

Operational Procedure of the Forest Management Planning System

([March 26, 2012: 23 Rin Sei Kei No. 230]
To the prefectural governors, from the Director-
General of the Forestry Agency
Final amendment
[March 24, 2025: 6 Rin Sei Kei No. 629])

At this time, the Forest Act (Act No. 249 of 1951, hereinafter referred to as "the Act") was partially amended, and the Forest Management Plan Certification System will be implemented as of April 1, 2012. The purpose of this system is to promote the rational and systematic forest practices and protection of forests based on the voluntary will of forest owners or persons who have forest management in trust for forest owners, and to contribute to the achievement of the Nationwide Forest Plan, Regional Forest Plan, and Municipality Forest Plan, thereby contributing to the sustainable cultivation of forests, the improvement of forest productivity, and the stabilization of income of forest owners.

To promote this system smoothly, it is necessary to make forest owners and persons who have forest management in trust for forest owners fully aware of the purpose of this system, to arouse voluntary motivation for reasonable and systematic forest practices and protection, and to appropriately operate the system by providing active assistance, etc. Therefore, the "Operational Procedure of the Forest Management Planning System" has been established as shown in the attachment, and we request that you fully commit to the operation of this system.

"Regarding the Operational Procedure of the Forest Practices Planning System" (August 16, 1968:43 Rinya Kei No. 302: Notice issued in the name of Director-General, Forestry Agency) shall be abolished. However, prior laws shall continue to govern the application of the Operational Procedure of the Forest Practices Planning System pertaining to the forest practices plan, which is to continue to be governed by prior laws under Article 8 of the Supplementary Provisions of the Act Partially Amending the Forest Act (Act No. 20 of 2011).

Also, please inform the municipalities under your jurisdiction and other related parties of this.

Attachment: Operational Procedure of the Forest Management Planning System

I Forest Management Plan

1 Assistance in the preparation of the Forest Management Plan

Prefectural governors are required to provide advice, guidance, financial intermediation, and other assistance necessary for the preparation and achievement of the Forest Management Plan pursuant to the provisions of Article 191, paragraph 1 of the Forest Act (Act No. 249 of 1951, hereinafter referred to as "the Act"). Heads of municipalities are required to provide information, advice, and intermediation necessary for the entrustment or trust of forest management, and give advice, guidance, and other assistance necessary for the preparation and achievement of the Forest Management Plan pursuant to the provisions of paragraph 2 of the same Article. Particular attention should be paid to the following matters.

(1) Provision of materials necessary for preparation of the Forest Management Plan

Prefectural governors and heads of municipalities are to, when forest owners or persons who perform forest management in trust for forest owners apply for assistance with materials necessary for preparation of the Forest Management Plan, provide the forest book, forest plan map, and other materials necessary for preparing the Forest Management Plan, under the provisions of the Act on the Protection of Personal Information (Act No. 57 of 2003) and the Ordinance on the Protection of Personal Information.

Furthermore, in cases where a person who has applied for assistance falls under any of the

items of Article 10 of the Order for Enforcement of the Forest Act (Cabinet Order No. 276 of 1951, hereinafter referred to as "the Order"), the municipality shall provide the entries in the forest land ledger about the relevant land based on the provisions of the same Article.

(2) Guidance on the preparation of the Forest Management Plan

Prefectural governors and heads of municipalities are to, when forest owners or persons who have forest management in trust for forest owners request technical guidance and assistance for preparation of the Forest Management Plan, provide the necessary guidance for preparing the Forest Management Plan based on the Municipality Forest Plan and the current state of the forest.

In addition, for forests subject to the Forest Management Plan (hereinafter referred to as "Forest subject to the Plan"), it is important to implement appropriate forest management and protection that contribute to the achievement of the Municipality Forest Plan in a long-term and sustainable manner. Therefore, forest owners or persons who perform forest management in trust for forest owners shall be instructed so that they can continuously prepare the Forest Management Plan over a long period.

Furthermore, as for forests owned by small-scale forest owners where the owners will be able to manage and protect their forests appropriately in accordance with the Forest Management Plan, prefectural governors and heads of municipalities are to instruct said forest owners to prepare the Forest Management Plan with the aim of implementing integrated and efficient forest management and protection in collaboration with other forest owners or persons who have forest management in trust for forest owners.

(3) Facilitation of preparing the Forest Management Plan by persons who manage forests on behalf of forest owners

As for forests owned by forest owners who have difficulty in implementing appropriate forest management and protection, to work on intensification of forest management and promote efficient forest practices, prefectural governors and heads of municipalities are to encourage motivated forest holders or forestry organizations to perform forest management in trust, and are to endeavor to facilitate preparing the Forest Management Plan by persons who manage forests on behalf of forest owners through the trust.

In addition, regarding forests for which business management implementation right (which refers to the business management implementation rights prescribed in Article 2, paragraph 5 of the Forest Management Act (Act No. 35 of 2018); the same applies hereinafter) has been established, the heads of municipalities shall instruct the private business operators who have the business management implementation right to prepare the Forest Management Plan. When the owner of a forest that is the subject of the prepared Forest Management Plan requests the preparation of the Business Management Right Consolidation Plan based on the provisions of Article 6, paragraph (1) of the Act, the heads of municipalities shall first instruct the owner to continue the relevant Forest Management Plan. When the Business Management Right (which refers to the business management rights prescribed in Article 2, paragraph 4 of said Act; the same applies hereinafter) is to be established unavoidably, the heads of municipalities shall provide as much assistance as possible so that the Forest Management Plan that includes the forest owned by said owner does not become out of compliance with the criteria specified in Article 33, item (1) of the Ordinance for Enforcement of the Forest Act (Ministerial Ordinance of Agriculture and Forestry No. 54 of 1951, hereinafter referred to as "the Ordinance").

Furthermore, to promote the preparation of the Forest Management Plan, the heads of municipalities shall instruct forest owners or persons who perform forest management in trust for forest owners to utilize forest practices planners, etc., who have specialized skills in forest management, including the investigation of forests subject to the plan and "coordination of joint

implementation".

In addition, to facilitate an approach where motivated forest holders or forestry organizations encourage forest owners to entrust forest management, prefectural governors and heads of municipalities shall endeavor to provide forest books, forest plan maps, and the like under the provisions of the Act on the Protection of Personal Information and the Ordinance on the Protection of Personal Information.

Furthermore, in cases where the relevant forestry organizations fall under any of the items of Article 10 of the Order, the municipality shall provide the entries in the forest land ledger about the relevant forest land based on the provisions of the same Article.

(4) Preparation of the Forest Management Plan by forest owners' cooperative association, etc.

To promote the preparation of the Forest Management Plan and ensure smooth operation of the system, prefectural governors and heads of municipalities need to provide technical assistance to small-scale forest owners who lack the knowledge required for preparation of the plan. Therefore, based on the purpose that a forest owners' cooperative association may undertake the preparation of forest management plan for its members under the provisions of Article 9, paragraph 2 of the Forest Owners' Cooperative Associations Act (Act No. 36 of 1978), the prefectural governors and heads of municipalities shall instruct forest owners' cooperative associations to prepare the Forest Management Plan or provide guidance and assistance for its preparation.

2 Certification of the Forest Management Plan

In certifying the Forest Management Plan, if certifiers of said plan find any request for certification that does not conform to the formal requirements prescribed in laws and regulations, such as deficiencies in the items stated in the written request for certification, in the written Forest Management Plan, or the accompanying paper, the certifier shall promptly request the amendment of the same by requester. In addition, if the relevant request is found to fail to satisfy any of the requirements set forth in Article 11, paragraph (5) of the Act, certifiers shall instruct the relevant requester to withdraw the request for certification, revise the content of the relevant Forest Management Plan, and make a new request for certification.

If matters concerning intentional burn are included in the relevant Forest Management Plan and the forest to be intentionally burned sits close to a national forest prescribed in Article 2 of the Act on Management of National Forest Land (Act No. 246 of 1951, hereinafter referred to as the "Management Act"), the certifiers must consult with and obtain the consent of the chief of the forest administration office having jurisdiction over the national forest pursuant to the provisions of Article 11, paragraph (6) of the Act. In this case, "close to a national forest" refers to cases where there is a national forest within 1 kilometer around the forest to be intentionally burned as specified in the relevant Forest Management Plan (Article 41 of the Ordinance).

Furthermore, under the provisions of Articles 10-12 of the Act, forestry extension advisors (including forest general supervisors) shall provide cooperation that requires expert skills and knowledge necessary for the achievement of the Municipality Forest Plan, such as the certification of the Forest Management Plan, at the request of municipalities. Based on said regulation, the heads of municipalities are to actively utilize the system.

