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History of Japan's Forest Policy and the Present Forest Planning System

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I HISTORICAL VIEW OF THE FOREST PLANNING SYSTEM

1. Regulation System of Forestry Practice of Private Forest before 1951

(1) Regulation system of forestry practice in the 1897 Forest Law

- 1) When forest is in danger of denudation, the Minister of Agriculture and Forestry can designate the way of forestry practice.
- 2) To those who fell acting contrary to the designated way, the Minister of Agriculture and Forestry orders the suspension of logging or replanting in cut-over area.
- 3) Subrogation of administrative acts

(2) Forest planning system in the 1907 Forest Law

- 1) Communal Forest: They draw up a forestry practice plan that can order obtaining sanction from a governor.
- 2) Communal forest or Private forest: When forest is in danger of denudation, the Minister of Agriculture and Forestry can designate the way of working. To those who fell acting contrary to the designated way, the Minister of Agriculture and Forestry orders the suspension of logging or replanting in cut-over area.

Regulation of forestry practice by forestry practice plan

(3) Forest planning system in the 1939 Forest Law

- 1) Also in all private forest, they have to draw up a forest practice plan and obtain sanction from a governor.
- 2) Area of owned forest is not less than 50 ha. The owner of the forest draws up.
Area of owned forest is less than 50 ha. 4 Forest owner's association brings its members together and draws up a forestry practice plan.
- 3) A governor can order modification of a forestry practice plan. A governor can execute drawing up a plan.
- 4) In case felling not subject to a forestry practice plan, a governor can order the suspension of felling.
In place of forest owners a governor can *subrogate* administrative acts. (Forest owners bear all the cost.)

2. Planning System of National Forest before 1951

(1) Before 1947

Management plan was drawn up in accordance with the Rules for Compilation of National Forest Management Plan (1899 for national forest under the jurisdiction of Ministry of Agriculture and Forestry).

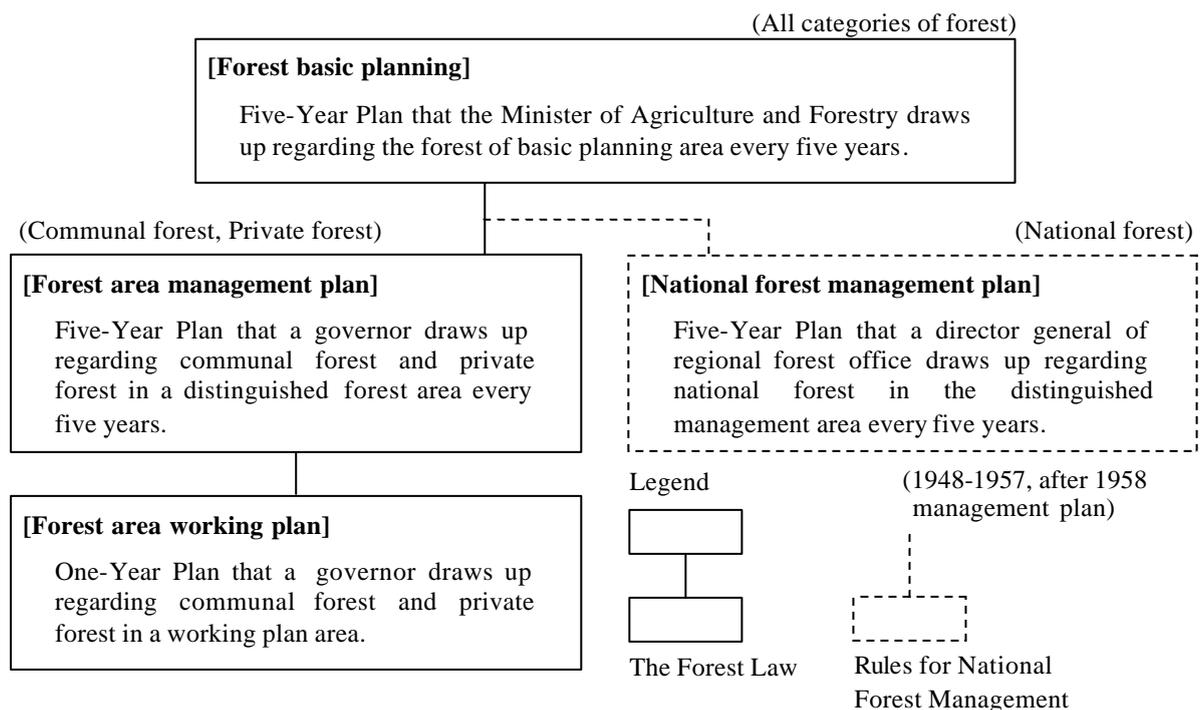
(2) After 1948

Management plan was drawn up in accordance with the Rules for National Forest Management (1948).

