



FOREST STEWARDSHIP COUNCIL™
UNITED STATES

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Topic Overview: Federal Lands Supplementary Requirements

*To Support Public Consultation of the Forest Stewardship Council U.S.
National Forest Stewardship Standard (NFSS)
Draft 1 Phase 2*

April 14, 2021

Introduction

Forest Stewardship Council U.S. (FSC US) developed this topic overview to support stakeholders who are interested in participating in the public consultation on Draft 1 Phase 2 of the revised FSC National Forest Stewardship Standard for the conterminous United States.

The first phase of our Draft 1 public consultation was held in late 2020. That consultation focused on the ‘base indicators’ that will be applicable to most FSC certified forest management organizations. We are now holding the second phase of the Draft 1 public consultation, which addresses alternate indicators for Family Forests (i.e., small and low intensity managed forests) and for Plantations, in addition to supplementary requirements for federal lands. *Please note that the Draft 1 base indicators are out of scope for this consultation.*

As the world’s most trusted forest certification system, FSC’s existing FSC US Forest Management Standard offers a solid foundation for the current revision process. This topic overview is intended to facilitate actionable, informed input as FSC works to further refine Draft 2 of the revised Standard.

Ultimately the revision process is about identifying the appropriate balance between an existing “best-in-class” standard that is practical and achievable, with targeted refinements to streamline the Standard where possible, and incorporate changes that bring it into alignment with FSC Principles and Criteria Version 5, as approved by FSC’s membership.

Summary

Supplementary Requirements for USDA Forest Service (USFS) lands were first incorporated into the existing US standard in 2019. These requirements recognize the unique and critical role that National Forests provide across a range of values, including recreation, ecology, watershed protection, and rural economic development. Supplementary Requirements for lands managed by the Department of Defense (DOD) and the Department of Energy (DOE) were developed and approved by FSC US Board of Directors in 2004, and have been in use until very recently. The FSC US Federal Lands Policy requires similar considerations for any other Federal agency that wishes to consider FSC certification for lands that they manage. The Policy also requires that these agencies demonstrate that they are “willing landowners.”

As part of this revision, the Standard Development Group (SDG) fully reconsidered the existing Supplementary Requirements, what changes were needed to address the transfer to a revised set of Principles and Criteria (i.e., from Version 4 to Version 5), if and how to align the existing Supplementary Requirements for USFS lands with those for DOD/DOE lands, and consideration of opportunities for strengthening the Supplementary Requirements identified by stakeholders.

Certification of federal lands, and particularly National Forests, has been a controversial issue for FSC US members and stakeholders. Some are opposed to certification of these lands, believing it will encourage more harvests. Others believe that certification is essential to support the local communities that depend on National Forests and other Federal lands, and the management activities that occur within them.

At this time, there is only one FSC-certified management unit that is managed by a Federal agency. Certification of the Marsh-Billings-Rockefeller Historic National Park represents a decision by the FSC US Board of Directors that occurred prior to the approval of the current Federal Lands Policy, and was confirmed in the Policy. However, once this revised set of Federal Lands Supplementary Requirements is finalized, FSC US looks forward to working with the USFS and other Federal agencies to explore FSC certification of the lands they manage, especially as the USDA solicits public comment on “Climate-Smart Forestry.”

As with any land owner or manager, the decision to seek FSC certification for a Federal forest management unit is completely voluntary and will be made at the discretion of the agency responsible for those lands.

Find it in the Standard

The SDG is proposing supplementary requirements and/or supplementary guidance, intent or applicability language for Federal lands in all ten Principles, but they predominantly occur in Principle 6 (Environmental Values and Impact). Most of these requirements are “add-ons” to the base indicators, representing supplementary requirements with which certified Federal lands would need to conform, in addition to the requirements of the base indicators. Forty-five of the proposed supplementary requirements are linked to specific base indicators, and nine of them are stand-alone, included as supplementary indicators within particular Criteria. Additionally, a small number of base indicators have guidance, intent or applicability language that is specific to Federal lands. Together, this represents almost no change in the number of supplementary requirements overall (considering both USFS and DOD/DOE-oriented requirements), and a decrease in the number of base indicators with federal lands-specific guidance, intent or applicability language.

The SDG believes that the supplementary requirements and additional language proposed in this Draft 1 are adequate to address the unique conditions and critical roles of lands managed by any Federal agency, and therefore have not separated out specific supplementary requirements for particular Federal agencies.

Rationale

Federal lands, particularly National Forests, are intended to reflect the values and interests of all Americans. These lands are held to higher standards, requiring managers to balance a wide array of values. To address concerns raised by FSC members, specifically those in the Environmental Chamber, the original Supplementary Requirements were developed after nearly 20 years of de facto prohibition on certification of Federal lands. This prohibition, which was unique globally, was raised as inequitable treatment by some FSC stakeholders. Specifically, resource-dependent communities were denied access to FSC certification in situations where it could help balance a range of concerns about Federal land management.