(1) Qualifications for request for certification

(A) Qualifications of persons who may request certification of the Forest Management Plan

Persons who may request certification of the Forest Management Plan are forest owners prescribed in Article 11, paragraph 1 of the Act, or persons who have forest management in trust for forest owners, namely, persons who can cultivate the relevant forest and manage

the forest on their own. However, in cases where this system poses a problem in implementation, implementation shall be promoted as follows:

Even if forest owners or persons who perform forest management in trust for forest owners are managing the target forest at the beginning of the Forest Management Plan for which they intend to request certification, if it is clear that they will no longer be managing the forest during the planning period, for example, the period of the profit-sharing forest expires, they may not request certification of the Forest Management Plan for the relevant forest. However, even in this case, they may request certification throughout the planning period of the Forest Management Plan, provided they obtain the consent of those who can nurture the forest, and they conduct the forest management on their own.

In addition, the requester for certification may be a voluntary association (an association that lacks the legal capacity to hold rights) as long as it manages the forest; Still, in this case, it is desirable to instruct the requester to become an association set forth in Article 11, Item 8 of the Order. When requesting certification, it is necessary to specify the range of forests owned by the members of the organization, which the organization manages in trust for the members.

- (a) Concerning ordinary co-owned forests, each co-owner is a forest owner. However, to become a person who manages the forest on his/her own, it is necessary that all co-owned forest owners jointly request certification, or the person has forest management in trust for other co-owned forest owners.
- (b) In the case of a forest where people are habitually allowed to get in, or forestland under customary use rights, those who have these rights yet are not customarily permitted to manage and protect the forests at their own will and responsibilities are not forest owners. In this case, if there is an organization to manage forests where people are habitually allowed to get in or forestland under customary use rights, it is the management organization of the forest owner that is qualified as a requester for certification.
- (c) In the case of a yield-sharing forest contract under Chapter 3 of the Management Act or a partial forest contract under Chapter 4 of the National Forest Land Act before amendment by the Act Partially Amending the Former National Forest Land Act (Act No. 27 of 1984), the party in charge of afforestation is the forest owner, and in the case of a share afforestation contract and a share cultivation contract prescribed in the Act on Special Measures for Profit-Sharing Afforestation (Act No. 57 of 1958) and in the case of a yield-sharing forest contract, a shared forest contract, and other profit-sharing forest contract, each contract party is the forest owner when the trees covered by the contracts are agreed to be co-owned by the contract parties. Contract parties who do not have equity interests in the trees covered by said contracts are not forest owners. However, persons who conduct planting, tending, or managing the trees covered by the contracts based on said contracts are included in persons who perform forest management in trust for forest owners.
- (d) If a local public entity, etc., has concluded an agreement, etc., with the forest land owners to the effect that the local public entity, etc., may own (including sharing) and cultivate standing trees and bamboo, the local public entity, etc., is a forest owner. If the relevant local public entity, etc., does not have ownership of standing trees and bamboo, it is not a forest owner. However, if it can grow standing trees and bamboo based on the relevant agreement, etc., it is included in persons who have forest management in trust for forest owners.
- (e) A person who manages a forest on behalf of a forest owner for a certain period (five years or more including the planning period of the Forest Management Plan) based on a forest management trust contract with the forest owner (hereinafter referred to as "forest management trust contract") is included in persons who have forest management in trust for forest owners.

- (f) If a municipality manages a forest on behalf of a forest owner for a certain period (five years or more including the planning period of the Forest Management Plan) after receiving the establishment of the business management rights based on the Business Management Right Consolidation Plan, the municipality is included in persons who have forest management in trust for the forest owners. (Excluding the cases where it is obvious that the Management Implementation Right Allocation Plan under the Forest Management Act (which refers to Management Implementation Right Allocation Plan prescribed in Article 35, paragraph (1) of the Forest Management Act) will be prepared during the planning period of the Forest Management Plan.)
- (g) Private businesses that manage a forest on behalf of a forest owner for a certain period (five years or more including the planning period of the Forest Management Plan) after receiving the establishment of the business management implementation right based on the Management Implementation Right Allocation Plan, are included in persons who have forest management in trust for forest owners.
- (h) Persons who have acquired the ownership of standing trees and bamboos in a forest from its owners, such as log producers who have purchased standing trees and bamboos, may not request certification of the Forest Management Plan if a contract has been concluded only for the purchase of ordinary standing trees and bamboos and the persons are unable to grow standing trees and bamboos in the forest over a certain period based on the contract.

(B) Requirements for forests subject to the plan

Forests subject to the plan are all forests owned by certified forest owners, etc., ("certified forest owners, etc." set forth in Article 12, paragraph 1 of the Act; the same applies hereinafter) as forests for which integrated development is deemed appropriate specified in Article 11, paragraph (1) of the Act and Article 3, items (1) and (2) of the Order (hereinafter referred to as "forest corresponding to integrated development") and forests for which forest management is in trust (excluding forests co-owned by persons other than certified forest owners, etc. and persons other than those who have certified forest owners, etc. hold forest management in trust) forests that are not scheduled to be operated during the planning period or that are subject only to protection are also subject to the Plan.

Therefore, in the case of the Forest Management Plan that falls under the case set forth in Article 33, item (1) of the Ordinance (hereinafter referred to as "territorial plan") and that falls under the provisions of (a) of the same item (hereinafter referred to as "compartment plan"), all forests managed by requesters for certification in a minor basin under (a) of the same item, out of the territorial plan, in the Forest Management Plan that falls under the provisions of (b) of the same item (hereinafter referred to as "zone plan"), all forests managed by requesters for certification in a district under (b) of the same item (hereinafter referred to as "zone corresponding to integrated development"), and in the case of the Forest Management Plan that falls under the case set forth in Article 33, item 2 of the Ordinance (hereinafter referred to as "personnel plan"), all forests managed by requesters for certification, are necessary to be included in forests subject to the Forest Management Plan.

Concerning compartment plans and zone plans, guidance shall be given to include forests that are recognized to be subject to the same Forest Management Plan in the respective minor basins or the zone corresponding to integrated development, in the forests subject to said Forest Management Plan. In addition, after the certification of the Forest Management Plan, guidance shall be given to include any forest that newly meets the requirements due to having forest management in trust, etc., in the forests subject to said Forest Management Plan at that time.

The application of Article 3 of the Order and Article 33 of the Ordinance concerning forests

subject to the Plan shall be carried out as follows:

- (a) Given natural landforms such as ridgelines, natural conditions such as weather conditions including main winds and snow that affect forest renewal and the protection of standing trees, and the establishment of facilities necessary for the implementation of forest practices such as forest roads, roads for operation, and lumber collection sites, a minor basin that serves as the basis for the area of a compartment plan needs to have a compartment or a group of adjacent compartments that can efficiently carry out afforestation, tending, harvesting, and timber extraction in an integrated manner.

For this reason, the forests subject to the plan must be located in one compartment or several adjacent forest compartments. In addition, among a compartment that include such forests, the area of those other than forests designated by the head of the municipality at the time of certification (in cases where the certifier is other than the head of the municipality, when responding to hearing opinions under Article 46, paragraph (1) of the Ordinance) as not to be included in the area of forest corresponding to integrated development (hereinafter referred to as "forests that are difficult to manage and protect systematically") must account for 1/2 or more (in the case of multiple compartments, 1/2 or more of the total area of forests of multiple compartments, not for each compartment).

- (b) Given the actual conditions of the region, such as the topography of large-scale ridgelines and rivers, the state of forest resources such as planted forests, the state of road network development including public roads, and the state of forest ownership and management, the zone corresponding to integrated development, which serves as the basis for the forest area in zone plans, is required to fall within the range of forests where afforestation, tending, harvesting, and timber extraction are carried out in an integrated manner.

The forests subject to one zone plan must be located in one zone corresponding to integrated development, and have an area of 30 ha or more, excluding forests that are difficult to manage and protect systematically.

If a zone corresponding to integrated development has not been specified in the Municipality Forest Plan, its zone plan cannot be prepared.

- (c) The personnel plan is deemed to be able to efficiently carry out afforestation, tending, harvesting, and timber extraction by the same person in an integrated manner, in light of the state of implementation of forest management. Thus, one person must manage the forests subject to the plan. Also, the area of the forest for which the requester for certification is a forest owner must have an area of 100 ha or more, excluding forests that are difficult to manage and protect systematically.

In the case where a person, who performs forest management in trust for co-ownership by another person who co-owns the forest and can cultivate standing trees and bamboo in all of the forest, has requested the certification of a forest management plan alone, the value obtained by multiplying the area of the forest in co-ownership by the share ratio of the person requesting the certification is deemed to be the area of the forest for which the person requesting the certification is the forest owner.