3. Forest Planning System after 1951

(1) Forest planning system in the 1951 Forest Law

- 1) Because of the war forest was devastated and the sustaining of forest resources was thought to become uncertain. (Crisis of forest resources)
- 2) The government draws up forest planning.
- 3) Felling the forest less than a certain age needs permission of a governor. Forest over a certain age can be felled freely. (It is necessary to submit notice to a governor.)
Ordinary forest (Forest other than restricted forest)
- 4) Duty to afforest was imposed on forest owners.
A governor can subrogate administrative acts according to the Afforestation Extraordinary Measure Law (1950).
- 5) System of forest planning



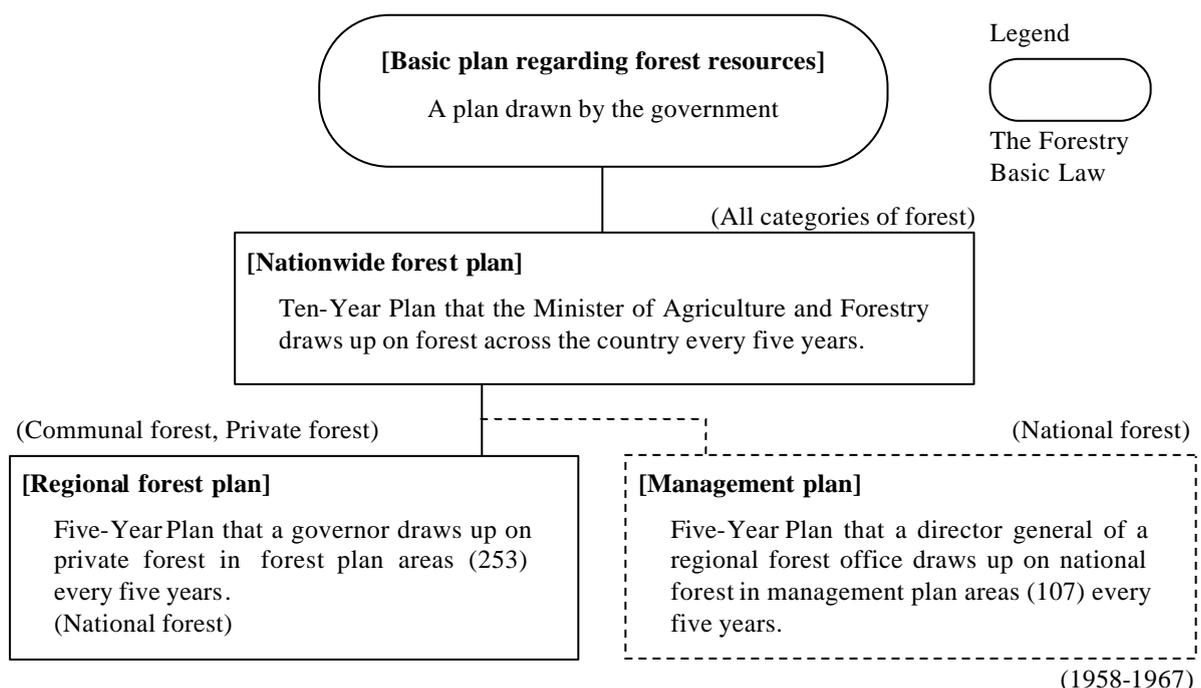
- 6) Utilization cutting age grade (determined by the age when usable wood can be obtained)
Normal cutting age grade (determined on the basis of the age when average growth becomes largest)
- 7) Cutting regulation fund. (Financing in case felling is not permitted.)

