52502 and shall be designed to ensure a stable, long-term, sustainable timber supply from the state forest as a whole.

(2) The plan and any plan updates shall include all of the following:

(a) An identification of the interests of local communities, outdoor recreation interests, the tourism industry, and the forest products industry.

(b) Methods to promote and encourage the use of the state forest for outdoor recreation, tourism, and the forest products industry.

(c) A landscape management plan for the state forest incorporating biodiversity conservation goals, indicators, and measures.

(d) Standards for sustainable forestry consistent with section 52502.

(e) An identification of environmentally sensitive areas.

(f) An identification of the need for forest treatments to maintain and sustain healthy, vigorous forest vegetation and quality habitat for wildlife and environmentally sensitive species.

(g) Yearly harvest objectives for all state forest land by forest region for a 10-year period. At least every 5 years, the department shall review the yearly harvest objectives. At least once every 10 years, the department shall update the yearly harvest objectives for all state forest land for a 10-year period. The department shall post and maintain the current yearly harvest objectives on the department's website. The harvest objectives for each forest region shall not exceed the sustainable yields. In setting harvest objectives, the department may consider physical, biological, environmental, and recreational objectives.

(3) Beginning October 1, 2018 and each year thereafter, the department shall prepare for sale a minimum of 90% of the yearly statewide harvest objective.

History: Add. 2004, Act 125, Imd. Eff. May 28, 2004 ;-- Am. 2018, Act 238, Eff. Sept. 25, 2018

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324.52504 Harvest and sale of timber; deposit of proceeds into forest development fund; report.

Sec. 52504.

(1) The department shall harvest timber from the state forest and other state owned lands owned or controlled by the department in compliance with the plan and any plan updates.

(2) Unless otherwise dedicated by law, proceeds from the sale of timber from the state forest and other state owned lands owned or controlled by the department shall be forwarded to the state treasurer for deposit into the forest development fund established pursuant to section 50507.

(3) Not later than December 31 of each year, the department shall submit a report, to the standing committees of the senate and house of representatives with jurisdiction over forestry issues, that includes all of the following:

(a) The total number of acres in the state forest that have been identified by the department as having site conditions that restrain timber sales.

(b) The site conditions applicable to acreage identified under subdivision (a).

(c) The total number of acres identified under subdivision (a) in the previous year's report that are not identified under subdivision (a) in the current report and have been made available for timber sale.

(d) The locations where the acres identified under subdivision (a) and acres as identified under subdivision (c) are located.

(e) A statement of what the department intends to do to remove the particular site conditions identified under subdivision (b).

History: Add. 2004, Act 125, Imd. Eff. May 28, 2004 ;-- Am. 2006, Act 500, Imd. Eff. Dec. 29, 2006

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324.52505 Third-party certification that forestry standards satisfied; report.

Sec. 52505.

(1) The department shall seek and maintain third-party certification that the management of the state forest and other state owned lands owned or controlled by the department satisfies the sustainable forestry standards of at least 1 credible nonprofit, nongovernmental certification program and this part.

(2) Beginning January 1, 2006, the department shall ensure that the state forest is certified as provided for in subsection (1).

(3) Beginning the effective date of the amendatory act that added this section, the department shall commence a review and study to determine the appropriateness of certifying parks and recreation areas, state game areas, and other wildlife areas on state owned lands owned or controlled by the department. Not later than 1 year after the effective date of the amendatory act that added this section, the department shall report and recommend to the legislature the appropriateness and feasibility of certifying those lands.

History: Add. 2004, Act 125, Imd. Eff. May 28, 2004

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324.52506 Report.

Sec. 52506.

By January 1 of each year, the department shall prepare and submit to the natural resources commission, the standing committees of the senate and the house of representatives with primary jurisdiction over forestry issues, and the senate and house appropriations committees a report that details the following from the previous state fiscal year:

(a) The number of harvestable acres in the state forest, as determined from information in the state forest management plan under section 52503.

(b) The number of acres of the state forest that were harvested and the number of cords of wood that were harvested from the state forest.

(c) The number of acres of state-owned lands owned or controlled by the department other than state forest that were harvested and the number of cords of wood that were harvested from those lands.

(d) Efforts by the department to promote recreational opportunities in the state forest.

(e) Information on the public's utilization of the recreational opportunities offered by the state forest.

(f) Efforts by the department to promote wildlife habitat in the state forest.

(g) The status of the plan and whether the department recommends any changes in the plan.

(h) The status of certification efforts required in section 52505 and a definitive statement of whether the department is maintaining certification of the entire state forest.

History: Add. 2004, Act 125, Imd. Eff. May 28, 2004 ;-- Am. 2018, Act 238, Eff. Sept. 25, 2018

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324.52511 Repealed. 2004, Act 123, Eff. Dec. 31, 2011.

Compiler's Notes: The repealed section pertained to establishment and design of forest pilot project areas and contracts for management of each area.

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