



FOREST STEWARDSHIP COUNCIL
UNITED STATES

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Adaptation of the FSC US Forest Stewardship Standard for the US Forest Service

Draft 1.0

-- For First Public Consultation --

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NOTE TO STAKEHOLDERS: This document provides the draft set of supplementary requirements to the FSC US Forest Stewardship Standard for certification of lands managed by the US Forest Service. Once complete, these requirements will comprise Addendum H of the FSC US standard. To best understand these supplementary requirements, please review them alongside the FSC US standard. To facilitate your review, we have also prepared a separate document that includes the current FSC US standard with these supplementary requirements embedded within it. This is available on the FSC US website along with a comment form and a background document that lists the key issues considered in developing this first draft. Thank you for sharing your perspectives and for contributing to the success of this process.

Addendum H: Forest Service Supplementary Requirements for FSC certification

INTRODUCTION

Background

This Addendum to the FSC US Forest Management Standard V1.0 functions as the set of supplemental normative requirements for forest management certification audits that are applicable to lands managed by the USDA Forest Service (USFS; Forest Service). ***To be certified, the Forest Service must conform to these supplemental requirements as well as all other applicable requirements in this standard.*** These additional requirements are considered a *formal standard interpretation* of the FSC US Forest Management Standard, necessary to address the unique conditions associated with National Forest including ownership, size, history, mandate, and management objectives.

The need for this formal standard interpretation is further elaborated in, and conforms to, the FSC US *Federal Lands Policy* (revised November 2012), which provides a set of issues to consider in the development of this standard interpretation.

This formal standard interpretation was developed with a commitment to advancing a shared perspective of what certification of Forest Service-managed forestlands should require. Central is the explicit recognition that commercial timber harvest management takes place within the context of the broader range of environmental values and social benefits provided by Forest Service-managed forestlands.

The process to develop this formal standard interpretation follows FSC procedural requirements for developing/revising normative documents, including technical input and oversight from a chamber-balanced and consensus-based working group and opportunities for broader stakeholder engagement.

Applicability

All elements of this Appendix are considered normative parts of the standard and must be considered by the auditor when judging conformance to any requirement in the standard.

In some cases, ‘*supplements*’ to existing Indicators, Guidance, or Intent Statements have been elaborated. This is in an effort to simplify the interpretation, with the understanding that this Appendix must be used alongside the FSC US Forest Management Standard. Where there are supplements for Forest Service certification audits, the applicable Indicator includes both the original text of the Indicator (found in the body of the Standard) as well as the supplement to that Indicator (found in this Addendum). It should be viewed as a singular requirement although it may have multiple parts. See also ‘Terminology’ section, below.

Scope

Land ownership: This formal standard interpretation is specific to lands managed by the Forest Service. It does not apply to other lands managed by other federal agencies, such as the Bureau of Land Management.

Geographical extent: Consistent with the FSC US standard, this interpretation pertains to forests managed in the United States with the exclusion of Alaska, Hawaii and the US territories.

Certification Unit: For the purposes of Forest Service certification, the ‘*Forest Management Unit*’ (FMU) is defined as a National Forest. In cases where two or more National Forests are administered as one administrative unit (e.g., Chequamegon-Nicolet NF or Shasta-Trinity NF), then the administrative unit is the minimum unit eligible for certification.

Eligibility for Certification

In order for a National Forest to undergo an audit in pursuit of possible certification, there must be a commitment from the national level (e.g., the Chief of the FOREST SERVICE) as well as the regional level (e.g., the Regional Forester) and the forest level (e.g., the Forest Supervisor) to adhere to the FSC Principles and Criteria. Further, the Forest Supervisor agrees to pursue certification through a certification body that will follow the FOREST SERVICE-adapted protocols for conformity assessments.

Terminology

Throughout this Addendum, the following terms are used:

- USFS Indicator x.x.x: Refers to a new indicator applicable to Forest Service lands
- USFS Guidance for Indicator x.x.x.: Refers to a new guidance statement that corresponds to the referenced indicator
- USFS Intent for Indicator x.x.x: Refers to a new intent statement that corresponds to the referenced indicator
- USFS supplement to Indicator x.x.x: Refers to text that is added to the referenced indicator. In this case the original indicator text and the supplement together function as the USFS indicator.
- USFS supplement to intent for Indicator x.x.x.: Refers to intent in addition to what the relevant intent for that indicator states

Definitions

In addition to the terms and definitions provided in the Standard, the following apply:

- **Workers:** this includes all workers, union and non-union, including employees and employees of contractors and sub-contractors. NOTE that it does not include permittees.