- (d) As for the Forest Management Planning System, it is significant to expand forests subject to the plan aiming at further intensification of forest management, and both certified forest owners and certifiers need to accurately grasp the state of forest management planning and implementation in the forests subject to the plan to ensure the effectiveness of said system. Therefore, guidance is to be given so that the forests subject to the plan do not overlap with forests subject to other Forest Management Plans. However, this shall not apply in the following cases:

- i) In the case where a new compartment plan is to be prepared, if the forest subject to said

plan includes forests subject to a personnel plan or a zone plan that has already been prepared, and when said compartment plan will not conform to the standards specified in the provisions of Article 33, item (1), (a) of the Ordinance if said forests are not included in the new compartment plan

- ii) In the case where a new personnel plan or a zone plan is to be prepared, if the forest subject to said plan includes forests subject to a compartment plan that has already been prepared, and when said compartment plan will not conform to the standards specified in the provisions of Article 33, item (1), (a) of the Ordinance if excluding said forests from said compartment plan
- iii) When the business management right or business management implementation right is established for a part of the forest subject to an already prepared Forest Management Plan (excluding a personnel plan), and the Forest Management Plan will be prepared for the relevant forest in addition to the already prepared Forest Management Plan, and the relevant plan will no longer conform to the standards specified in the provisions of Article 33, item (1) of the Ordinance by excluding the relevant forest from the already prepared Forest Management Plan

(C) Handling of long-term policies on forest management

Regarding the long-term policy on forest management prescribed in Article 11, paragraph (2), item (1) of the Act, the basic policy on forest management for 40 years or more and the volume of harvested standing trees and the area of afforestation every 5 years are to be stated, pursuant to the provisions of Article 35, item (1) of the Ordinance. In addition, pursuant to the provisions of item (4) of the same Article, if the target of expanding the scale of forest management is to be stated, the long-term policy on expanding the scale of forest management every 5 years, extending the working road network, and establishing another working road network are to be stated.

The purpose of this is to confirm that appropriate forest management and protection contributing to the achievement of the Municipality Forest Plan will be implemented in the forest subject to the plan on a long-term and sustainable basis. Therefore, a person who intends to prepare the relevant Forest Management Plan shall be instructed to state presence or absence of continuity from the end of the term in the previous Forest Management Plan (hereinafter referred to as the "the former plan"), and if it has been continuously prepared, the consistency with the long-term policy stated in the former plan shall be confirmed. Based on the purpose of the Forest Management Plan where it is to ensure sustainable forest management by continuous formulation of the Forest Management Plan, guidance shall be given to ensure that the Forest Management Plan is prepared continuously.

In the case of jointly preparing a compartment plan or a zone plan, long-term policies on forest management under a trust to be carried out in response to requests from owners of forests in the vicinity of the forest subject to said plan or those who jointly prepare the relevant Forest Management Plan are to be stated (Article 35, Item 2 of the Ordinance). The purpose of this is to make it clear whether there is a policy to promote the unification of persons who manage forests, even if jointly preparing a compartment plan or a zone plan, and to confirm that a compartment plan or a zone plan will not hinder participation in the Forest Management Plan by other forest owners in the compartment including the forests subject to the plan.

For this reason, requesters for certification of a compartment plan or a zone plan shall be instructed to state that they will cooperate with the participation of the forest owners in the Forest Management Plan. Forest owners in the vicinity of the forest subject to the Forest Management Plan underlined in Article 35, Item 2 of the Ordinance shall be the forest owners within a compartment plan that includes the forest subject to said plan.

On the other hand, in the personnel plan, the long-term policy on forest management to be

carried out in response to requests from the forest owners or persons who perform forest management in trust for the forest owners within a compartment plan that includes the forest subject to said plan is to be stated (Article 35, Item 3 of the Ordinance). This is to confirm that the personnel plan will not interfere with the preparation of the compartment plan. Therefore, the requesters for certification of the personnel plan shall be instructed to state that they will cooperate with preparation of the compartment plan.

To promote forest practices that give consideration to the conservation of biodiversity, it is desirable that both plans include initiatives to enhance forest biodiversity as part of long-term policies on forest management.

(D) Items to be included in the Forest Management Plan

Pursuant to the provisions of Article 36 of the Ordinance, the items to be included in the Forest Management Plan prescribed in Article 11, paragraph (2), item (9) of the Act shall be the height of standing trees by planting in forests subject to systematic harvesting, items related to the joint management and protection of forests, matters related to the development of working road networks and other facilities, and the operation history of regeneration-harvesting and thinning.

In addition, to promote efficient and sustainable forest management in a zone corresponding to integrated development, requesters for certification of a compartment plan, a zone plan, or a personnel plan applicable to forests in a zone corresponding to integrated development shall, if other Forest Management Plans applicable to forests in a zone corresponding to integrated development have already been prepared, be instructed to state that they will endeavor to implement efficient forest management and protection, and to establish and maintain road networks in cooperation with certified forest owners, etc. of the Forest Management Plan.

Forests with a significantly small area as referred to in Article 36, item (1), (c) of the Ordinance shall be forests of 0.3 hectares or less, and forests adjacent to the relevant forest shall be a group of forests including standing trees with a distance of less than 20 meters from the relevant forest, and include forests that requesters for certification do not manage themselves.

(E) Handling of documents proving that the person performs forest management in trust

The documents to be attached pursuant to the provisions of Article 37, paragraph (1), item (2) of the Ordinance certifying that the person performs forest management in trust shall be the following ones listed in (a) through (e) according to the categories of cases in (a) through (e):

- (a) If the requester for certification is a party to the contract of profit-sharing forest set forth in (A)-(c) and does not have equity interests in the trees subject to the contract, but is capable of cultivating trees based on the contract: a copy of the contract of profit-sharing forest
- (b) If the requester for certification is a local public entity, etc., that has concluded the agreement, etc. set forth in (A)-(d), and does not have ownership of the standing trees and bamboo subject to the agreement, etc., but is capable of cultivating the trees and bamboo based on the agreement, etc.: said copy of the agreement, etc.
- (c) If the requester for certification is a person that implements forest management on behalf of the forest owners over a certain period under the forest management trust contract indicated in (A)-(e): a copy of the written forest management trust contract
- (d) If the requester for certification is a person that implements forest management on behalf of the forest owners over a certain period under the Business Management Right

Consolidation Plan indicated in (A)-(f): a copy of the Business Management Right Consolidation Plan

- (e) If the requester for certification is a person that implements forest management on behalf of the forest owners over a certain period under the Management Implementation Right Allocation Plan indicated in (A)-(g): a copy of the Management Implementation Right Allocation Plan and a copy of the Business Management Right Consolidation Plan related to forests subject to said Management Implementation Right Allocation Plan

(F) Handling of documents certifying the consent of forest land owners

The documents to be attached pursuant to the provisions of Article 37, paragraph (1), item (3) of the Ordinance certifying that the forest land owner has given consent shall be the following ones listed in (a) or (b) according to the categories of cases in (a) or (b): However, if it is clear from the document outlined in (E) that the forest land owner has consented to the development of the working road networks and other facilities necessary for implementing management and protection of the forest subject to the plan, such document may be substituted for the document outlined in the same item.

- (a) Installation of the working road networks and other facilities necessary for implementing management and protection of the forest subject to the plan: A copy of a document and so forth indicating that the forest land owner has consented to the installation of the facilities
- (b) Maintenance and management of the working road network and other facilities necessary for implementing and protecting the forest subject to the plan: a copy of the written agreement, etc., that provides for the use, maintenance, and management of the facilities

(2) Certification standards, etc.

- (A) The standards concerning the rationalization of forest practices prescribed in Article 38 of the Ordinance and the standards for the implementation of forest practices by public interest functions prescribed in Article 39 of the Ordinance are to be applied as follows:

- (a) The standard for "the volume of standing trees that are to be harvested for thinning during the period of the relevant Forest Management Plan shall be 35/100 or less of the volume of standing trees of the relevant forest at the time of commencement of the relevant Forest Management Plan" prescribed in Article 38, item (3) (including the cases applicable under Article 39 of the Ordinance) apply to each forest that is to be harvested for thinning under the relevant Forest Management Plan.

Forests that meet the requirements outlined in (d) of the same item may be operated as including forests whose tree canopy density is expected to certainly be 8/10 or more on the day on which approximately five years have elapsed from the day on which thinning is completed, if thinning is conducted following the standard thinning method specified in the Municipality Forest Plan, such as forests whose tree canopy density is 8/10 or more during the planning period.

