

Means for Protection of Forest Legacy Area Tracts:

- A. Acquisition of tracts of forest land will primarily be accomplished through conservation easements. However, the State of Michigan may consider acquisition of full-fee as an appropriate method of acquisition in certain cases.
- B. Acquire development rights on all tracts. Those rights include, but are not limited to, the right to construct buildings and other improvements, remove forest cover for non-forest uses and control utility right-of-way locations (all future utility installations shall be placed underground if feasible).
- C. Timber rights retained by the landowner shall follow guidelines set forth in the Forest Stewardship Plan or other multi-resource management plans written by Michigan Forest Stewardship Program (FSP) certified plan writers, and other natural resource professionals, that have completed Michigan Sustainable Forestry Initiative (SFI) training. All resource management plans must include the use of Best Management Practices (BMP's), applicable laws and regulations and with the following provisions:
 - 1. Timber harvesting or cutting or other forest management operations must be done in accordance with BMP's stated in the MDNR manual, "Water Quality Management on Forestlands" and within the guidelines of the individual Stewardship Management or Multi-Resource Management Plan.
 - 2. Forest Stewardship and other Multi-Resource Management Plans shall be reviewed and updated every five years or earlier, if circumstances deem necessary.
 - 3. "Natural resources professional" means a person who is acknowledged by the Department as having the education, knowledge, experience, and skills to identify, schedule, and implement appropriate forest management practices needed to achieve the purpose of this part on land to be subject to this part.
 - 4. Departures from sustained yield are permitted only in limited response to forest health concerns or the event of fire or other natural catastrophe.
- D. Consider acquisition of public access rights on each tract. Determine on a case-by-case basis the need for public access. Final determination and decision will be made by the SFSCC prior to the start of negotiations.
- E. Restrict development of mineral or oil and gas rights to allow no more than 10 percent of the surface occupancy of the Forest Legacy tract, with total area of all non-forest uses not exceeding 10 percent of the total tract area. Upon landowner completion of operations, the land shall be reclaimed as much as practical to its original contour and reforested.

- F. No disposal of waste or hazardous material will be allowed on properties in the Forest Legacy Program.
- G. Prohibit the use of signs and billboards on all properties, except to state the name and address of the property owner and /or provide Forest Legacy or other forest land incentive program information and Forest Legacy Boundary information.
- H. Existing dams or water impoundments or similar structures may be allowed to remain and be maintained. Exceptions or new impoundments will be agreed upon prior to negotiations with the landowners.
- I. Any revision to the easement regarding existing structures may be made only upon approval by the unit of government holding title to the easement.
- J. Industrial, commercial and residential activities, except traditional forest uses, are prohibited.
- K. A parcel must have a stewardship plan or a multi-resource management plan completed by a professional forester and approved by the Forest Legacy Subcommittee before entering the Forest Legacy Program. The plan must be current and updated as needed to meet Forest Legacy Program requirements.
- L. Each conservation easement will contain appropriate clauses to address the goals and objectives of the individual Forest Legacy Area. Such clauses may include, but are not limited to , the following:
 - Scenic Resources – Where local, state, or national designated scenic routes or areas would be impacted, limit the size and location of clearcuts and other regeneration openings during timber harvests, limit locations and design of access roads and log yards and design timber stand improvement projects to minimize aesthetic impacts.
 - Lakes, Streams, Wetlands and Riparian Areas – All plant and animal stocking and species control measures in aquatic communities should be in accordance with guidelines established by the Michigan Invasive Species Council. The landowner should use plant and animal species native to Michigan wherever possible. All stocking and species control measures must be addressed in the stewardship plan.
 - Rare, Threatened or Endangered Species of Plants or Animals – All areas being considered for participation in the Forest Legacy Program should be reviewed by the State Endangered Species coordinator. If rare, threatened or endangered species of plants or animals are identified within the easement area, the stewardship plan for that area must address their protection. Seek fee simple acquisition as appropriate.

- Known Cultural Resources – If a parcel contains known cultural resources, historic or prehistoric, the stewardship plan for the area must address their protection. All areas being considered for participation in the Forest Legacy Program should be reviewed by the State Historic Preservation Officer.
- Other Ecological Values – All terrestrial plant and animal stocking activities and species control measure should be in accordance with the guidelines established by the Michigan Native Species Council. The landowners should use plants and animals native to Michigan for all stocking activities wherever possible. All stocking and species control measures should be addressed in the stewardship plan.