

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994
Part 513
PRIVATE FORESTRY

324.51301 Definitions.

Sec. 51301.

As used in this part:

- (a) "Conservation district" means that term as it is defined in section 9301.
- (b) "Demonstration project" means a forest improvement project designed to illustrate the implementation and impact of alternate forest practices.
- (c) "Commission" means the commission of agriculture and rural development.
- (d) "Department" means the department of agriculture and rural development.
- (e) "Director" means the director of the department or his or her designee.
- (f) "Follow-up work" means forest practices to promote the survival of seeds or seedlings or the protection or enhancement of other work previously undertaken under this part.
- (g) "Forest improvement project" means any of the following:
 - (i) Production, processing, handling, storage, marketing, or transportation of forest resources, including sawmills, hardboard mills, power stations, warehouses, air and water pollution control equipment, and solid waste disposal facilities.
 - (ii) Forest practice or follow-up work.
 - (iii) Study, planning, or other work intended to improve forestlands or forest resources or to demonstrate means of improving forestlands or forest resources.
- (h) "Forest management plan" means that term as it is defined in section 7jj of the general property tax act, 1893 PA 206, MCL 211.7jj[1].
- (i) "Forest practice" means that term as it is defined in section 7jj of the general property tax act, 1893 PA 206, MCL 211.7jj[1].
- (j) "Forest resources" means those products, uses, and values associated with forestland, including recreation and aesthetics, fish, forage, soil, timber, watershed, wilderness, and wildlife.
- (k) "Forestland" means a tract of land that may include nonproductive land that is intermixed with productive land that is an integral part of a managed forest and the owner of which agrees to develop, maintain, and actively manage the land as a private forest through planting, natural reproduction, or other silvicultural practices. Forestland includes land from which forest tree species have been removed and have not been restocked, but does not include land converted to uses other than the growing of forest tree species or land currently zoned for uses incompatible with forest practices.
- (l) "Fund" means the private forestland enhancement fund created in section 51305.
- (m) "Harvest" means that term as it is defined in section 7jj of the general property tax act, 1893 PA 206, MCL 211.7jj[1].
- (n) "Landowner" means a person who holds an ownership interest in nonindustrial private forestland.
- (o) "Nonindustrial private forestland" means a privately owned tract of land consisting of 20 or more acres, or the timber rights in the land if the timber rights have been severed, that has the productive capacity to grow on average not less than 20 cubic feet per acre per year and that meets either of the following conditions:
 - (i) For a tract of land that contains less than 40 acres, at least 80% of the land is occupied by forest tree species.
 - (ii) For a tract of land that contains 40 or more acres, at least 50% of the land is occupied by forest tree species.
- (p) "Qualified forester" means that term as it is defined in section 7jj of the general property tax act, 1893 PA 206, MCL 211.7jj[1].
- (q) "Technical assistance" means direct on-site assistance provided to individuals.
- (r) "Timber" means wood growth, mature or immature, growing or dead, standing or down. Timber does not include any of the following:
 - (i) Christmas trees and associated greens.
 - (ii) Material harvested from an individual's own land and used on that land for the construction of fences or buildings or for other personal use.
- (s) "Timber owner" means a person who holds an ownership interest in species of forest trees on forestland. An ownership interest includes a license or other right to harvest timber on state lands.

History: Add. 2013, Act 45, Imd. Eff. June 6, 2013

Compiler's Notes: Former MCL 324.51301, which pertained to designation of tract of land as private forest reservation, was repealed by Act 378 of 2006, Eff. Sept. 1, 2007.

Popular Name: Act 451
Popular Name: NREPA

324.51302 Management and utilization of private forestland and private forest resources; purpose and intent of part.

Sec. 51302.

(1) This part is intended to stimulate improved management and utilization of private forestland and private forest resources within this state. Economic and community development opportunities based on the private forest resource will be enhanced by ensuring adequate future high-quality timber supplies, increased employment opportunities, a diversified economy, and other economic benefits and the conservation, maintenance, and enhancement of a productive and stable forest resource system for the public benefit of present and future generations.

(2) The primary purpose of this part is to assist private landowners in understanding the value of forest resources and the potential threats to forest resources and to provide management guidance.

(3) The department may enter into cooperative agreements with the federal agencies that have been given authority by act of congress for the management of forestlands to assist landowners in management of their nonindustrial private forestlands.

History: Add. 2013, Act 45, Imd. Eff. June 6, 2013

Compiler's Notes: Former MCL 324.51302, which pertained to number of trees planted on acre of land as subject to part, was repealed by Act 378 of 2006, Eff. Sept. 1, 2007.

Popular Name: Act 451

Popular Name: NREPA

324.51303 Repealed. 2006, Act 378, Eff. Sept. 1, 2007.

Compiler's Notes: The repealed section pertained to number of forest trees planted on tract of private forest reservation to assure spacing of 6 feet by 6 feet.

Popular Name: Act 451

Popular Name: NREPA

324.51304 Repealed. 2006, Act 378, Eff. Sept. 1, 2007.

Compiler's Notes: The repealed section pertained to receipt of benefit if landowner permits cattle, horses, hogs, or goats to pasture upon private forest reservation.