In addition, young and old forests, forests that do not become denser, and forests whose canopies are not closed due to weather damage or poor growth may be excluded from forests that meet the requirements outlined in (d) of the same item, depending on the current conditions. In this case, young forests refer to forests of forest age class 5 or younger that require cleaning cutting, and old forests refer to forests of forest age class 13 or older that have been thinned (excluding forests where long-rotation operation should be promoted).

- (b) Forests with a significantly small area as referred to in Article 38, item (3), (c) of the Ordinance (including the cases applicable under Article 39 of the Ordinance) shall be forests of 0.3 hectares or less.

- (c) If the forest falls under the cases listed in I, 2 (1) (B) (d)-i) or ii) of this Guideline, and the forest subject to the compartment plan overlaps with the forests subject to the personnel plan or the forests subject to the zone plan, applying the standards outlined in Article 38, item (4) of the Ordinance ((including the cases applicable under Article 39 of the Ordinance), the standards outlined in the same item shall be applied to the part excluding the forest of the personnel plan or the zone plan from the forest subject to the compartment plan. In addition, if the forest falls under the cases listed in I, 2 (1) (B) (d)-iii) of this Guideline and the forest subject to an already prepared Forest Management Plan overlaps with another Forest Management Plan to be prepared separately from said Forest Management Plan, the application of the standard set forth in the same item to the Forest Management Plan shall be handled in the same manner.

When the "average interval between thinning implementation periods" is specified in the Municipality Forest Plan, "the minimum difference between the standard forest age for which thinning should be implemented, which is specified for forests subject to planned thinning" of the formula related to T1 and T2 in Appendix 2 of the Ordinance shall be basically the "average interval between thinning implementation periods" (If more than one interval is specified, the smallest interval). However, regarding T2 related to forests in which long-rotation operations should be promoted, an appropriate interval shall be set, depending on the current state of the forest and the actual situation of the region, taking into account the expected future operations in the relevant forest. In the case where neither T1 nor T2 cannot be determined, such as when only one forest age is specified as the standard forest age for thinning in the Municipality Forest Plan or when the standard forest age for thinning is not specified subject to standard harvesting age or older, T1 is uniformly set to 10 years and T2 is uniformly set to 15 years.

- (d) The single place prescribed in Article 38, item (6) of the Ordinance (including the cases applicable under Article 39 of the Ordinance) refers to a continuous harvested site that comes up after harvesting standing trees. Despite having discontinuous harvested site, if the distance between adjacent harvested site and the relevant harvested site (which refers to the distance of forests (excluding treeless land) or land other than forests that lie between the relevant harvested site) which is less than 20 m extends for 20 m or more, they are deemed to be one place.

Provided, however, that when a part of the shape of harvested site caused by the harvesting standing trees is constricted, and the width of the constricted part is less than 20 m, and its length extends 20 m, said harvested site shall not be deemed to be one location.

- (e) The standard for the volume of standing trees that are to be harvested in a natural forest (excluding forests in which tree species specified in the Municipality Forest Plan are grown as those that can be renewed by germination in root stocks and other forests in which renewal is expected to be certain) during the period of the relevant Forest Management Plan shall be 7/10 or less of the volume of standing trees of the relevant forest at the time of commencement of the relevant Forest Management Plan prescribed in Article 38, item (7) (including the cases applicable under Article 39 of the Ordinance) and applies to each forest that is planned to be harvested under the relevant Forest Management Plan.
- (f) Under the standard that the volume of standing trees (excluding volumes of standing trees that are supposed to be harvested for thinning.) that are to be harvested during the period of the relevant Forest Management Plan as prescribed in Article 38, item (8) (including the cases applicable under Article 39 of the Ordinance) of the Ordinance is equal to or less than the volume calculated using the formula in Appendix 3 of the Ordinance, a forest scheduled to harvest excessive trees as outlined in Appendix 4 of the Ordinance refers to a forest for which harvesting of excessive trees is allowed within a range not exceeding the volume calculated using the formula in the same Appendix, and a forest subject to adjustment outlined in the same Appendix refers to a forest for which the volume of harvesting is to be

reduced when excessive harvesting is permitted in a forest scheduled to harvest excessive trees. In this case, the volume of forests scheduled to harvest excessive trees and forests subject to adjustment shall be adjusted through the certification of the Forest Management Plan.

- (g) The maximum volume prescribed in Article 39, paragraph (2), item (1)-(B) of the Ordinance refers to the highest density volume in the stand density management map to be applied to the relevant forest.
- (h) Regarding the standards for thinning in a forest whose current situation is an even-aged forest among uneven-aged forest management prescribed in Article 39, paragraph (2), item (1) of the Ordinance, if the yield ratios at the beginning of the plan of a forest subject to planned thinning to which the standards should be applied (limited to a forest whose current situation is an even-aged forest among uneven aged forest management) exceeds 90/100, it is desirable to instruct the thinning to be carried out twice during the planning period, in order to avoid rapid deforestation of the canopy due to thinning to reduce the yield ratios to 75/100 or less. However, this shall not apply to the case where there is no risk of outbreak of weather-related forest damage
- (i) Selective harvesting, implemented in a forest of uneven-aged forest management through selective harvesting, prescribed in Article 39, paragraph (2), item (3) of the Ordinance, refers to regeneration-harvesting to ensure gradual regeneration without significantly changing forest composition, and shall be listed as follows:
 - i) Harvesting in which standing trees in a harvesting area are chosen tree by tree with a roughly equal proportion, or selected into strips with a width of less than 10 m
 - ii) Harvesting in units of a group of trees where the harvested site resulting from the harvesting is less than 0.05 hectares
- (j) Harvesting, implemented in a forest of uneven-aged forest management (excluding forests of uneven-aged forest management through selective harvesting), prescribed in Article 39, paragraph (2), items (4) and (5) of the Ordinance, refers to regeneration-harvesting to ensure gradual regeneration without making forests bare land, and shall be listed as follows:
 - i) Harvesting in which standing trees in a harvesting area are chosen tree by tree with a roughly equal proportion, or selected into strips with a width of less than 40 m
 - ii) Harvesting in units of a group of trees where the harvested site resulting from the harvest is less than 1 hectare
The standard for the volume of standing trees that are to be harvested in forests subject to the plan (limited forests of uneven-aged forest management other than selective harvesting (limited to forests related to planting, forests in which tree species specified in the Municipality Forest Plan are grown as those that can be renewed by germination in root stocks and other forests in which renewal is expected to be certain)) during the period of the relevant Forest Management Plan prescribed in item (4) of the same paragraph, shall be 7/10 or less of the volume of standing trees of the relevant forest at the time of commencement of the relevant Forest Management Plan shall apply to each forest that is planned to be harvested. Concerning forests subject to systematic harvesting prescribed in item (5) of the same paragraph (limited to forests of uneven-aged forest management) whose standing trees are to be felled as regeneration-harvesting, the standard that the standing trees to be felled by the same tree species, appearance of forest stock, and forest age within the period of the relevant Forest Management Plan must maintain at least 1/2 (or at least 7/10 in the case of a forests of uneven-aged forest management through selective harvesting) of volume of the standing trees in an even-aged forest calculated by assuming that the even-aged forest of the same tree species has reached its standard harvesting age shall apply to each forest that is planned to be harvested.

- (B) To be deemed appropriate in light of the Municipality Forest Plan prescribed in Article 11, paragraph (5), item (3) of the Act, shall satisfy all of the following requirements:
- i) To conform to the matters concerning the harvesting of standing trees and bamboos (regeneration-harvesting), afforestation, and thinning and tending prescribed in the Municipality Forest Plan
 - ii) In the cases where forests subject to the plan include forests in the area for management by public interest function, the forests shall conform to the management methods in the forest area for management by public interest function specified in the Municipality Forest Plan
 - iii) In the cases where forest owners or persons who perform forest management in trust for forest owners jointly prepare the Forest Management Plan, the plan shall conform to the matters concerning the promotion of collaborative forest practices specified in the Municipality Forest Plan
 - iv) In cases where the targets for scale expansion under Article 11, paragraph (3) of the Act have been set, they shall conform to the matters concerning the development of a working road network and other facilities necessary for forest development specified in the Municipality Forest Plan
 - v) In cases where forests in the area of forest with health functions (which refers to a forest with health functions as prescribed in Article 3, Paragraph 2, Item 1 of Act on Special Measures for Improvement of Public Health Function of Forests (Act No. 71 of 1989, hereinafter referred to as the "Act on Special Measures")) are included in the forests subject to the plan, they shall conform to the management methods in the area of forest with health functions specified in the Municipality Forest Plan
 - vi) In a zone plan, all of the forests subject to the plan shall be located in one zone corresponding to integrated development
- (C) The requirements prescribed in Article 11, paragraph (5), item (4) of the Act are to be recognized such that the forest practices and protection specified in the Forest Management Plan can be implemented in light of the matters related to the improvement of existing working road network and the development of the working road network, etc. specified in the Forest Management Plan in the forests subject to the plan.
- (D) Concerning the standards that measures to protect standing trees related to planting such as installation of protective fences and traps to be used to capture birds and beasts are to be implemented when afforestation through planting is scheduled within the period of the relevant Forest Management Plan in a forest area under protection from wildlife damage prescribed in Article 39 -2 of the Ordinance, any of the following measures are to be planned in the forest within the forest area under protection from wildlife damage where planting is planned within the planning period or in the vicinity thereof by a method that is considered to be effective in preventing damage from wildlife targeted in the forest area under protection from wildlife damage (hereinafter referred to as "target wildlife"):
- i) Measures to protect planted trees through the installation or maintenance of protective fences, the installation of young tree protective equipment, or the implementation of forest monitoring through field surveys, etc.
 - ii) Capture of target wildlife by traps or firearms, etc.
Note that the capture of target wildlife shall be limited to those carried out by the preparer of the Forest Management Plan (including a person who implements the capture in trust for the preparer) or those planned to be carried out systematically in the region, such as

