



Ohio Administrative Code Rule 1501:3-10-06 Conversions and additions.

Effective: January 28, 2019

(A) In the event a portion of the certified forest land is converted to a use for a purpose other than production of a merchantable forest product the owner shall be required to obtain an amended forest management plan and revised certification of the portion not converted which shall be subject to the requirements of forest land eligibility of rule 1501:3-10-02 of the Administrative Code. Failure to obtain an amended forest management plan and a revised certificate shall result in the issuance of a notice of violation to the owner as specified in paragraphs (A) and (B)(1) of rule 1501:3-10-05 of the Administrative Code. If the portion of forest land not converted no longer meets the requirements of forest land eligibility of rule 1501:3-10-02 of the Administrative Code, the certification shall be canceled.

(B) The owner of a certified parcel shall not be subject to a notice of violation under this rule by reason of the fact that a merchantable forest product on the certified parcel or portion is, through no fault of the owner, damaged or destroyed by: fire, infestation, disease, storm, flood, or other natural disaster, accident, trespass or war. The owner shall, as soon as practicable, provide the division with notice of such disaster, the emergency steps taken to cope with the same, and steps taken to ensure the future productivity of the forest. The forest management plan shall be amended as necessary. If a merchantable forest product is to be cut or removed in connection with necessary salvage operations resulting from any such event, the owner shall give prior notice of cutting to the chief. Nothing in this rule shall be construed to subject any person to a notice of violation for immediate action taken in good faith in the event of an emergency.

(C) When certified forest land that subsequent to such certification comes under an ordinance, resolution, an easement or other restriction that prohibits compliance with rules 1501:3-10-01 to 1501:3-10-06 of the Administrative Code, the certification is canceled.

(D) Conversion of ownership

(1) When ownership of certified forest land changes through sale, deed transfer or any other means,



the certification is canceled except that an ownership change to affect the transfer of a certified property to new owner, shall not result in cancellation of certification upon the affirmation by the new owner to the original agreement terms (FT-7) and a forest management plan. A new owner affirmation shall be accompanied by a non-refundable application fee of seventy-five dollars payable to the division, and a forest management plan approved by the chief. The owner shall notify the chief when an ownership change as described in this paragraph occurs. When ownership transfers to a family member as defined in paragraph (O) of rule 1501:3-10-01 of the Administrative Code or as a result of death of the owner to their spouse, the application fee is waived.

(2) Certification for certified forest land shall be canceled if the owner authorizes a lessee, a purchaser under a land installment contract or any other person to manage such land in a manner that is not fully consistent with the forest management plan approved under rule 1501:3-10-04 of the Administrative Code. The owner shall notify the chief when a conversion of ownership as described in this paragraph occurs.

(3) When certified forest land is divided or split into two or more ownerships, the certification is canceled. except when certified forest land is divided or split by the owner to the effect the transfer to one or more family member(s) as defined in paragraph (O) of rule 1501:3-10-01 of the Administrative Code. A family member or members, including the original owner, may request a revision to the certification, if forest land meets eligibility requirements of rule 1501:3-10-02 of the Administrative Code, upon the affirmation by the family member or members to the original agreement terms (FT-7) and forest management plan. Additional family members who become new owners of portions of the original certified forest land may apply for certification if forest land meets eligibility requirements of rule 1501:3-10-02 of the Administrative Code.

(E) Forest land acreage may be modified to certified forest land without application. Modifications to certified forest land may be made through purchase or conversion from a non-forest land use. Together with existing certified forest land, modified acres must meet forest land eligibility requirements of rule 1501:3-10-02 of the Administrative Code. The forest management plan and agreement form (FT-7) for the certified acres must be amended to incorporate the modified acres as per paragraph (D) of rule 1501:3-10-04 of the Administrative Code. A revised map shall be supplied for inclusion with the original application.