Popular Name: Act 451

Popular Name: NREPA

324.51305 Private forestland enhancement fund.

Sec. 51305.

(1) The private forestland enhancement fund is created within the state treasury.

(2) The state treasurer may receive money or other assets from any source for deposit into the fund, including general fund/general purpose appropriations, gifts, grants, and bequests. The state treasurer shall direct the

investment of the fund. The state treasurer shall credit to the fund interest and earnings from fund investments.

(3) Money in the fund at the close of the fiscal year shall remain in the fund and shall not lapse to the general fund.

(4) The department shall be the administrator of the fund for auditing purposes.

(5) The department shall expend money from the fund, upon appropriation, only for 1 or more of the following purposes:

(a) Direct assistance.

(b) Indirect assistance.

(c) Administrative costs.

(6) The department shall establish criteria and procedures for approving proposed expenditures from the fund.

(7) The department of treasury shall, before November 1 of each year, notify the department of the balance in the fund at the close of the preceding fiscal year.

(8) As used in this section:

(a) "Administrative costs" includes, but is not limited to, costs incurred in administering the qualified forest program developed in section 7jj of the general property tax act, 1893 PA 206, MCL 211.7jj[1].

(b) "Direct assistance" includes, but is not limited to, programs that will provide for any of the following:

(i) Programs devoted to nonindustrial private forestland to encourage the judicious management of forestlands to maximize economic and ecological value.

(ii) Incentive and cost-share programs to assist landowners.

(iii) Programs that enhance investment of private and federal funds in sustainable forest management.

(iv) Other programs established pursuant to this part.

(c) "Indirect assistance" includes, but is not limited to, programs that will provide for any of the following:

(i) Public education and demonstration programs on sustainable management of private forestland for increasing value for wildlife habitat or timber management, or both.

(ii) Educational programs.

(iii) Technical assistance programs.

(iv) The promotion of on-site evaluation systems and management practices.

History: Add. 2013, Act 45, Imd. Eff. June 6, 2013

Compiler's Notes: Former MCL 324.51305, which pertained to stocking forest trees under rules of department, was repealed by Act 378 of 2006, Eff. Sept. 1, 2007.

Popular Name: Act 451

Popular Name: NREPA

324.51306 List of qualified foresters; preparation; maintenance; registration; removal; publication on department's website.

Sec. 51306.

(1) The department shall prepare and maintain a list of qualified foresters in the state.

(2) An individual who wishes to be included on the list of qualified foresters shall submit a registration to the department on a form prepared by the department. The registration form shall include all of the following:

(a) The category of qualified forester for which the individual meets the necessary requirements.

(b) The continuing education required for the individual to maintain his or her status as a qualified forester, including the date on which the continuing education is required to be completed.

(c) A place for an individual to certify with his or her signature that he or she meets the requirements of a qualified forester and is current with any continuing education that is required.

(d) A place to designate whether the individual is submitting a new registration or a renewal of registration.

(3) An individual may update his or her registration at any time by submitting a renewal of registration.

(4) An individual who no longer meets the requirements to be considered a qualified forester shall notify the department in writing, and the department shall remove the individual from the list of qualified foresters.

(5) The department shall publish the list of qualified foresters on the department's website.

History: Add. 2013, Act 45, Imd. Eff. June 6, 2013

Compiler's Notes: Former MCL 324.51306, which pertained to complete restocking of private forest reservation with forest trees, was repealed by Act 378 of 2006, Eff. Sept. 1, 2007.

Popular Name: Act 451

Popular Name: NREPA

324.51307 Repealed. 2006, Act 378, Eff. Sept. 1, 2007.

Compiler's Notes: The repealed section pertained to varieties of forest trees.

Popular Name: Act 451

Popular Name: NREPA

324.51308 Repealed. 2006, Act 378, Eff. Sept. 1, 2007.

Compiler's Notes: The repealed section pertained to record of private forest reservations to be kept by county treasurer.

Popular Name: Act 451

Popular Name: NREPA

324.51309 Repealed. 2006, Act 378, Eff. Sept. 1, 2007.

Compiler's Notes: The repealed section pertained to record of private forest reservations to be kept by township supervisor or assessor.

Popular Name: Act 451

Popular Name: NREPA

324.51310 Repealed. 2006, Act 378, Eff. Sept. 1, 2007.

Compiler's Notes: The repealed section pertained to form of application and contract to be filed with county treasurer and form of notice by the treasurer to supervisor or assessing officer.

Popular Name: Act 451

Popular Name: NREPA

324.51311 Repealed. 2006, Act 378, Eff. Sept. 1, 2007.

Compiler's Notes: The repealed section pertained to examination of private forest reservations by supervisor or assessor when real estate is assessed for taxation.

Popular Name: Act 451

Popular Name: NREPA

324.51312 Repealed. 2006, Act 378, Eff. Sept. 1, 2007.

Compiler's Notes: The repealed section pertained to taxes levied and fees collected after 1993.

Popular Name: Act 451

Popular Name: NREPA