those led by municipalities.

- (E) In cases where forests subject to the plan include forests requiring improvement prescribed in Article 39-4, paragraph (1), item (1) of the Act, the requirement prescribed in Article 11, paragraph (5), item (8) of the Act shall follow the method and timing of operations to be carried out for forests requiring improvement specified in the Regional Forest Plan.
- (F) Based on Article 21, paragraph (4) of the Act, when a certified forest owner, etc. intends to conduct intentional burn as described in the Forest Management Plan, he/she shall, under Article 47, paragraph (2) of the Ordinance, request the head of the municipality for instructions in advance with plenty of time to spare, and the head of the municipality shall instruct him/her to conduct intentional burn under the instructions. In addition, based on the provisions of Article 22 of the Act, it is desirable to instruct the certified forest owner to let owners or managers (including the chief of the forest administration office) of standing trees and bamboos located within 1 kilometer around the forest know about the intentional burn in advance.

3 Change of the Forest Management Plan

- (1) Cases where a certified forest owner, etc. has ceased to manage a part of a forest subject to the plan prescribed in Article 12, paragraph (1), item (1) (Mandatory Changes) of the Act or has newly started to manage a forest that is not subject to the plan but meets the standards specified in Article 3, item (2) of the Order (In the case of a compartment plan, a forest within a compartment in which a forest subject to a compartment plan is located; in the case of a zone plan, a forest within a zone corresponding to integrated development in which a forest subject to a zone plan is located; and in the case of a personal plan, a forest the requester for certification owns or has forest management in trust for the forest owner) shall fall under the following:
 - (A) Cases where a certified forest owner has ceased to manage a part of a forest subject to the plan
 - (a) Cases where part of the land in a forest subject to the plan has been converted to agricultural land, residential land, etc., or it is certain that the relevant forest is no longer a forest and will not be used as a forest in the future due to a landslide, etc.
 - (b) Cases where a certified forest owner, etc. who is a forest owner ceases to be a forest owner due to selling, grant, leasing, or establishing superficies of part or all of the land in a forest subject to the plan (including cases where a certified forest owner, etc. has died, or been dissolved or divided and there is no comprehensive successor), or ceases to manage the forest by himself/herself due to the conclusion of a forest management trust contract, etc.
 - (c) Cases where a certified forest owner, etc., who performs forest management in trust ceases to be a person who performs forest management in trust for part or all of the forests subject to the plan due to the cancellation, etc., of the forest management trust contract concluded with the forest owner
 - (B) Cases where a certified forest owner has newly started to manage a forest
 - (a) Cases where a forest has been developed on agricultural land, residential land, etc., and it is certain that the forest is no longer newly developed on a forest and will not be used as a forest in the future
 - (b) Cases where a certified forest owner, etc., becomes a forest owner of a forest that he/she did not own due to purchasing, inheriting, testamentary gift, receiving, leasing, or establishing superficies, etc., or the forest owned by the certified forest owner becomes a forest for which he/she manages the forest by the cancellation, etc. of a forest management

trust contract

- (c) Cases where a certified forest owner, etc., has become a person who has forest management in trust by concluding a new forest management trust contract with another forest owner

In these cases, the certified forest owners, etc. are required to delete the part of the forest that they no longer manage or add the forest that they newly manage, and to make necessary changes to the content of the forest management of other parts of the forest.

However, forests where it is difficult or inappropriate to carry out planned forest management or protection, specifically, a forest that falls under any of the following items, may be operated as not applicable to Article 12, paragraph (1), item (1) of the Act:

- i) A forest in which it is recognized that the land of said forest is a wetland or that it is extremely difficult to renew standing trees on the land
- ii) A forest for which it is found clear that the forest will no longer be used for growing standing trees during the planning period of the Forest Management Plan

In addition, even if a certified forest owner no longer manages his/her forest, a forest where the business management right has been established and the planned implementation of forest practices by private businesses based on the Management Implementation Right Allocation Plan is expected to apply in any of the following conditions, and is clear that the Management Implementation Right Allocation Plan will be prepared for the relevant forest during the planning period of the relevant Forest Management Plan may be operated as not falling under the case set forth in Article 12, paragraph (1), item (1) of the Act until the establishment of the business management implementation rights:

- i) Forests for which business management rights are established after some forest owners in the joint plan propose to municipalities for the preparation of the Business Management Right Consolidation Plan for their forests
- ii) Forests for which business management rights are established after the forest owner who entrusts forest management to a certified forest owner, etc. proposes to municipalities for the preparation of the Business Management Right Consolidation Plan

The procedure for changing the plan in the case outlined in Article 12, paragraph (1), item (1) of the Act requires submission of a written request certification of the change and the revised Forest Management Plan within 30 days from the day when the mandatory change has to be made under the provisions of Article 42, paragraph (1), item (1) of the Ordinance. In this case, the person requesting certification of the change is the certified forest owner, etc., of the Forest Management Plan for which the mandatory change is required.

Therefore, if the relevant Forest Management Plan is jointly prepared, all the certified forest owners, etc., must jointly request certification of the change. However, if some of the certified forest owners, etc., fall under the case outlined in (A)-(b) or (c) and are no longer forest owners or persons who have forest management in trust, it is sufficient for all certified forest owners, etc., other than those above request certification of a change to exclude the forests owned by the persons who are no longer forest owners and the persons who have forest management in trust from the forests subject to the plan. In this case, if a new forest owner or a person newly performs forest management in trust falls under a case outlined in (A)-(b) or (c) and the forest subject to the plan that requires the relevant mandatory change is certified to change by taking over a forest owned by a person who is no longer a forest owner or a forest whose management is no longer in trust under Article 12, paragraph (2) of the Act (Voluntary Change), the procedure for the mandatory change may be omitted.

- (2) The notice under the provisions of Article 13 of the Act is to be given in the following cases:

- (A) Cases where it is found that the content of the Forest Management Plan no longer conforms to the standards on the rationalization of planting, thinning, and other forest operations specified by the Ministerial Ordinance of the Ministry of Agriculture, Forestry and Fisheries referred to in Article 11, paragraph (5), item (2)-(a) of the Act, or the standards on the implementation of forest practices by public interest functions specified by the Ministerial Ordinance of the Ministry of Agriculture, Forestry and Fisheries referred to in (b) of the same item due to the changes of relevant standards
 - (B) Cases where it is found that the content of the Forest Management Plan no longer conforms to the requirements outlined in the items of Article 11, paragraph (5) of the Act because the Municipality Forest Plan has been established or changed
 - (C) Cases where it is found that the content of the Forest Management Plan no longer conforms to the requirements for forests requiring improvement prescribed in Article 11, paragraph (5), item (8) of the Act because the Regional Forest Plan has been established or changed
 - (D) (1) Cases where the certified forest owner, etc. is found not to request certification of a change on the Forest Management Plan even though the certified forest owner, etc. has come to fall under a case outlined in (A) or (B) of (1)
- (3) A request for certification of changes under Article 12, paragraph (2) (Voluntary Changes) of the Act may be made when forest management or protection such as harvesting (including thinning) is to be newly implemented in a forest for which forest management or protection such as harvesting (including thinning) has not been implemented under the relevant Forest Management Plan, or when persons other than certified forest owners, etc., newly participate in the plan or other necessary cases.