REQUIREMENTS

PRINCIPLE 1: COMPLIANCE WITH LAWS AND FSC PRINCIPLES

USFS Guidance for Indicator 1.1.a For a resource on laws and regulations, see:
<http://www.fs.fed.us/forestmanagement/aboutus/lawsandregs.shtml>

USFS Guidance for Indicator 1.1.a Ongoing disputes over management, including administrative and judicial appeals of Forest Service actions, shall be considered during the certification process; however, pending lawsuits alone do not constitute nonconformance if the Forest Service is engaged in a process to resolve the situation in good faith (See also C 2.3)

USFS Indicator 1.1.1 Disputes and legal challenges, including administrative and judicial appeals filed by stakeholders, over Forest Service land management policies and actions are identified. The Forest Service demonstrates that processes are in place

and are implemented to resolve existing disputes and legal challenges. Information on the processes for resolving disputes is readily available to interested stakeholders.

USFS Guidance for Indicator 1.2a Required payments include Payments in Lieu of Taxes (PILT) and payments to local schools.

USFS Guidance for Indicator 1.5 b Examples of such actions include: deploying law enforcement; establishing and enforcing penalties for unauthorized use; taking measures to inform unauthorized users about closures; engaging in effective outreach and communications with user groups; fostering collaborative efforts with organizations that promote ecologically and socially responsible public use.

USFS Indicator 1.5.1 The Forest Service periodically conducts an assessment of illegal and unauthorized activities on the FMU and demonstrates awareness of these activities and its impacts on the FMU.

USFS Indicator 1.5.2 Procedures exist and are employed for documenting and reporting on illegal and unauthorized activities.

USFS Guidance for Indicator 1.6.a (see also Introduction section of Addendum): For the Forest Service, the statement of long-term commitment is endorsed by the Chief of the Forest Service, the Regional Forester, and the Forest Supervisor of the forest seeking certification.

USFS Guidance for Indicator 1.6.b (see also Introduction section of Addendum) The minimum scale of certification is at the National Forest level (or the administratively combined National Forests).

PRINCIPLE 2: TENURE AND USE RIGHTS AND RESPONSIBILITIES

USFS Supplement to Indicator 2.3.b Up to date records of disputes related to issues of tenure claims and use rights are maintained, including:

- 1) Steps taken to resolve disputes; and
- 2) Outcomes of all dispute resolution processes; and
- 3) For unresolved disputes, the reasons they are not resolved, and how resolution will be pursued.

USFS Indicator 2.3.1 Operations that negatively impact the interests of disputants cease in areas where disputes regarding tenure claims or use rights exist and that are of substantial magnitude, until the disputes are resolved.

USFS Guidance for USFS Indicator 2.3.1 A dispute of substantial magnitude involves one or more of the following:

- Affects the legal or customary rights of tribes or local communities;
- Where the negative impact of management activities is of such a scale that it cannot be reversed or mitigated;
- Physical violence;

- Destruction of property;
- Acts of intimidation against forest workers and stakeholders.

PRINCIPLE 3: INDIGENOUS PEOPLES' RIGHTS

USFS C3.2-level Guidance See also C2.3

USFS Guidance for Indicator 3.2.a Tribal consultation techniques should be culturally appropriate and designed to achieve effective engagement. Techniques should include both written and verbal correspondence. Pertinent staff members are trained on tribal consultation methods and the importance of building relationships.

USFS Indicator 3.2.1 Procedures exist for government-to-government consultation with Tribes, including annual/ongoing dialogue with tribes having demonstrated interest. These procedures are developed or revised in collaboration with tribal representatives.

PRINCIPLE 4: COMMUNITY RELATIONS AND WORKER'S RIGHTS

USFS Guidance for C4.1 Given the significant reliance on contractors and subcontractors for management activities on National Forests, including the migrant/mobile workforce, it is important to verify that safe working conditions and adherence to laws extend to all forest workers in addition to Forest Service employees and to the extent that they are covered under legal contracts. This includes the utilization of procedures to monitor such conditions.

USFS Supplement to Indicator 4.1.a This requirement extends to all forest workers, including employees, contractors, subcontractors and employees of contractors, to the extent they are covered under the Forest Service legal contract.