(2) Forest planning system in the 1957 Forest Law

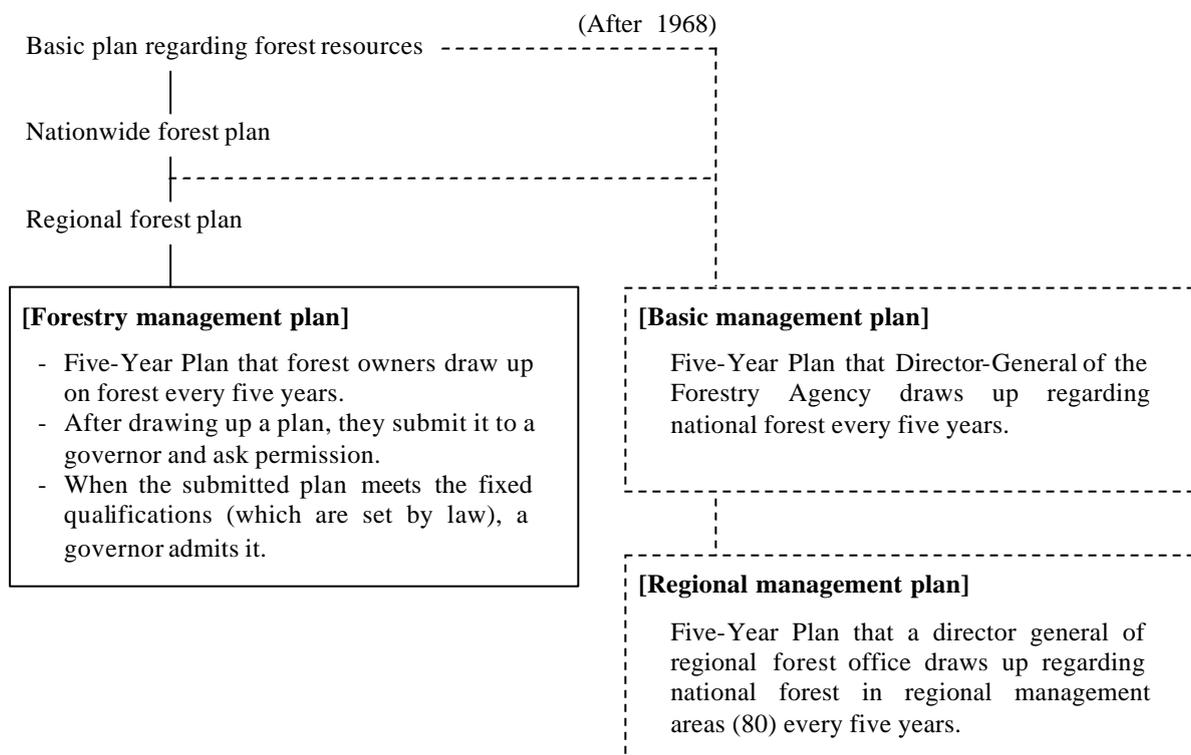
- 1) The law was revised not-necessary, to obtain logging permission on broad-leaved trees in ordinary, forest. (Notification is accepted.)
- 2) Communal forest practice plan was prescribed.
 - A governor assists in drawing up a plan
 - Logging of needle-leaved trees or in the restricted forest on the basis of the plan a governor admits is preferentially permitted.

(3) Forest planning system in the 1962 Forest Law

- 1) The past forest planning systems, which aimed at only, maintenance of forest resources, had been out of date.
- 2) Especially because logging restraint would be an obstacle to development of individual forest management, the logging permission system on ordinary forest was abolished.
- 3) The character of regulation of forestry practice that had belonged to the forest planning system became weakened.
Forest planning was changed into the means useful for encouragement of the forest owners' will to manage well.
- 4) The system of a plan



- (4) Forest planning system in the 1968 Forest Law
- 1) According to the 1962 Forest Law, the forest planning system lost the regulation method of forestry practice to the way of working by forest owners.
 - 2) They built up the "Forest Management Plan" (which forest owners drew up) in the forest plan system in order to let the regional forest plan be reflected in individual forestry management.
 - Management plan that a forest owner draws up
 - Management plan that more than two people cooperate in drawing up.
 - 3) System of forest plan



(5) Forest planning system in the 1974 Forest Law

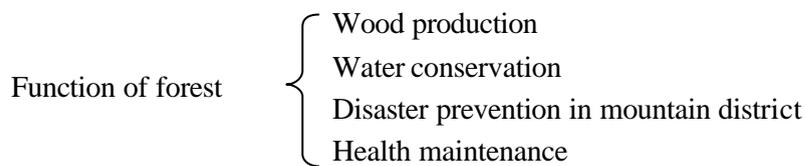
- 1) The system of “Area Group Forest Management Plan (plan for a forest which meets certain standards*)” as established in the forestry practice plan.