In addition, to ensure sustainable forest management through the continuous implementation of forest practices and protection in the forests subject to the plan, and to ensure the effectiveness of the Forest Management Planning System, guidance shall be given to continuously include the forests subject to the plan that once being approved in forests subject to the relevant Forest Management Plan.

- (4) The revised written Forest Management Plan and accompanying paper can be submitted only with the revised part.

4 Certification of the revised Forest Management Plan

When requesting certification of the changes under the provisions of Article 12, paragraphs (1) and (2) of the Act, concerning certification of changes as to whether or not the standards set forth in Article 11, paragraph (5), item (2) of the Act as applied mutatis mutandis pursuant to Article 12, paragraph (3) of the Act conform to Article 38, items (3), (4), (7), and (8) (including as applicable under Article 39 of the Ordinance) and Article 39, paragraph (2), items (4) through (8), the change to the forest subject to the plan is deemed to have occurred at the time of commencement of the Forest Management Plan in principle, and it shall be certificated whether or not the forest operations conducted by the relevant certified forest owners, etc. during the period of the forest management plan conform to the relevant standards.

5 Compliance with the Forest Management Plan

In light of the purpose of this system, there are no penalties for non-compliance with the Forest Management Plan prescribed in Article 14 of the Act. However, since compliance violations constitute grounds for revocation of certification, this determination has important implications for the operation of the system. Therefore, the standards of compliance shall be as follows:

- (1) To comply with a forest management plan means to carry out the forest practices and

protection specified in the Forest Management Plan in accordance with the standards concerning the standards on rationalization of planting, thinning, and other forest operations referred to in Article 11, paragraph (5), item (2)-(a) of the Act, the standards on the implementation of forest practices by public interest functions specified referred to in (b) of the same item, and standards on the methods of preventing wildlife damage referred to in item (6) of the same paragraph.

- (2) If a certified forest owner, etc. fails to implement forest practices or protection under the Forest Management Plan and is not intentional or negligent in doing so (For example, in the case of selling standing trees, a forest owner who is a certified forest owner, etc. made a special provision in the sales contract to the effect that the purchaser should complete the harvesting standing trees within a certain period, but the purchaser did not fulfill the provision), it is deemed that the certified forest owner, etc. is not liable for compliance violations.
- (3) A case of disaster prescribed in Article 14 of the Act refers to a case where management practices or protection prescribed in the Forest Management Plan cannot be carried out or a case where management practices or protection not prescribed in the Forest Management Plan are required due to a fire, damage from storm and flood, wind or flood damage, disease, and insect injury, or other disasters.

Additionally, other unavoidable reasons outlined in the same article may include situations where an actual measurement reveals an error in the planned amount and cases where there is insufficient time to request certification of the revised Forest Management Plan when forest management is required by a legal disposition. In addition to this, the harvesting of "forests not subject to systematic forest practices" prescribed in Article 36, item (1)-(d) of the Ordinance, such as the harvesting standing trees (felling of obstructing trees for the establishment of forest roads or felling associated with the implementation of forest conservation projects) in a forest that will no longer be used for growing standing trees during the planning period of the Forest Management Plan designated by the head of a municipality in accordance with the standards specified in announcement set by the Minister of Agriculture, Forestry and Fisheries pursuant to Article 3, item (1) of the Ordinance is to be included in any other unavoidable reasons prescribed in Article 14 of the Act in spite of cases where there is any inconsistency in relation to Article 38, item (1), item (2), or items (5) through (7) of the Ordinance (including as applicable under Article 40 of the Ordinance).

Whether or not the failure to implement the relevant operations and protection falls under the category of "cases due to disasters or any other unavoidable reasons prescribed in Article 14 of the Act shall be judged by the situation of outbreak of the damage, the time of outbreak of the damage, the time of implementation of the operations, and others. However, it should be noted that even if the operations are carried out for restoration purposes, it may be a compliance violation if the operations are carried out without requesting certification of the revised Forest Management Plan after a sufficient period has passed for revising the relevant Forest Management Plan.

6 Notification of harvesting, etc.

- (1) The notification under the provisions of Article 15 of the Act is to be made in the case where the harvesting standing trees, afforestation, installation of working road network, etc. are carried out under the provisions of Article 44, paragraph (1) of the Ordinance. These notifications are to be used as materials for guidance, advice, and other assistance for the appropriate implementation of the Forest Management Planning System, for the revocation of certification, and for other purposes. Therefore, when the notification is submitted, the matters stated in the notification are to be confirmed through field survey or other methods.
- (2) The day on which the harvesting standing trees, afforestation, or the installation of working road networks outlined in Article 44, paragraph (2) of the Ordinance is completed shall be the day on which the harvesting standing trees, afforestation, or the installation of working road

networks under the plan for these practices above for each period of the relevant Forest Management Plan is completed.

7 Revocation of certification

- (1) Since the revocation of the certification under Article 16 of the Act is a last resort to ensure the effectiveness of the Forest Management Planning System, every effort shall be made to provide advance guidance to prevent such a situation from breaking out.

In particular, the area calculated using the formula in Appendix 2 of the Ordinance and the volume calculated using the formula in Appendix 3 of the Ordinance, which serve as standards for rationalizing thinning and regeneration-harvesting, shall be informed to certified forest owners, etc. at the time of certification of the Forest Management Plan, and appropriate guidance and advice shall be given to ensure that thinning, etc. is conducted in compliance with the relevant standards.

- (2) Even if cases fall under the items of Article 16 of the Act, if it is deemed that the subsequent implementation of the Forest Management Plan is undoubtedly ensured, the certification shall not be revoked, instead, guidance is to be given to promote systematic forest practices and protection.
- (3) Notwithstanding the guidance of (1) and (2) above, in cases where the implementation of the relevant Forest Management Plan is not found to be ensured, the certification shall be strictly revoked.
- (4) The effect of revocation of certification is that, after the certification is revoked, the obligations imposed on the certified forest owners, etc., disappear and the exempted obligations are restored.

Supervisors shall endeavor to inform certified forest owners, etc. in advance that there may be cases in which preferential measures become inapplicable retroactively to the time of applying said measures, including special measures on the Forest Management Plan based on the Act on Special Measures Concerning Taxation (Act No. 26 of 1957) becoming inapplicable retroactively to the time of commencement of the rescinded forest management plan under Article 30-2, paragraph (5) of the same Act.

8 Handling of cases involving multiple municipalities

When a forest subject to the plan is located in two or more municipalities, the operations shall be as follows:

- (1) Assistance of the Forest Management Plan
 - (A) Guidance on the preparation of the Guidance on the preparation of the Forest Management Plan is to be provided by the prefectural governor who has received an application for assistance for the Forest Management Plan.
 - (B) When an application for assistance on the data necessary for the preparation of the Forest Management Plan is made, the prefectural governor is to provide the data concerning the relevant prefecture and the relevant municipalities in cooperation with the relevant municipalities.
- (2) Request for certification of the Forest Management Plan

Supervisors shall instruct requesters to request certification of the Forest Management Plan and to submit a notification of harvesting standing trees to prefectural governors or the Minister of Agriculture, Forestry and Fisheries following the classification prescribed in Article 19,

paragraph (1) of the Act. The same shall apply to a request for a change under Article 12 (1) and (2) of the Act.

9 Form

The forms related to the Forest Management Planning System, in addition to those prescribed according to the provisions of Article 106 of the Ordinance, shall be as follows:

- (1) **Written Forest Management Plan**
A written Forest Management Plan only needs to include the items of Article 11, paragraph (2) of the Act (or the items of Article 35 of the Ordinance for the long-term policy on forest management referred to in item (1) of the same paragraph). The form is not specified in particular, but examples are provided as shown in Appendix 1, and guidance is to be given to follow them.
- (2) **Revised Forest Management Plan**
The revised written Forest Management Plan shall refer to Appendix 1 as well. The revised contents can be submitted only with the revised part.
- (3) **Accompanying paper to the Forest Management Plan**
The format of the attached drawings outlined in Article 37, Paragraph (1), Item (1) of the Ordinance is not particularly specified. However, the location, topography, present status, and future development of the working road network in each forest stand in forests subject to the relevant plan, and the zone of the forests where regeneration-harvesting is to be performed per regeneration-harvesting season among the forests subject to the plan shall be indicated. In addition, along with the development status of the working road network, the area of the forest in which to conduct thinning with the timber extraction, and the operation system within the area shall be properly summarized by forest and indicated as necessary.
- (4) **Written certification of the Forest Management Plan**
An example of the format of a written certification for the person requesting certification of the Forest Management Plan shall be given in Appendix 2.
- (5) **Revised written certification of a Forest Management Plan**
An example of the format of a revised written certification for the person requesting certification of the Forest Management Plan shall be given in Appendix 2.
- (6) **Written notice concerning changes to Forest Management Plan**
A model of the form of a written notice of changes to the Forest Management Plan under Article 13 of the Act shall be given in Appendix 3.
- (7) **Written notice of revocation of certification of Forest Management Plan**
A model of the form of a written notice of revocation of certification of Forest Management Plan under Article 16 of the Act shall be given in Appendix 4.
- (8) **Certification book of the Forest Management Plan**
To contribute to the smooth promotion of the Forest Management Planning System, certification books that organize related matters per certified forest owner shall be kept in municipalities. Examples of the forms are given in Appendix 5.
- (9) **Implementation book of the Forest Management Plan**
To contribute to ensuring the implementation of the Forest Management Planning System, municipalities are to keep implementation books for recording the planned amount, the implemented amount, and the status of submission of reports per certified forest owner. Examples of the forms are given in Appendix 6.
- (10) **Operation book of the Forest Management Plan**
To contribute to the smooth implementation of operations, etc. based on the Forest

