



**FOREST STEWARDSHIP COUNCIL
UNITED STATES**

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Developing Additional Requirements for US Forest Service Lands Background Information

National Forests are Unique

US Forest Service lands are national treasures, from their extraordinary environmental and social benefits, to their vast extent and shared ownership. To date, the Forest Stewardship Council has not permitted certification of National Forests, the result of an agreement among stakeholders recognizing that the FSC US forest management standard was not designed to capture all of the unique aspects of National Forests.

The FSC US Federal Lands Policy (revised in 2012) requires that two criteria be met in order for the US Forest Service (USFS) to consider FSC certification:

- 1) Willing landowner participation; and
- 2) Development of additional certification requirements that address resource management and other issues unique to USFS ownership.

Following an August 2013 request by Chief Tidwell of the US Forest Service to be considered a “willing landowner,” the FSC US Board approved the development of additional requirements to supplement the FSC certification standard for evaluating lands managed by the USFS. This includes additional indicators, supplementary requirements to existing indicators, guidance notes, and supplementary auditing procedures.

Across all forestlands, FSC certification requires a level of environmental conservation and social benefit that goes beyond legal baselines. This fact will remain true for the US Forest Service. FSC certification further includes requirements related to environmental restoration, and protecting High Conservation Value areas, lakes and streams, old growth, and Rare, Threatened and Endangered species. Equally important, FSC certification requires measures to protect forest workers, to provide opportunities for the local workforce, and to effectively engage with forest stakeholders.

It is important to note that certification of any National Forest is outside the scope of this project.

Once FSC US and FSC International boards of directors approve the additional requirements, the US Forest Service would be eligible to pursue FSC certification, if interested, at the forest unit level.

FSC Encourages Stakeholder Participation

Following international FSC procedures for standards revision, a chamber-balanced Working Group has been convened to establish the additional requirements, and a Steering Committee is providing project oversight. Both the FSC US Board and the FSC International Board are required to approve the final set of additional requirements.

Stakeholders are highly encouraged to participate. This public consultation runs from February 23 to April 22, 2016, and represents the first of two consultations that will take place.

For more information and to get involved, please visit the FSC US website. [LINK: <https://us.fsc.org/en-us/certification/forest-management-certification/federal-lands-certification>]

Existing Laws and Rules Still Apply

FSC certification requires that the Forest Service comply with all legal requirements - this includes the National Environmental Policy Act, National Forest Management Act, Roadless Rule, and Wilderness Act. This fundamental requirement is explicitly stated in the FSC Forest Management standard..

FSC's third-party auditing protocols provide further assurance that all legal and regulatory requirements are followed.

A Framework for Social Engagement and Environmental Protection

FSC certification is built on a framework of environmental and social values. For National Forests, this means that forest management is based on meeting large-scale ecological, social, and economic objectives, and the expectation to manage for a diversity of products, ecosystem services, and the broader public interest.

FSC certification has the potential to raise the bar for the Forest Service in many ways, including the following:

- FSC requires additional protections and monitoring worker health and safety.
- FSC requires robust stakeholder engagement.
- FSC requires a comprehensive approach to protecting Rare, Threatened and Endangered species.
- FSC requires rigorous assessments to identify High Conservation Values, followed by measures to protect them - including regionally rare forest types, cultural values, and old growth.

Additional Requirements Being Considered

As a first step in the process to develop additional requirements, FSC gathered all stakeholder input shared to-date, including from the past 'Federal Lands Exploratory Committee', from the National Forest evaluations led by the Pinchot Institute, and from direct outreach. The FSC US Federal Lands Policy further contains a set of considerations that are being closely followed. And, the additional requirements previously developed for lands managed by the Department of Energy and Department of Defense are being used.

The Working Group found that many previously identified concerns have already been incorporated in the existing FSC certification standard, which was revised after much of the stakeholder input was provided. This existing standard further includes a set of requirements

specific to public lands that also address some of these issues. Where gaps remain, additional requirements are being proposed,.

The following is a summary of key issues raised by stakeholders, organized by the Principles in the FSC certification Standard. For a complete set of proposed US Forest Service requirements to supplement the FSC certification standard, please review the draft standard [LINK] and the draft auditing protocols [LINK]. Your comments are very welcome!