USFS Supplement to Indicator 4.1.b This requirement extends to all forest workers, including employees, contractors, subcontractors and employees of contractors, to the extent they are covered under the Forest Service legal contract.

USFS Indicator 4.1.1 Opportunities exist for local workers to bid on contracts, for example, by having contracts packaged in ways that allow local workers to compete for them (see also C5.2).

USFS Indicator 4.1.2 The communities within, or adjacent to, the FMU are given opportunities for employment, training, and other services.

USFS Indicator 4.1.3 The Forest Service actively participates in forest worker training that is intended to develop a higher-skilled local workforce. Training records are kept (see also C7.3).

USFS Guidance for USFS Indicator 4.1.3 Forest Service participation may be in collaboration with other organizations such as universities.

USFS Supplement to Indicator 4.2.a This requirement applies to all forest workers to the extent they are covered under the Forest Service legal contract (see also C1.1).

USFS Supplement to Indicator 4.2.b This requirement applies to all forest workers to the extent they are covered under the Forest Service legal contract.

USFS Indicator 4.2.1 The Forest Service employs procedures to comply with and monitor compliance with the Migrant and Seasonal Agricultural Worker Protection Act (MSPA).

USFS Guidance for Indicator 4.4.d Consultations involving interested stakeholders are not limited to those entities located in proximity to the FMU and include any entity that is known to have an interest in the activities of the FMU (see also Principle 7 and Principle 9).

USFS Indicator 4.4.1 The Forest Service develops and implements a public participation plan that includes provisions for early and ongoing engagement with the public.

USFS Indicator 4.4.2 Upon issuance of a certificate, the Forest Service posts the full certification report and the certifier's public summary on their website. Locations of sensitive resource sites may be withheld.

USFS Guidance for Indicator 4.5.c Compensation and mitigation measures are determined by administrative or judicial ruling. See also C2.3 for additional guidance on ongoing disputes and dispute resolution.

PRINCIPLE 5: BENEFITS FROM THE FOREST

USFS Principle-level Guidance For National Forests, the Forest Service manages for a diversity of products, ecosystem services, and social benefits for the broader public interest. Management objectives and goals, including the yield of conventional forest products, focus on ecological and social objectives.

USFS Intent Statement for C5.1 Management is fundamentally oriented towards meeting large-scale ecological and social objectives.

USFS Supplement to Indicator 5.1.a The Forest Service defines the core management activities that need to be met, as defined in this Standard, and secures and allocates funds sufficient to meet them, for example, restoration, reforestation and road maintenance activities.

USFS Guidance to Indicator 5.1.b Budget constraints and other fluctuations in the appropriations process, rather than markets, may be considered short-term financial factors.

USFS Indicator 5.1.1 The Forest Service seeks and implements innovative mechanisms for financing core management activities, such as through stewardship contracting and partnerships.

USFS Supplement to C5.2 Criterion-level Intent For the Forest Service, diversification of revenue-generating forest uses is a requirement (i.e., the ‘should’ is a ‘shall’; see also Supplement to Indicator 5.4.b).

USFS Supplemental Guidance for Indicator 5.2.c This includes the use of available contracting mechanisms, such as stewardship contracting, Collaborative Forest Landscape Restoration (CFLR), Special Salvage Timber Sales (SSTS), and the Good Neighbor Authority in affording preference to local, financially competitive service providers and value-added processing and manufacturing facilities.

USFS Supplement to Applicability Note for C5.4 The applicability of all the Indicators within this Criterion is further elaborated under the Applicability Note under Indicator 5.4.b.

USFS Supplement to Indicator 5.4.a The Forest Service, in collaboration with local communities and other experts, conducts an assessment of opportunities to contribute to the diversification of the local economy, including but not limited to, restoration, recreation, ecosystem services and other new markets.

USFS Supplement to Indicator 5.4.b Diversification of economic uses of the forest is a requirement for National Forests, including but not limited to, restoration, recreation, ecosystem services and other new markets (see also the Applicability Note for public lands for Indicator 5.4.b).

USFS Intent Statement for C 5.5 The provision of these forest services is recognized as the overarching objective of forest management on the National Forest.

USFS Indicator 5.5.1 The Forest Service employs the best available tools and methods to quantify and track carbon stocks and sequestration over time, and documents the rationale for methodology selected.

USFS Indicator 5.5.2 Where carbon stocks are degraded compared to historic levels, the Forest Service undertakes actions to restore and enhance carbon stocks, while also taking into consideration possible tradeoffs of such actions with regard to other environmental or social values.