Management Planning System, municipal governments are to keep operation books at the beginning of each fiscal year in which they record the planned volume of Forest Management Plan that includes that day in the planning period for each plan, and are to endeavor to provide the information in response to requests from forest holders and forestry organizations. The planned volume to be recorded in the operation book shall be transferred from the planned volume stated in the plan content column of the implementation book in (9). A model example of the form is shown in Appendix 7.

II Cases where a plan for improving forest health function is to be established as part or all of the Forest Management Plan

When a plan for improving forest health functions is to be established as part or all of a forest management plan, said plan shall be based on the following items in addition to I.

1 Assistance in the preparation of the Forest Management Plan

(1) Guidance on the preparation of the Forest Management Plan

The head of a municipality is to provide forest owners who intend to apply for certification of the Forest Management Plan that includes, in whole or in part, a plan for improving forest health function with guidance on the content of the plan, explain the requirements and procedures for certification, and instruct them to submit appropriate documents, etc., to achieve the purpose of establishing areas for forests with health functions.

It should be noted that only forest owners can prepare the Forest Management Plan that includes a plan for improving forest health function, in whole or in part. In this case, in the case where said Forest Management Plan is jointly prepared, a person other than the forest owner can prepare the part on forests other than the forest about said plan for improving forest health function among the forests subject to said plan.

(2) Guidance on the preparation of the Joint Forest Management Plan

When two or more forest owners prepare a Joint Forest Management Plan that includes a joint plan for improving forest health function as a whole or part of the plan, the heads of municipalities are to give appropriate advice, as necessary, to ensure that sufficient discussions are held among forest owners regarding the establishment of joint business entities, etc.

2 Certification of the Forest Management Plan

(1) Certification standards

(A) The state where the content of the plan for improving forest health function prescribed in Article 6, Paragraph (3), Item (1) of the Act on Special Measures is effective and appropriate for the promotion of the health function of forests in the forests subject to the plan is to follow the methods of forest management, the details of the development of forest health facilities, and the methods of maintenance and operation prescribed in Section 3-1 of the "Operation of the Act on Special Measures for Improvement of Public Health Function of Forests" (May 16, 1990:2 Rinya Ki No. 39: Notice issued in the name of the Director-General, Forestry Agency, hereinafter referred to as "Director-General's Notice").

(B) The state where the ratio of the area of forest health facilities to be developed to the area of forests subject to the plan prescribed in Article 6, paragraph (3), item (2) of the Act on Special Measures is not more than the ratio specified by the Ministerial Ordinance of the Ministry of Agriculture, Forestry and Fisheries is that the "ratio of the area of forest health facilities to be developed to the area of forests subject to the plan" is not more than the ratio calculated using the formula in Appendix 1 of the Ordinance for Enforcement of the Act on Special Measures for Improvement of Public Health Function of Forests (the Ministerial Ordinance of

the Ministry of Agriculture, Forestry and Fisheries No. 18 of 1989, hereinafter referred to as "the Ordinance for Enforcement".) When applying the total volume control, attention should be paid to the Director-General's Notice No. 3-2.

- (C) The method of forest management, location, size, layout, and structure of the forest health facilities to be developed prescribed in Article 6, paragraph (3), item (3) of the Act on Special Measures conform to the technical standards specified by the Ministerial Ordinance of the Ministry of Agriculture, Forestry and Fisheries means that they conform to the technical standards specified in the Appended Table of the Ordinance for Enforcement. When applying the technical standards, attention should be paid to the Director-General's Notice No. 3-3.
 - (D) The fact that when all or a part of the forests subject to the plan prescribed in Article 6, paragraph (3), item (4) of the Act on Special Measures are protection forests designated under Article 25, paragraph (1) or (2) of the Act or Article 25-2, paragraph (1) or (2) of the Act (hereinafter referred to as "protection forests"), the development of forest health facilities carried out in the area of the protection forests is deemed not to hinder the achievement of the purpose to designate the protection forests (excluding those listed in Article 25, Paragraph 1, Item 10 of the Act) is to follow the content that it does not hinder the achievement of the purpose to designate the protection forests as specified in Director-General's Notice No. 3-4.
- (2) Consent of the prefectural governor on the Forest Management Plan certified by the head of the municipality

When the head of a municipality intends to certify a Forest Management Plan, he or she must obtain the consent of the prefectural governor under the provisions of Article 6, Paragraph 4 of the Act on Special Measures. Special attention should be paid to the fact that the deadline for certifying a Forest Management Plan is the same as the one not including a plan for improving forest health function.

When giving the consent prescribed in Article 6, Paragraph 4 of the Act on Special Measures, prefectural governors shall take into consideration the provisions of the Director-General's Notice No. 3-5, and take appropriate measures through close mutual cooperation among persons in charge of forest planning, protection forests, and forest land development.

- (3) Inspection of a plan for improving forest health function

When inspecting plans for improving forest health function, consideration should be given to the certainty of the implementation of forest practices, the precedence of the establishment of conservation facilities, the appropriate establishment of safety facilities and sanitation facilities, the certainty of the development of forest health facilities, and so forth, and a record of inspection shall be prepared and appropriately implemented.

- (4) Mandatory changes in a Forest Management Plan

If it is found that a plan for improving forest health function no longer meets the requirements set forth in the items of Article 6, paragraph (3) of the Act on Special Measures, the relevant Forest Management Plan must be changed to one that does not include a plan for improving forest health function.

3 Certification of the revised Forest Management Plan

Concerning the certification of whether or not the standards outlined in the items of Article 6, paragraph (3) of the Act on Special Measures are met, it is to be certified whether or not the development of forest health facilities and the methods of forest management related to forests subject to the plan during the period of the relevant Forest Management Plan conforms to the standards outlined in the items of the same paragraph.

4 Compliance with the Forest Management Plan

- (1) It shall be construed that the certified forest owners, etc., shall not be held liable for non-compliance if the development of forest health facilities is not carried out as planned due to the contractor's responsibility.
- (2) The extent to which the development of forest health facilities is deemed not to deviate from the plan is limited to cases where it meets the requirements of each item of Article 6, Paragraph 3 of the Act on Special Measures other than the cases where it deviates from the plan intentionally or negligently.

5 Notification of harvesting, etc.

- (1) When a certified forest owner develops a forest health facility under a Forest Management Plan, the head of the municipality shall instruct the owner to submit a notification of commencement for each forest health facility by the start date of the development.

When an administrative disposition such as permission from an administrative agency is required for the development of forest health facilities, a document stating the status of the application related to the relevant disposition (in the case where a disposition has already been made, a document certifying that the relevant disposition has been made) shall be attached.

In addition, forest owners shall be instructed to submit a notification of completion as soon as the development of forest health facilities is completed.

- (2) The head of a municipality is to investigate whether or not the development of forest health facilities is being carried out following the contents of the certified plan for improving forest health function during its development and confirm the completion of the development after its completion. He/she also is to investigate the status of the maintenance and operation of the forest health facilities, the status of vegetation, conservation facilities, and the implementation of forest practices after the development, as appropriate, and give guidance as necessary.
- (3) The head of a municipality shall instruct certified forest owners to report on the status of the maintenance and operation of forest health facilities every fiscal year.

6 Revocation of certification

The guidance referred to in I-7 (2) shall include the development, maintenance, and operation of appropriate forest health facilities. In this case, it should be noted that Article 16, Item (2) of the Act (Non-compliance with a Forest Management Plan) includes not only the forest management but also the location, type, size, arrangement, and structure of the forest health facilities to be developed, the implementation period thereof, and the implementation of matters concerning the maintenance and operation of said facilities.

