

Michigan Office of Administrative Hearings and Rules
MOAHR-Rules@michigan.gov

**AGENCY REPORT TO THE
JOINT COMMITTEE ON ADMINISTRATIVE RULES (JCAR)**

1. Agency Information

Agency name:

Natural Resources

Division/Bureau/Office:

Forest Resource Division

Name of person completing this form:

Karen Maidlow

Phone number of person completing this form:

517-284-5849

E-mail of person completing this form:

MAIDLOWK@michigan.gov

Name of Department Regulatory Affairs Officer reviewing this form:

Margaret Rost

2. Rule Set Information

MOAHR assigned rule set number:

2021-75 NR

Title of proposed rule set:

Commercial Forests

3. Purpose for the proposed rules and background:

MCL 324.51102 states that the department shall establish and maintain commercial forests and may promulgate and enforce rules as necessary to accomplish the purpose of this part. The changes are necessary to remove conflicting and duplicative language, and to correct errors.

4. Summary of proposed rules:

The proposed rule changes are intended to provide clarification of administrative processes and remove language in conflict with Part 511, Commercial Forests, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

5. List names of newspapers in which the notice of public hearing was published and publication dates:

Jackson Citizen Patriot, August 1, 2023.

St. Ignace News, August 2, 2023.

Traverse City Record-Eagle, August 2, 2023.

6. Date of publication of rules and notice of public hearing in Michigan Register:

8/15/2023

7. Date, time, and location of public hearing:

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8/17/2023 02:00 PM at ConHall-AT-ConCon , Constitution Hall, 525 West Allegan Street, Lansing, MI 48933

8. Provide the link the agency used to post the regulatory impact statement and cost-benefit analysis on its website:

<https://ARS.apps.lara.state.mi.us/Transaction/RFRTransaction?TransactionID=1333>

9. List of the name and title of agency representative(s) who attended the public hearing:

Karen Maidlow, Commercial Forest Program Leader, Department of Natural Resources.

Margaret Rost, Legal Policy Specialist, Department of Natural Resources.

10. Persons submitting comments of support:

Jason Wadaga, V.P. of Government Affairs, Kindsvatter, Dalling & Associates, on behalf of Justin Knepper, Executive Director, Michigan Association of Timberman.

Eric E. Stier, Regional Manager, American Forest Management.

Timothy P. Schneider, Resource Planning & Development Mgr., J.M. Longyear, LLC.

William D. O'Brion, General Manager, Lyme Great Lakes Timberlands LLC.

Luke Thiel, on behalf of the Michigan Forest Products Council.

11. Persons submitting comments of opposition:

None.

12. Persons submitting other comments:

None.

13. Identify any changes made to the proposed rules based on comments received during the public comment period:

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	Name & Organization	Comments made at public hearing	Written Comments	Agency Rationale for Rule Change and Description of Change(s) Made	Rule number & citation changed
1	Justin Knepper, Michigan Association of Timberman		Recommended changing the 30-day notice for the harvest notification form to 7 days.	The 30 days restricts adaptability and responsiveness to market demands and unforeseen circumstances. DNR changed 30 days to 10 days to allow for enough time for staff to review the form.	299.2606 (1) The owner of listed land shall report to the department an intent to harvest on a form prescribed by the department not less than 10 days before cutting, harvesting, or removing forest products from listed land.

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2	Eric Stier, American Forest Management		Recommended changing language for Rule 8 (6) to say department will administratively withdraw instead of may withdraw.	DNR agrees to replace the "may" with "will" because any time this situation happens an administrative withdrawal will have to occur.	Rule 299.2608(6) If the township has removed listed land from the specific tax roll and placed the land on the ad valorem tax roll in error, the department will administrative ly withdraw the land without application, application fee, or penalty.
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14.Date report completed:

9/21/2023