USFS Intent Statement for C 5.6 Certification does not mandate commercial timber management. Forest management is a tool to achieve larger scale environmental and social objectives/services on the National Forest but not simply to generate timber

revenues that can be spent on those broader objectives/services.

USFS Supplement to Indicator 5.6.a The sustained yield harvest calculation is based on the land base designated for timber production. The Forest Service shall explicitly define and document the land base used in this calculation.

USFS Supplement Intent Statement for Indicator 5.6.a The intent is to set the sustained yield allowable harvest at a level that can be demonstrated to be maintained over the long term. This is based on the available land base identified as suitable for and designated for commercial timber harvest and not on the overall land base.

PRINCIPLE 6: ENVIRONMENTAL IMPACT

USFS Supplement to Indicator 6.1.a The assessment includes vulnerability to catastrophic fire or other major disturbance and the resulting carbon loss (see also USFS 5.5.1).

USFS Indicator 6.1.1 The Forest Service assesses the effects (both direct and cumulative) of management activities on lands within the FMU and on neighboring affected lands, and incorporates assessment information into management decisions.

USFS Indicator 6.1.2 A landscape-level conservation and restoration analysis is completed (see also C 6.4).

USFS Intent Statement for 6.1.2 The purpose of the landscape-level conservation and restoration analysis is to assess the actual and potential conservation value of lands comprising the FMU. For the Forest Service, this involves taking into consideration the context of the larger *landscape*, including surrounding lands within the ecoregion. Application of the results is addressed in USFS 6.1.3.

USFS Indicator 6.1.3 When the landscape-level conservation and restoration analysis required in USFS Indicator 6.1.2 indicates that existing protected areas, late-successional and old-growth forests, and habitat for RTE species or plant community types are inadequately represented across the *landscape* with regard to ensuring their long-term viability, management for these attributes is prioritized.

USFS Indicator 6.2.1 Forest areas that are slated for resource extraction or development (e.g., recreational development) are surveyed for RTE species and plant community types (see Glossary). Surveys are kept up to date. Where survey protocols do not exist, the Forest Service provides evidence of measures designed to protect and manage for RTE species and plant community types.

USFS Supplement to Intent Statement for C 6.3 Landscape-level Indicators Given the nature of federal ownership and the very large scale of most national forests, it is recognized that Forest Service lands carry a conservation expectation beyond private or other public forest ownerships. It is expected that the Forest Service takes leadership and makes significant contributions to landscape-scale conservation goals and opportunities.

USFS Supplement to Indicator 6.3.b Management maintains, enhances, or restores habitat conditions suitable for well-distributed populations of animal species that are characteristic of forest ecosystems within the landscape.

USFS Supplement to Indicator 6.3.g When *even-aged silviculture* systems are employed, such uses contribute to the attainment of ecological objectives and are ecologically justified. The use of and size and distribution of even-age harvests within the FMU and structural retention within those harvest areas is ecologically justified.

USFS Supplement to Indicator 6.3.i For the Forest Service, the requirements of this Indicator are applicable.

USFS Indicator 6.3.1 Late-successional and old-growth stands of all sizes are identified. Forest management is conducted only to maintain or enhance their late-successional and old-growth composition, structures, and functions.

For example:

- Control and removal of exotic species is carried out.
- Prescribed fire may be used.
- Habitats of late-successional and Rare species may be created or enhanced.

USFS Guidance for USFS Indicator 6.3.1 the definitions for Type 1 and Type 2 old growth remain applicable for the Forest Service. However, active timber management in both types of stands is allowed only to maintain or enhance old growth conditions.

USFS Indicator 6.3.2 Areas within the FMU that function as ecological refugia (see Glossary) and relict areas (see Glossary), either formally or due to the historical exclusion of management activities, are identified and continue to be managed as such. Forest management is limited to actions needed to support the composition, structures, and functions of the refugium or relict area.

USFS Supplement to Indicator 6.4.b The Forest Service establishes a network of RSAs within the FMU that includes all ecosystems found on the FMU (for purposes 1, 2 and 3), irrespective of whether similar RSAs exist outside the FMU.

USFS Guidance to Indicator 6.4.b As National Forests play a critical role in protecting existing ecosystems, it is therefore required that the Forest Service maintains and/or expands an ecologically viable, resilient, well-distributed, and where possible, interconnected protected area system for all native ecosystem types found on the FMU.