*Standard for Area Group Forest Management Plan

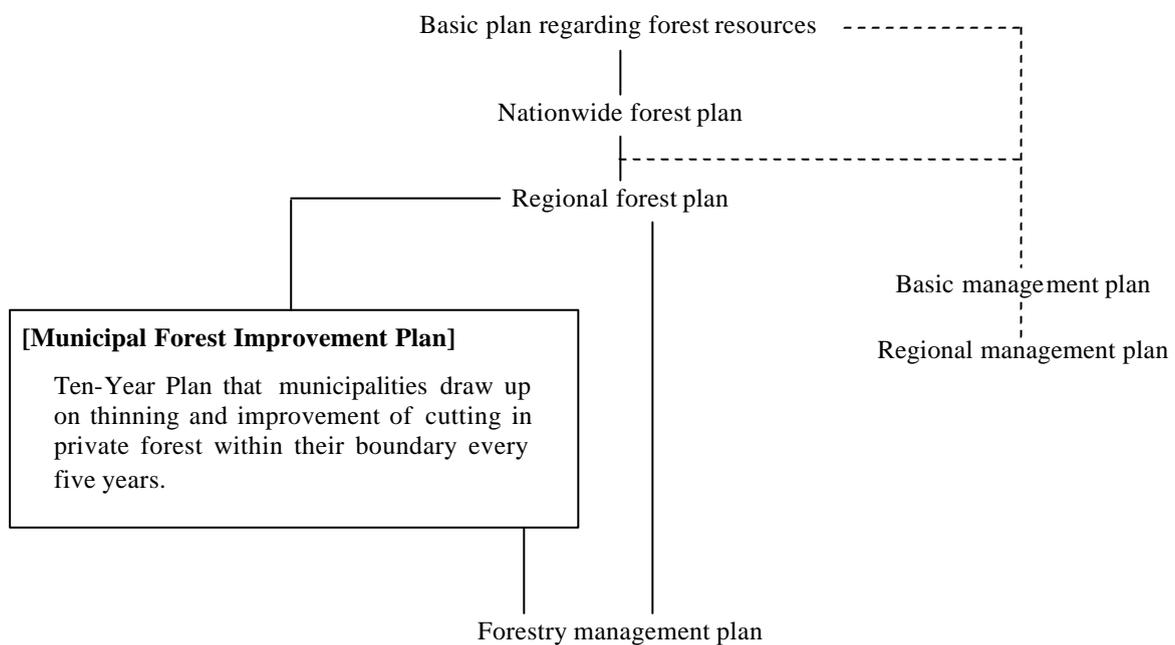
- Area of forest over 30 ha.
- Area that could be collectively and efficiently managed.

- 2) “The targets for forest improvement” were newly established as a planning item in the Nationwide forest plan and Regional forest plan.

Serious consideration to environmental effect of forest



(6) Forest planning system in the 1983 Forest Law



(7) Forest Planning System in the 1991 Forest Law

A major point of the revision of the law was that The River Basin Management System was introduced to promote higher performance of various functions of forests.

- 1) 'Matters concerning rationalization of forest operations' was added in the Nation-wide Forest Plan and Regional Forest Plan.
- 2) Forest Planning Areas were reorganized. The systems of forest-planning units both of 'Regional Forest Plan for National Forest' and 'Regional Forest Plan' for private forests were legally made to coincide.

before revision: 29 blocks in Nation-wide Plan
255 Regional Forest Planning Areas in private forests
80 Regional Management Planning Areas in National Forests

after revision: 44 Wide Basins in Nation-wide Plan
158 Regional Forest Planning Areas

- 3) Municipal Forest Improvement Plan was reinforced by adding an item of 'promotion of cooperative forest operation'.
- 4) Special Forest Management Plan was newly established to improve performance of public functions of forests.

II FOREST PLANNING SYSTEM IN THE 1998 FOREST LAW

1. Significance of the Forest Planning System

Forests have, diversified functions such as headwaters conservation, mountain disaster prevention, natural- and living- environment conservation, and forest products production, etc. However, if once devastated, forests would lose such functions for a long time because trees require long periods for their growth.

From an economical standpoint, forests may suffer disorderly cutting due to difficulty in learning maturation time, and require, a long period for the investment to get returns. So, a long-term plan of forest management is required.

