

# HOUSE BILL No. 5554

February 17, 2004, Introduced by Reps. Casperson, Stahl, Pastor, Sheen, Walker, Pappageorge, Shackleton, Amos, Nofs, Meyer, Huizenga, Nitz, Palsrok, Palmer, Emmons, LaJoy, Voorhees, Moolenaar, Ward, Bisbee, Hune, Farhat, Mortimer, Hummel, Caswell, Robertson, Shaffer, DeRoche, Julian, Taub, Richardville, Vander Veen, Brandenburg, Acciavatti, Drolet and Bradstreet and referred to the Committee on Agriculture and Resource Management.

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
by amending the heading to part 525 and section 52501 (MCL  
324.52501), as added by 1995 PA 57, and by adding sections 52502,  
52503, 52504, 52505, 52506, and 52507.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 525 ~~DISPOSAL OF TIMBER FROM STATE LANDS~~ **SUSTAINABLE**

### **FORESTRY ON STATE FORESTLANDS**

Sec. 52501. ~~The department is authorized to dispose of  
timber from any of the state lands under the control of the  
department under such rules and regulations as may be prescribed  
by the department.~~ **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

1 third party organization assesses and evaluates forest management  
2 practices according to the standards of a certification program  
3 resulting in an issuance of a certificate of compliance or  
4 conformity.

5 (c) "Certification program" means a program that develops  
6 specific standards that measure whether forest management  
7 practices are consistent with principles of sustainable  
8 forestry.

9 (d) "Conservation" means the wise use of natural resources.

10 (e) "Department" means the department of natural resources.

11 (f) "Diameter class specifications" means a classification of  
12 trees based on the diameter at breast height.

13 (g) "Plan" means the forestry development, conservation, and  
14 recreation management plan for state forests as provided for in  
15 section 52503.

16 (h) "Reforestation" means adequate stocking of forestland is  
17 assured by natural seeding, sprouting, suckering, or by planting  
18 seeds or seedlings.

19 (i) "Residual basal area" means the sum of the  
20 cross-sectional area of trees 4 inches or greater in diameter  
21 measured at breast height left standing within a stand after a  
22 harvest.

23 (j) "State forest" means all state land owned or controlled  
24 by the department.

25 (k) "Sustainable forestry" means forestry practices that are  
26 designed to meet present and future needs by employing a land  
27 stewardship ethic that integrates the reforestation, managing,

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1 growing, nurturing, and harvesting of trees for useful products  
2 with the conservation of soil, air and water quality, wildlife  
3 and fish habitat, and visual changes.

4 Sec. 52502. The department shall manage the state forest in  
5 a manner that is consistent with principles of sustainable  
6 forestry and in doing so shall do all of the following:

7 (a) Manage forests with consideration of its economic,  
8 social, and environmental values by doing all of the following:

9 (i) Broaden the implementation of sustainable forestry by  
10 employing an array of economically, environmentally, and socially  
11 sound practices in the conservation of forests, using the best  
12 scientific information available.

13 (ii) Promote the efficient utilization of forest resources.

14 (iii) Broaden the practice of sustainable forestry by  
15 cooperating with forestland owners, wood producers, and  
16 consulting foresters.

17 (iv) Plan and manage plantations in accordance with  
18 sustainable forestry principles and in a manner that complements  
19 the management of and promotes the restoration and conservation  
20 of natural forests.

21 (b) Conserve and protect forestland by doing all of the  
22 following:

23 (i) Ensure long-term forest productivity and conservation of  
24 forest resources through prompt reforestation, soil conservation,  
25 afforestation, and other measures.

26 (ii) Protect the water quality in streams, lakes, and other  
27 waterbodies [in a manner consistent with the department's best management  
practices for water quality].

1       (iii) Manage the quality and distribution of wildlife  
2 habitats and contribute to the conservation of biological  
3 diversity by developing and implementing stand and  
4 landscape-level measures that promote habitat diversity and the  
5 conservation of forest plants and animals including aquatic flora  
6 and fauna and unique ecosystems.

7       (iv) Protect forests from wildfire, pests, diseases, and  
8 other damaging agents.

9       (v) Manage state forestlands of ecologic, geologic, cultural,  
10 or historic significance in a manner that recognizes their  
11 special qualities.

12       (vi) Manage activities in high conservation value forests by  
13 maintaining or enhancing the attributes that define such  
14 forests.

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

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

18       (ii) Provide opportunities for persons to participate in the  
19 commitment to sustainable forestry.

20       (iii) Prepare, implement, and keep current a management plan  
21 that clearly states the long-term objectives of management and  
22 the means of achieving those objectives.

23       (d) Monitor forest management by promoting continual  
24 improvement in the practice of sustainable forestry and  
25 monitoring, measuring, and reporting performance in achieving the  
26 commitment to sustainable forestry.

27       (e) Consider the local community surrounding state forestland

1 by doing both of the following:

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

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

7 Sec. 52503. (1) The department shall adopt a forestry  
8 development, conservation, and recreation management plan for the  
9 state forest. The department may update the plan as the  
10 department considers necessary or appropriate. The plan and any  
11 plan updates shall be designed to assure a stable, nondeclining,  
12 sustainable timber supply from the state forest.

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

15 (a) An identification of the interests of the forest products  
16 industry, including annual goals for harvested acres.

17 (b) An identification of the annual [capability] of state  
18 forestlands and management goals based on that level of  
19 productivity.

20 (c) An identification of the interests of local communities,  
21 outdoor recreation interests, and the tourism industry.

22 (d) Methods to promote and encourage the use of the state  
23 forest for forest [products], tourism, and outdoor recreation.

24 (e) A landscape management plan for the state forest  
25 incorporating biodiversity conservation goals, indicators, and  
26 measures.

27 (f) Standards for sustainable forestry consistent with

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1 section 52502.

2 (g) An identification of environmentally sensitive areas  
3 [. ]

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

8 Sec. 52504. (1) After the plan is adopted under section  
9 52503, the department shall harvest timber from the state forest  
10 in compliance with the plan and any plan updates.

11 (2) Unless otherwise dedicated by law, proceeds from the sale  
12 of timber from the state forest shall be forwarded to the state  
13 treasurer for deposit into the forest development fund  
14 established pursuant to section 50507.

15 Sec. 52505. (1) The department shall seek and maintain  
16 third-party certification that the management of the state forest  
17 satisfies the sustainable forestry standards of [at least 1] credible  
18 nonprofit, nongovernmental certification program and this part.

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

22 Sec. 52506. By January 1 of each year, the department shall  
23 prepare and submit to the standing committees of the senate and  
24 the house of representatives with primary jurisdiction over  
25 forestry issues and the senate and house appropriations  
26 committees a report that details the following from the previous  
27 state fiscal year:

1 (a) The number of harvestable acres in the state forest as  
2 determined by the certification program under section 52506.

3 (b) The number of acres of the state forest that were  
4 harvested.

5 (c) The number of cords of wood that were harvested from the  
6 state forest.

7 (d) The status of the plan and whether the department  
8 recommends any changes in the plan.

9 (e) A description of any activities that have been undertaken  
10 on forest pilot project areas described in section 52511.

11 Sec. 52507. The department may promulgate rules to  
12 implement this part.

13 Enacting section 1. This amendatory act does not take  
14 effect unless all of the following bills of the 92nd Legislature  
15 are enacted into law:

16 (a) Senate Bill No. \_\_\_\_ or House Bill No. 5552 (request  
17 no. 04037'03 \*).

18 (b) Senate Bill No. \_\_\_\_ or House Bill No. 5553 (request  
19 no. 05901'03 \*).