

*The mark of responsible forestry* FSC<sup>®</sup> F000232

## FSC US Federal Lands Policy<sup>1</sup> Adopted by Unanimous Consent by FSC US Board February 25, 2003; Revised November 29, 2012

In the U.S., federal forestlands are managed by a number of agencies. National Forests are managed by the U.S. Department of Agriculture Forest Service (USFS), Bureau of Land Management (BLM) lands by the U.S. Department of Interior (DOI) BLM, National Parks by the USDOI National Park Service (NPS), and Fish & Wildlife Refuges by the DOI Fish & Wildlife Service (FWS); some forests are also managed by the U.S. Department of Defense (DOD) and U.S. Department of Energy (DOE). For the purposes of this policy, the Forest Stewardship Council – US (FSC US) does not consider lands held in trust for Native American nations and tribes to be federal lands, due to the sovereign nature of Native American governments.

FSC certification in any country, including the United States, could apply to any ownership, including lands under management responsibility of the U.S. federal government. However, the Board of FSC US has the ability to approve additional thresholds or specialized indicators<sup>2</sup> for certain ownership types, such as those in place for family forest lands. For federal ownerships, FSC US has already approved special indicators for use on DOD and DOE lands.

Two conditions must be met before certification proceeds on USFS or BLM lands in the U.S. (For the purpose of this policy, "federal ownership" refers to agency-level management units, i.e., National Forests, BLM lands, etc.) These threshold conditions address unique issues with the management and certification of BLM and USFS lands and the recognition of the critical role that these lands play in contributing to ecosystem function across the nation. FSC US believes these threshold conditions are necessary to ensure the long-term effectiveness and credibility of the FSC system in the United States. When these threshold conditions have been met for a given National Forest or BLM ownership, the application of FSC-accredited certification protocols to that ownership should be considered procedurally warranted.

## Threshold Condition 1 – Willing Landowner Participation

The first threshold condition is willing landowner participation in the certification process.

Determinations of whether a federal agency meets the first threshold are to consider the following:

- The federal agency's interest and willingness to be certified.
- Potential indicators of interest and willingness include, but are not limited to, official statements or policies supporting or opposing certification of the agency's management. Official statements or policies supporting certification may not be required if other sufficient evidence of agency willingness exists.

<sup>&</sup>lt;sup>1</sup> 1 Based on "Recommendations of the FSC US Federal Lands Committee and the FSC US Board Motion of March 5, 2002" as modified by FSC US Board action of 2/25/03. Revisions proposed by FSC US Board motion of 11/29/2012, and accepted by Board action of 11/29/2012

<sup>&</sup>lt;sup>2</sup>Subject to the approval of FSC International.

- The agency officials requesting certification have clear authority to do so<sup>3</sup>.
- The agency's governing policies allow the agency to engage in external audits. The
  policies governing the agency/ownership allow the forest managers to enter into
  certification contracts and make necessary commitments to continuing their management
  practices and implementing any needed certification conditions, subject to the reserved
  right, as with all certification applicants, to withdraw from the certification process, at any
  point, at will.

## Threshold Condition 2 – FSC US Commitment to Additional Considerations

The second threshold commitment is the existence of national-level indicators that address the special resource management, legal, technical, procedural, and governance issues associated with federal ownership.

Seeking consensus around appropriate requirements for certification of federal lands management is a central component of the FSC standard development process and merits special consideration for federal lands, given their unique contribution to ecosystem function across the nation. The process of developing federal land standards will be conducted through a consensus-based, chamber-balanced process, including consultation with FSC's membership in the U.S., with the intent of creating a greater consensus around federal land management.

The FSC Principles and Criteria require that the applicant for certification follow all applicable laws and regulations. Relevant legal mandates for federal lands include, but are not limited to the National Environmental Policy Act, the Administrative Procedures Act, the Clean Water Act, the Endangered Species Act, the Sikes Act (for DOD lands), the National Forest Management Act (for National Forests), and the Federal Lands Policy and Management Act (for BLM lands). FSC US recognizes that there are many legal, administrative, procedural and political complexities involved in resolving disputes over federal forestland management.

FSC US adopts this policy with explicit commitment to ensuring the following issues are addressed in the indicator development process.

- The FSC US Forest Management Standard, including regional variations, will apply to federal lands management and form the basis from which special indicators for National Forests and BLM lands are developed. In some cases, indicators included in the national forest management standard may be superseded by or replaced with unique and/or additional indicators specific for a particular federal ownership, as is currently the case for other public lands and particular ecoregions.
- Federal indicators must be developed with consideration of the national standards already approved by FSC US for use on DOD and DOE lands.
- Consistent with Principle 1 of the FSC Principles and Criteria, federal indicators must ensure that ongoing disputes over management of the ownership, including

<sup>&</sup>lt;sup>3</sup> When and if there comes a time that the Department of Agriculture seeks certification, then that request should be from the leadership of the US Forest Service. The request should also be for a specific forest and the Forest Supervisor of that forest should also come forth as a 'willing landowner'. Likewise, any request from the Department of the Interior for BLM lands should come from the leadership of the BLM.

administrative and judicial appeals of agency actions that may influence award of a certificate, are considered during the certification process.

- Federal indicators should require that assessments be conducted at sufficiently large geographic scales to address ecosystem and landscape-scale processes appropriate to the size and variability of the federal ownership in question.
- Federal indicators must address all forest management practices occurring in the ownership being considered for certification, including relevant and significant non-timber forest uses, resources, and impacts. Management practices that may be relevant include timber management, non-timber forest product harvest and management, resource restoration, biodiversity protection and restoration, watershed protection and water quality restoration, roadless area and wilderness conservation, fire/fuels management, grazing, mineral and oil exploration and extraction, development and maintenance of water storage and distribution facilities, motorized and other recreation, and other development.
- Federal indicators should avoid primacy of timber perspectives, and consider a broad range of public goods, including but not limited to ecosystem services and social benefits (including the environmental, social, and economic values of forest resources to local communities).
- Federal indicators should address forest restoration practices, including identification of ecologically appropriate and effective restoration techniques, with regional variations where necessary, to address differences in forest types and restoration needs.
- Federal indicators must ensure that the federal entity applying for certification implements extensive and robust stakeholder consultation for management decisions and actions including, but not limited to, timber harvest.
- Federal indicators must recognize the crucial role of U.S. federal lands in protecting significant portions of existing ecosystems, and require the maintenance and/or expansion of ecologically viable, resilient, well-distributed, and where possible, interconnected protected area systems for all native ecosystem types across the landscape.
- As required by the FSC US Forest Management Standard, federal indicators must address protection of primary forests and old growth, restoration of old growth and other under-represented community types and seral stages, as well as roadless areas.
- Other issues that should be addressed during the federal indicators development process include:
  - Provision of sufficient natural habitat to maintain and restore distribution and abundance of native species, particularly threatened and endangered species;
  - Forest health issues and re-introduction of fire where ecologically appropriate;
  - Maintenance and enhancement of carbon stores and ecological resilience, especially considering the potential for climate change;
  - Management of motorized recreational access opportunities and use patterns to avoid significant adverse environmental impacts;
  - Protection of soils from compaction and minimization of soil disturbance, particularly on sensitive soil types; and
  - Institution of robust ecological, social, and operational monitoring programs.