Maintaining and growing sound forests as planned is a national political subject. The Forest Planning System requires that directions and goals of long-term and comprehensive policies concerning forests and forestry be set and guidelines for forest operations be made for forest owners, and thus related measures be taken.

Voluntary and independent forest operations by the forest owners are the underlying policy of the forest planning system, although national and local governments will draft the plans and take necessary measures.

2. The Nation-wide Forest Plan

(1) Purpose

To define the long-term, integrated national conception of forest policy and indices from the viewpoint of forest management.

(2) The subject and period of the plan

One period of the plan is 15 years, and covers all the forests in the whole nation in accordance with, "The basic plan for forest resources and the long-term demand and supply forest for important forest products" (Article 10 of the Forestry Basic Law), which determines the national fundamental, long-term policy towards forest resources and forest products demand and supply.

(3) Establishment of the plan

- 1) The Minister of Agriculture, Forestry and Fisheries must make the plan every 5 years.
- 2) On making and altering of the plan, the minister must confer with related administrative organs and listen to the opinions of the Central Forest Council and the Prefectural Governors.

(4) Planning items

- 1) Targets for forest improvements and other fundamental matters concerning forest improvements.
- 2) Matters concerning felling of standing trees and bamboos (excluding thinning out).
- 3) Matters concerning reforestation.
- 4) Matters concerning Forest thinning and tending.
- 5) Matters concerning improvement of forests requiring specified operations.
- 6) Matters concerning construction of forest roads and the transportation of forest products.
- 7) Matters concerning forest operation streamlining.
- 8) Matters concerning the protection and conservation of forest land.
- 9) Matters concerning protection facilities.
- 10) Other important matters.

Furthermore, planning matters shall be separately defined for each area (44 regional river basins in the whole country), which are largely divided apart according to river basins (Regional river basin plans).

3. Regional Forest Plan

(1) Purpose

Setting directions for local governments' forest plans and goals for felling, reforestation, and improvement of forest roads and forest reserves according to the Nation-wide Forest Plan. The plan should be a model for Municipal Forest Improvement Plans.

(2) The subject and period of the plan

The plan shall be drawn up respecting private forests (except private forests which are not appropriate for use, as forests, viewed from the standpoint of natural-economical-social conditions and the land use tendencies around them) by forest project block with one period as 10 years, in accordance with the Nation-wide Forest Plan.

Note: Forest planning blocks:

The Minister of Agriculture, Forestry and Fisheries divides each prefectural area by river basins to determine the blocks (158 blocks over the whole country)

(3) Establishment of the plan

- 1) Prefectural Governors must establish the plan every 5 years.
- 2) Governors must make advance, announcement when beginning to make regional forest plans and lay the draft open to public inspection for 30 days. Those who have opinions on

the draft may file such opinions with the governor by due date with a document stating reasons.

- 3) Governors must consult prefectural forest councils and mayors of concerned municipalities about the draft after the due date. If there is a national forest in the area pertaining to the Regional Forest Plan, governors must consult directors-general of concerned forest administration bureaus.
- 4) Reforestation areas and other items relating to reforestation.
- 5) Volume of thinned standing trees and other items relating to thinning and cultivation.
- 6) Criteria for forest areas for specified operations and other items relating to the improvement of specified-operation forests.
- 7) Locations of forests for which forest road construction and improvement plans and forest product transportation methods need to be designated, the, transport methods to be designated, and other items relating to the transportation of forest products.
- 8) Collaboration in forest management, and other items relating to rationalization of forest management.
- 9) Protection of surface soil and roots, and other items relating to conservation of forests.
- 10) Maintenance of protection forests, plans for protection facilities work stipulated in Article 41, and other items relating to protection facilities.
- 11) Other necessary items.

(4) Operation of the plan

- 1) Observance of the regional forest plan

Forest owners and the like must conform to the regional Forest Plan regarding operation, use and profits.

4. Municipal Forest Improvement Planning System

(1) Purpose

A master plan for municipalities, which affect the districts most, to properly improve forests which are important as local resources, and a guideline for felling and reforestation for forest owners.

(2) Target forests and the period of the plan

The plan aims at target forests of the Regional Forest Plan in each municipality and must be revised every five years as a 10-year plan.