USFS Guidance for Indicator 6.5.b Where federal, state, county, local or FSC's guidelines/regulations differ, the most protective measure for protecting the affected resource is applied (*Also note the Forest Service Handbook 2509.19*). This may include multiple components such as buffer widths, equipment exclusions, and canopy retention measures.

USFS Supplement to Indicator 6.5.d As part of its transportation system planning, the Forest Service periodically conducts a road inventory and crossing (culverts, bridges) assessment and has a strategy for effectively maintaining a road system that meets but

does not exceed access needs, through upgrades, abandonment, decommissioning and, where needed, new road segments.

USFS Supplement to Indicator 6.5.e.1 Water quality is monitored to address the efficacy of the watercourse buffers and other water quality protection measures, and they are adjusted as necessary to protect water quality.

USFS Supplement to Indicator 6.5.f New crossings (culverts and bridges) are sized at a minimum for anticipated peak 100 year flows. Existing culverts and other crossings are assessed for their capacity and prioritized for upgrading if they do not meet 100-year peak flow needs.

PRINCIPLE 7: MANAGEMENT PLAN

USFS Supplement to Indicator 7.1.e The management plan also includes, where necessary, activities designed to restore (in addition to conserve or protect) the listed resources and to assess the effectiveness of the restoration techniques.

USFS Supplement to Indicator 7.1.j The scope of the evaluation of social impacts also includes forest-related employment and contracting opportunities at the local level.

USFS Supplement to Indicator 7.1.l The management plan describes the rationale for site-specific selection of silvicultural system(s) used, including structural retention measures when even-age management is employed (see also C 5.6).

Supplement to Indicator 7.1.q Plans are made available to the public prior to commencement of significant operations. Public comments are addressed as part of the process of revising the plans.

USFS Indicator 7.1.1 If multiple planning documents exist, an umbrella document is developed that describes how all the planning documents that constitute a management plan fit together and are used to conform to the FSC standard. The document is publicly available.

USFS Guidance Note for Indicator 7.2.a For all ownerships (not limited to, but including Forest Service), it is not expected that a full revision of the management plan occurs every 10 years. Rather, review of the management plan is required and relevant parts are revised as necessary to be kept up-to-date. For the Forest Service, the legally mandated review/revision cycle is followed.

USFS Supplement to Guidance for Indicator 7.3.a Given the substantial reliance on forest contractors and subcontractors to implement management activities on National Forests, it is important that adequate oversight is provided, and that the Forest Service's procedures for evaluating and monitoring forest worker training/supervision is verified during the certification process.

PRINCIPLE 8: MONITORING AND ASSESSMENT

USFS Supplement to Indicator 8.2.d.3 Socio-economic monitoring also includes:

- effectiveness in providing employment and contracting opportunities at the local-level (see Indicator 7.1.j); and,
- public access to and use of the forest, and other recreation issues (see Indicator 7.1.j)

USFS Indicator 8.2.1 Monitoring includes the effectiveness of restoration techniques and projects (see Indicator 7.1.e)

PRINCIPLE 9: MAINTENANCE OF HIGH CONSERVATION VALUE FORESTS

USFS Supplement to Principle-level Intent Statement: It is expected that all designated roadless areas be classified as HCV2. Given that lack of roads is the value associated with these areas, and therefore such value needs to be maintained, new road construction is generally not allowed. It is also expected that non-designated roadless areas, and in particular candidate roadless areas, undergo the HCV assessment process to determine whether they may merit classification as HCV2.

All identified Intact Forest Landscapes are recognized as HCV2 and are generally off limit to management except where it is needed to protect or enhance conservation value. Intact Forest Landscapes are defined by Global Forest Watch as ‘*A territory within today's global extent of forest cover which contains forest and non-forest ecosystems minimally influenced by human economic activity, with an area of at least 500 km² (50,000 ha) and a minimal width of 10 km (measured as the diameter of a circle that is entirely inscribed within the boundaries of the territory)*’ (Source: Intact Forests / Global Forest Watch).

USFS Indicator 9.1.1 Regarding the HCV assessment methodology, the Forest Service solicits and considers public comment.

USFS Guidance for Indicator 9.3.c Coordination with adjacent landowners is especially important for cross ownership of high conservation values on the National Forest.

PRINCIPLE 10: PLANTATION MANAGEMENT

USFS Guidance The Forest Service is required to restore all forest stands that would be classified as Plantations in the FSC sense to natural forest conditions as early as possible (see Indicator 10.5.g).