Based on input from Environmental Chamber stakeholders, FSC identified the following elements as priorities for consideration of opportunities for strengthening the Supplementary Requirements:

- Strengthening requirements for timber harvests to satisfy ecological objectives.

- Requirements to maintain and map old growth forests.
- Protecting roadless areas and limiting new road construction.
- Ensuring stakeholder consultation is national in scope.

The lack of significant change in the overall number of supplementary requirements results from a combination of two factors: 1) the SDG's assessment that a number of the existing Supplementary Requirements for USFS lands are covered by the revised base indicators, and are therefore no longer needed; and 2) the SDG's proposal to include a number of new supplementary requirements, including some to address the topics identified above.

Impacts of the revision

The SDG's efforts focused on further streamlining the framework and indicators to the extent possible, ensuring that all supplementary requirements would be feasible for federal agencies (particularly the USFS), and addressing stakeholder-identified issues. To streamline the framework, the SDG combined the existing supplementary requirements, and indicated that the proposed supplementary requirements are to be applicable to all Federal lands, regardless of the managing agency. They are asking for feedback to confirm this decision. The SDG also worked to reduce duplication between supplementary requirements and the revised Draft 1 base indicators, and worked to reduce prescriptiveness, striving to make the supplementary requirements more outcome oriented.

If the supplementary requirements remain applicable to lands managed by all Federal agencies, they will fulfill one of the conditions in the FSC US Federal Lands Policy. Therefore, any other Federal agency (besides the USFS, DOD and DOE) that chooses to certify lands that they manage would only need to fulfill the condition of demonstrating that they are a willing landowner.

Key questions for public consultation

- Do any of the proposed Federal Lands Supplementary Requirements fail to adequately address the special and unique issues associated with federal ownership?
- Is conformance with any of the proposed Federal Lands Supplementary Requirements infeasible for existing or potential Federal management units?
- Are there any additional base indicators where Federal Lands Supplementary Requirements are needed to address the special and unique issues associated with federal ownership?
- Are there any base indicators that do not currently have proposed Federal Lands Supplementary Requirements that are not feasible for existing or potential Federal management units?

How to provide input

Individuals who are interested in participating in the public consultation on [Draft 1 Phase 2](#) of the revised FSC US National Forest Stewardship Standard are encouraged to [visit the web pages dedicated to the consultation](#). Within these web pages, participants will find the draft revised standard, plus additional resource materials, learn about opportunities to participate in webinars, and how to submit comments on the draft.

Any comments that a participant wishes to be formally recognized must be submitted via the FSC Consultations Platform by Monday, June 14, 2021.

ADDENDUM: Guide to the Consultation Platform

For the best user experience, FSC recommends using the consultation platform on a laptop or desktop computer instead of a tablet or other mobile device, if possible. This allows for easier referencing of the context information (yellow background). On a wider screen, the context information appears to the left of the associated consultation questions, instead of below them.

Note that at the bottom of each page in the Consultation Platform, there is a gray drop-down list of all of the sections (either between, or just below, the green “Previous Section” and “Next Section” buttons) that allows you to jump to any section at any time. *A list of these sections is also provided below.*

IMPORTANT NOTE: When you have completed entering your comments, you must jump to the final section (i.e., ‘Concluding Comments’) and press the ‘Submit’ button for your comments to be formally submitted.

You may save and return to your comments before you formally submit them. You may also return and edit your comments after formally submitting them until the consultation period ends.

The following provides an index to the Consultation Platform sections for the Federal Lands Supplementary Requirements consultation.

1. Background Information
Provides a brief description of the FSC US National Forest Stewardship Standard revision process. Introduces the second phase of the consultation
2. How to Participate in the Consultation
Provides important information for respondents to participate in the consultation and requests information about respondents
3. Adequacy and Feasibility of Federal Lands Supplementary Requirements
High-level questions that address adequacy, invite suggestions for other unique issues, and provide opportunity for feedback relating to conformance with base indicators
4. Annex M: Introductory Text
Questions pertaining to the Federal Lands-oriented text in the introductory sections of the Annex
5. Principle-Specific Sections
Each Principle begins with any targeted questions from the Standard Development Group for indicators or issues associated with the Principle (NOTE: not all Principles contain targeted questions from the SDG). Then, respondents are provided with a framework for sharing any indicator-specific comments.
 - Principle 1: Indicator-Specific Comments
 - Principle 2: Targeted Questions
 - Principle 2: Indicator-Specific Comments
 - Principle 3: Indicator-Specific Comments
 - Principle 4: Indicator-Specific Comments
 - Principle 5: Indicator-Specific Comments
 - Principle 6: Targeted Questions
 - Principle 6: Indicator-Specific Comments
 - Principle 7: Indicator-Specific Comments

- Principle 8: Indicator-Specific Comments
- Principle 9: Indicator-Specific Comments
- Principle 10: Indicator-Specific Comments

6. Annex Sections

- Targeted Question: A request for feedback on a specific question from the Standard Development Group
- General Comments: A request for general feedback regarding the appropriateness of the annexes for Federal lands

7. Concluding Comments

Provides a final opportunity for any additional comments