(3) Making the plan

- 1) Like the Regional Forest Plan, mayors must make an advance announcement of the plan and lay the draft open for public inspection for 30 days after the announcement. Those who have opinions can file such opinions with the mayor with a document stating reasons until due date.
- 2) Mayors must consult directors-general of relevant forest administration bureaus.
- 3) Mayors must also consult the governors. This is to ensure compatibility between the Municipal Forest Improvement Plan and the Regional Forest Plan.

(4) Planning items

- 1) Felling, reforestation, tending, and other fundamental matters concerning forest improvement.
- 2) The standard cutting age, standard cutting method, and other matters concerning cutting (excluding matters concerning thinning).
- 3) Tree species for planting, the standard reforestation method, and other matters concerning reforestation.
- 4) The standard forest age for thinning, the standard methods for thinning and tending, and other standards for thinning and tending.
- 5) Locations of forests that are not properly thinned or tended and urgently need such operations (forests to be thinned), and when and how to thin or tend such forests.
- 6) Specified-operation forest areas, methods of operations in such areas, and other matters concerning the improvement of such areas.
- 7) Matters concerning the promotion of cooperative operations.
- 8) Matters concerning bringing up and securing forestry workers.
- 9) Matters concerning the promotion of mechanization for streamlining operations.
- 10) Matters concerning the improvement of facilities such as forest roads required for forest improvement
- 11) Matters concerning the improvement of facilities required for promoting forest products use.
- 12) Other matters required for forest improvement.

(5) Implementation of the plan

- 1) Observance of the Municipal Forest Improvement Plan
Forest owners etc. must follow the Municipal Forest Improvement Plan.
- 2) Recommendation about the operations
Mayors can, if forest owners etc. do not comply with the Municipal Forest Improvement Plan, when necessary, advise the said owners etc. to follow the recommended operations.

3) Recommendation about the consultation on the transfer of rights

Mayors can, when forest owners etc. are advised according to paragraph 1), advise those who do not follow the advice to consult about the transfer or establishment of the rights concerning the forest or stand with a person designated by the mayor.

4) Mediation for the transfer of rights

If the consultation of paragraph 3) fails, the governor will mediate upon receipt of a petition by the designated person.

5) Notification of cutting

Owners etc. must in advance submit a notification of cutting stating the location, area, and cutting method to the mayor before cutting stands in private forests targeted by the Regional Forest Plan.

6) Order of alteration in the cutting plan

- a. If the detailed plan described in the notification of cutting does not comply with the Municipal Forest Improvement Plan, the mayor can order the person who submitted the notification to alter the plan.
- b. If the cutting by the person who submitted the notification does not comply with the details described in the notification, the mayor can order the said person to follow the details of the plan.

5. The Forestry Management Plan

(1) Purpose

To help forest owners voluntarily make a 5-year forest operation plan and conduct such operations systematically and efficiently.

(2) Making the plan

Owners may make a 5-year forest operation plan and submit it to the mayor of the municipality where the target forest exists for certification. The mayor will certify that the plan is appropriate after examining based on certification requirements.

(3) Types of forest management plan

- 1) Plans for a whole forest which is privately owned. (Single-owner Forest Management Plan)
- 2) Plan jointly established by several forest owners for a whole forest which is owned by those owners. (Multiple-owners Forest Management Plan)

- 3) Plan jointly established by several forest owners for a forest which meets certain standards. (Area-Group Forest Management Plan)

Note: Standard determined by government ordinance:

Size of the forest is over 30 ha and the forest can be collectively and effectively planted, tended and logged.

(4) Planning items

- 1) The area of the forests under study by location, distinction between artificially reforested forests and other forests, the species of trees or the forest aspect, the age of the forest and the lumber volume of the trees.
- 2) For logging, the logging time, area standing tree volume and method by location (excluding matters concerning thinning).
- 3) For reforestation, the reforestation time, size, species of trees and method by location.
- 4) Thinning time, area, volume, and methods by locations of forests to be thinned.
- 5) The tending area by species of tree.
- 6) Other matters ordained by Ministerial ordinance.

(5) Approval conditions

- 1) To meet the standards of the rationalization of forest operations

Note: The standards of the, rationalization of forest operations:

- a. Systematic improvement of the species of trees or the forest is planned.
- b. The age of the forest stand is appropriate and the cutting is planned.
- c. The sustainable of yield is planned.
- d. Proper reforestation is planned.
- e. Proper thinning is planned.

- 2) The plan is suitable for the Municipal Forest Improvement Plan.