7 Form

(1) Written Forest Management Plan

(A) A written Forest Management Plan for a plan for improving forest health function only needs to include the items outlined in Article 6, Paragraph 2 of the Act on Special Measures. Although its form is not specifically specified, examples are provided in Appendix 8, and guidance is requested to follow them.

(B) The following documents shall be attached to a plan for improving forest health function:

- i) Position diagram

A topographic map with a scale of 1/50,000 or more clearly indicating the locations of boundaries of private forests and national forests, areas of protection forests, areas of a Forest Management Plan related to a plan for improving forest health function, and forest areas subject to the plan

ii) Area map

A drawing on a scale of 1/5,000 or more clearly indicating the area of the forest subject to the plan, the area of the protection forest, the area of the minor basin to which the ratio outlined in Article 6, Paragraph (3), Item (2) of the Act on Special Measures is applied, the location of forest health facilities, the prefectural and municipal boundaries necessary to indicate these, and the parcel number and shape of the land related to the forest area subject to the plan

iii) Plan map of forest health facilities

A drawing clearly showing the location of forest health facilities by vegetation status, the location of cut and fill, the area of protection forest related to these, and the parcel number and shape of the land

iv) Cross-section view of a slope

A drawing showing slope, soil property, ground surface before construction, and slope protection method

v) Documents concerning methods of cut and fill, soil volume, and disposal of surplus soil

vi) A design drawing of conservation facilities, etc.

A design drawing of safety facilities such as retaining walls, weirs, drainage canals, and reservoirs, and the documents showing the grounds of their design

vii) A document of the outline of buildings, etc.

viii) A document stating the amount of funds required for the development of forest health facilities, etc., and the procurement method thereof

ix) Photographs showing the current status of the forests subject to the plan

x) If there is a protection forest designated to achieve the purpose outlined in Article 25, paragraph (1), item (10) of the Act in the forests subject to the plan, a document stating the concept of the designation

xi) A document stating other matters for reference

(2) Revised written Forest Management Plan

As in (1), the form of the revised written Forest Management Plan is not specified, it shall refer to Appendix 8.

(3) A document requesting the consent of the prefectural governor for certification

A model of the form of a document in which the head of a municipality requests the prefectural governor's consent under Article 6, Paragraph 4 of the Act on Special Measures is shown in Appendix 9.

(4) Written notice concerning changes to Forest Management Plan

A model of the form of a written notice of changes to the Forest Management Plan under Article 13 of the Act shall be given in Appendix 10.

(5) Notification of commencement and notification of completion

Examples of the format for notification of commencement and notification of completion for forest health facilities are given in Appendix 11.

(6) Record of investigation

A model of the form of a written record of investigation specified in 2-(3) is given in Appendix 12.

III Cases where the special provisions for the certification, etc. of a Forest Management Plan provided for in the Act on Special Measures concerning Ensuring Stable Timber Supply are to be applied;

Under the provisions of Article 8 or 9 of the Act on Special Measures concerning Ensuring Stable Timber Supply (Act No. 47 of 1996), hereinafter referred to as "the Stable Timber Supply Act"), concerning a Forest Management Plan that includes a forest subject to the plan on a project to secure a stable timber supply based on the provisions of Article 4 of the Stable Timber Supply Act (hereinafter referred to as "Project Plan"), if its special provisions for the certification or modification are to be applied, the operation of the Forest Management Plan shall be governed by I (excluding I- 2 (2)(A)) and the following:

1 Assistance in the preparation of the Forest Management Plan

(1) Guidance on the preparation of the Forest Management Plan

Prefectural governors or the heads of municipalities are to explain the requirements and procedures for the certification of a forest management plan prescribed in Article 8 of the Stable Timber Supply Act when the special provisions for the certification of the plan are applied to forest owners or persons who perform forest management in trust for forest owners who intend to prepare a Forest Management Plan that includes forests subject to an certificated project plan (which refers to a certificated project plan prescribed in Article 5, paragraph (2) of the Stable Timber Supply Act; the same shall apply hereinafter), and to instruct them to submit the appropriate documents.

In this case, if two or more forest owners are included as the persons who prepare the project plan, the prefectural governors or the heads of municipalities shall advise them to prepare a single Forest Management Plan jointly to promote integrated and efficient forest management and protection.

(2) Guidance on the revision of a Forest Management Plan

Prefectural governors or heads of municipalities shall instruct certified forest owners, etc. to make use of the special provisions for modifying their Forest Management Plans based on Article 9 of the Stable Timber Supply Act to promote expansion of the scale of forest management through the use of the Project Plan.

In addition, attention shall be paid to Section 5-5 of the "Operation of the Act on Special Measures concerning Ensuring Stable Timber Supply" (November 1, 1996:8 Rinya Ryu No. 106: Notice issued in the name of the Director-General, Forestry Agency).

2 Certification of the Forest Management Plan

(1) Certification standards

(A) Concerning forests that exist in areas other than the forest area for management by public interest function and for which the "standards concerning the rationalization of planting,

thinning, and other forest practices" prescribed in Article 11, paragraph (5), item (2)- (a) of the Act are applied by replacing terms under the provisions of Article 8 of the Stable Timber Supply Act, the operation of "standards concerning the rationalization of forest management" prescribed in Article 38 of the Ordinance applied by replacing the terms under the provisions of Article 4 of the Ordinance for Enforcement of the Act on Special Measures concerning Ensuring Stable Timber Supply shall be applied under I-2 (2) (A) (a) through (e), as well as the following:

- (a) It shall be kept in mind that the standards outlined in Article 38, item 1 of the Ordinance whose terms have been replaced shall apply to all forests that were harvested or are to be harvested as regeneration-harvesting in the relevant Forest Management Plan.
 - (b) The standards outlined in Article 38, item 8 of the Ordinance whose terms have been replaced stipulate that when calculating the upper limit of the volume that can be harvested using the formula in Appendix 3 of the Ordinance, V_{wi} (volume of standing trees at the start of the plan) minus V_{ni} (the standard volume) is divided by T_i (the standard harvesting age of the stand) for i (each group of forests targeted for planned harvesting that have the same tree species, forest age, and standard harvesting age), and the result is added to Z (the annual growth rate). It should be kept in mind that, as for T_i (the standard harvesting age of the stand), if the forest age subject to the planned **harvesting** exceeds the standard harvesting age, the value obtained by subtracting the number of years beyond the standard harvesting age (The minimum value of T_i is 10.) is determined.
 - (B) Concerning forests that exist in areas other than the forest area for management by public interest function and to which the provisions of Article 8 of the Stable Timber Supply Act do not apply, the standards concerning the rationalization of forest practices prescribed in Article 38 of the Ordinance shall be applied under I 2 (2) (A)(a) through (f).
 - (C) The operation of the standards for the implementation of forest practices by public interest function prescribed in Article 39 of the Ordinance about forests located in the forest area for management by public interest function shall be applied under I 2 (2) (A)(a) through (g).
- (2) Measures to be taken when the Project Plan and a Forest Management Plan have different certifiers

In certifying a Forest Management Plan when the Project Plan and a Forest Management Plan have different certifiers, the person who has received the application for certifying the relevant Forest Management Plan is to closely cooperate with the person authorized to certify the Project Plan and take appropriate measures.

3 Certification of the revised Forest Management Plan

In cases where special provisions for changes to a Forest Management Plan are applied under the provisions of Article 9 of the Stable Timber Supply Act, the certification for the changes to a Forest Management Plan shall be made according to 2.

4 Notification of harvesting, etc.

It should be kept in mind that, when harvesting is carried out in a forest for which both an certified Project Plan and a Forest Management Plan have been formulated, a report on the status of the forest regarding harvesting and afforestation after harvesting pursuant to Article 10-8, paragraph (2) of the Act is required under Article 7 of the Stable Timber Supply Act.

5 Form

(1) Written Forest Management Plan

A written Forest Management Plan used in cases where an application for certification or certification of changes to a Forest Management Plan is submitted by applying the special

provisions prescribed in Article 8 or 9 of the Stable Timber Supply Act only needs to include the matters outlined in the items of Article 11, paragraph (2) of the Act (the matters outlined in the items of Article 35 of the Ordinance concerning the long-term policy on forest management outlined in item (1) of the same paragraph) and the overlapping situation with the forest subject to a certified Project Plan based on the Stable Timber Supply Act. The form is not specified in particular, but examples are provided as shown in Appendix 13, and guidance is to be given to follow them.

(2) Revised written Forest Management Plan

As in (1), the form of the revised written Forest Management Plan is not specified, it shall refer to Appendix 13. The revised contents can be submitted only with the revised part.