Summary of Key Issues Raised by Stakeholders

Issue	How addressed
Principle 1: Legality Compliance	
All existing requirements must remain in effect on US Forest Service lands, including all relevant rules and regulations.	Covered under existing Indicator 1.1.a and a guidance note will further emphasize this requirement. Third-party auditing will help ensure this requirement is met
FSC certification cannot preclude any individual or group from seeking legislative or judicial relief.	Covered under an existing intent note under Principle 4
The Forest Service must understand and manage for unauthorized activities on their lands.	Additional indicators proposed under Criterion 1.5 and guidance proposed for existing Indicator 1.5.b
Principle 2: Tenure and Use Rights	
Unclear how long-standing disputes will be handled	Additional guidance proposed under Indicators 1.1.a and 2.3.a. Additional indicator 1.1.1 proposed (adapted from existing Department of Defense and Department of Energy Indicator). Additional indicator proposed under Criterion 2.3
Principle 3: Indigenous peoples' rights	
Require enhanced consultation and other engagement with Native American Tribes	Additional indicator and guidance proposed under Criterion 3.2
Principle 4: Community relations and worker's rights	
Require increased monitoring of health, safety and working conditions for all workers, not just employees, but also contractors and subcontractors	Additional guidance proposed under Criterion 4.1 and 4.2
Requires enhanced stakeholder engagement	Additional requirements proposed, including up-front engagement with all forest stakeholders under Criterion 4.4. Existing public lands Indicator already covers many aspects of enhanced stakeholder engagement and how the results of such engagement are incorporated into planning
Require engagement with local communities and participation in trainings and other activities	Additional guidance and requirement proposed under Criterion 4.4
Require a publicly available policy and mechanism for dispute resolution	Covered under existing Criterion 2.3 and 4.5 and public lands indicator
Principle 5: Benefits from the forest	
Ecological and social objectives (not financial objectives or timber harvest) are central to the responsible	Additional Principle-level guidance proposed under Principle 5 and reiterated in Criteria 5.1, 5.5 and 5.6.

management of US Forest Service lands.	Supplementary requirements also proposed under Indicator 5.6.a related to sustained yield calculations
Increase opportunities for local businesses and workers	Additional guidance proposed to supplement Indicator 5.2.c
Require leaving 'residues' on harvested lands.	Covered under existing guidance under Criterion 5.3
Require diversification of services	Additional guidance proposed under Criterion 5.4 and additional requirements to Indicators 5.4.a and 5.4.b proposed. This is also covered under the existing public lands applicability note 5.4.b
Principle 6: Environmental Impact	
Require a comprehensive set of environmental impacts to be assessed/considered when development environmental impact assessments (specific ones provided in stakeholder input)	Mostly covered under existing Criterion 6.1, which was significantly revised since this input was provided. Additional indicator also proposed
Require landscape-level conservation and restoration	Additional Indicators under Criterion 6.1 proposed to address this issue (and as covered under the indicators for the Department of Defense and Department of Energy)
Require protection and restoration of habitats and ecosystem processes	Partially covered under existing requirements for 'Representative Sample Areas' in Criterion 6.4, with additional requirement added that these need to be protected on-site irrespective of their status off-site
Protect all old growth and legacy trees	Partially covered under existing public lands indicator under Criterion 6.3. Additional indicator proposed (from existing indicators for Department of Energy and Department of Defense)
Strengthen requirements around even-age management.	Additional indicators proposed under Criterion 6.2
Require that the strongest BMP guidelines be applied	Additional indicator proposed under Criterion 6.5
Stronger requirements around transportation system, crossings, erosion, are needed	Mostly covered under existing Criterion 6.5, with some additional requirements added to existing indicators
Require effective control mechanisms against invasive species	Covered under existing Criterion 6.9
Principles 7 and 8: Management Planning and Monitoring	
Require provisions for outdoor recreation that are integrated with other uses and appropriately incorporated into management planning and monitoring documents	Covered under existing requirements in Principles 7 and 8
Require planning and monitoring of restoration and the effectiveness of restoration techniques	Additional indicators proposed
Principle 9: Maintenance of HCV Forests	

All existing laws (e.g., Wilderness Act, Wild and Scenic Rivers Act, and Roadless Rule) must be followed in identifying and managing High Conservation Values	Covered under existing Criterion 1.1 and a Principle-level intent statement was added
Protect all rare old growth from harvesting and other timber management activities, except if needed to maintain the values associated with the stand	Covered
Principle 10: Plantation management	
Restore plantations to natural forest conditions as early as possible	Covered under existing Indicator 10.5.g for forests classified by FSC as plantations

For more information, please visit the FSC US website at www.fsc.org.