(6) Duties of specified forest owners

- 1) The specified forest owner must abide by the forest management plan regarding the operation of the forest which is the subject of the plan.
- 2) The specified forest owner must offer notification regarding cutting or reforestation to the mayor.
- 3) If the specified forest owner does not abide by the project, the mayor can revoke the approval of the plan.

(7) Preferential measures regarding the forest management planning system

Taxes, financing and subsidies are preferentially administered in order to promote the forest management plan system.

System of Forest Planning

Government

Basic Plan for Forest Resources/Long Range Prospects for Supply and Demand of Forest Products
• Direction and aims of long-range and overall policy

Minister of Agriculture, Forestry and Fisheries

Nationwide Forest Plan
• Direction of national policy regarding forests • Norms for regional forest plans, etc.

Forest Improvement Plan
Five-year investment plan for felling, afforestation and forest roads, etc.

Prefectural Governor

(Regional Forest Plan)
- Direction of prefectural policy regarding forests - Targets of felling, afforestation and improvement of forest roads and protected forests, etc.

(Private and Public Forest)

Director of Regional Forest Office

(National forest)

Regional Forest Plan for National Forest
Targets etc. of felling, afforestation and improvement of forest roads and protected forests

Drawing up plans for each of 158 forest-planning districts
←----- Adjustment ----->

Municipality

Municipal Forest Improvement Plan
- Direction of municipal policy regarding forests - Guidelines etc. for felling and afforestation by forest owners

Measures for general owners of forests
Advance notification of felling Advice on operations Orders to alter felling plans, etc.

Forest management plan
A five-year concrete plan made voluntarily by forest owners for the felling and afforestation etc. of owned forests

* Exceptional measures (taxation, finance and subsidies) are implemented for forest management plans

Recent Development

In July 2001, the government of Japan amended the "Forestry Basic Law", which was originally enacted in 1964, and enacted the new "Forests and Forestry Basic Law", in order to set new guiding principles for Japan's forest policies in accordance with the concept of sustainable forest management. According to the new Forests and Forestry Basic Law, the government has established the "Forests and Forestry Basic Plan" which: (i) outlines basic directions of forest management policies, (ii) provides with goals to be sought by all stakeholders concerned, including national and local governments, forest industry and forest owners, as well as consumers of forest products, and (iii) identifies policy programmes that should be implemented in order to meet those goals. The Plan was approved by the Cabinet on 26 October, 2001.

In the new Forests and Forestry Basic Plan, the basic approach to implementation of sustainable forest management highlights the importance of meeting diverse needs and values put on forests, through sound management practices, forest conservation, research activities, international cooperation, and recreational, cultural, and educational use of forests and so on. Based on the new Forests and Forestry Basic Plan, the "Nationwide Forest Plan", a comprehensive forest management plan in accordance with the "Forest Law", was also revised. The "Forests and Forestry Basic Plan", which is an integral part of the national forest programme, was developed to maintain consistency with national land policy.

The contents of the important forest management plans, such as the Forests and Forestry Basic Plan, are developed through consultations with relevant government agencies based on the Forests and Forestry Basic Law. Once agreement is reached, the Cabinet makes the decision. Efforts are made to ensure the consistency and harmony with other national policies and plans such as the Basic Environment Plan, which aims at achieving sustainable development.

The IPF proposals are relevant to the basic approaches towards sustainable forest management in Japan. For example, in accordance with the Forests and Forestry Basic Plan, the government establishes the Nationwide Forest Plan, and based on this plan, local governments also establish Regional Forest Plans. This planning system is in agreement with the national forest programme suggested by the IPF. In implementing the IPF proposals, there are three major aspects in which concrete steps have been taken in Japan: (i) application of criteria and indicators, (ii) revision of the Forest Law in 1998, and (iii) revision of the Forestry Basic Law and related laws including the Forest Law in 2001. Based on the 1998 revision of the Forest Law, any concerned party can make comments on drafts of plans for forest management at the local level. In addition, as a result of this revision, municipalities are authorized to make and implement forest management plans except with regard to national forests within their jurisdiction. As a result, participation of stakeholders has been encouraged, which meets the IPF proposal for action which emphasizes "the need for appropriate participatory mechanism to involve all interested parties". Following the revision of Forestry Basic Law and related laws in 2001, forest- and forestry-related policies will be directed towards meeting diverse needs and values put on forests, which is one of the most essential aspects of the IPF proposals for action.