



FSC-US Forest Management Standard (Draft 7) Summary of Key Revisions

Introduction

This document provides a summary of key revisions made to the FSC-US draft Forest Management Standard since the November 2008 -January 2009 public consultation period.

All stakeholder comments have been carefully considered by the Standards Committee and the FSC-US Board during this revision process. In crafting this final Draft of the Standard, FSC-US employed a consensus-based approach that sought balance among environmental, economic and social interests. We addressed stakeholder comments in a manner consistent with the goal of this revision process: *to ensure that the FSC-US Standard effectively implements on the ground the intent of the FSC's global Principles and Criteria.*

The revisions listed below represent important changes made to the draft Standard; however, please note that this is not an exhaustive list of all the changes. A number of other edits were made to clarify and streamline requirements, eliminate redundancies and incorporate new information gathered since Draft 6. Draft 6 is available on the FSC-US website for those that wish to do an indicator-by-indicator comparison of all the changes made. You may also contact FSC-US staff directly to learn more about why certain revisions were made and how specific stakeholder comments were addressed. You are also encouraged to participate in one of two scheduled standards revision Webinars that will take place on July 28th and August 12th. Please visit the Standards revision webpage of the FSC-US website (www.fscus.org) for more information on these Webinars and to review all supporting documents pertaining to the Standards revision process.

Please contact Karen Steer at FSC-US with any questions via email ksteer@fscus.org or by phone at (503) 260-8335.

General Issues

- ***The increase in number of Indicators*** is due to FSC-International policy requiring that the suite of Indicators pertaining to a Criterion adequately addresses the entirety of intent of that Criterion, and that a single Indicator should not have multiple requirements. The increase in number of Indicators is particularly important now given that compliance with the Standard is evaluated at the Indicator level. In reviewing the current regional standards, some Criteria did not have any Indicators, some Indicators did not collectively meet all the requirements of their respective Criterion, and some Indicators had multiple requirements. One of the goals in this FSC-US Forest Management Standards revision process was to correct these shortcomings.
- ***The purpose of including guidance statements*** throughout the Standard is to ensure consistent interpretation and conformance within the FSC system. A detailed explanation of the role of guidance statements, and how guidance is to be used in evaluating

landowners and managers to the Standard, is provided in the introductory section of the Standard.

- **Land sales** are only addressed in this Standard through the reference in Criterion 1.6 to the FSC-US Land Sales Policy. Thus, lands that are sold and subsequently converted are not addressed under Criterion 6.10. The FSC-US Land Sales Policy is in the final stages of development and will be available for public comment within 30 days of the release of this Standard for public comment. It will address the importance of land sales and the responsibilities of an FSC certificate holder to practice due diligence in committing to the intent of the FSC Principles and Criteria when selecting land for sale, selecting purchasers of the land, and using proceeds from land sales to create conservation benefits.
- **The level of specificity** of certain Indicators is essential to ensure that a minimum threshold of compliance is met in FSC-certified forest management. Specific and numerical Indicators have been retained from regional standards and drafted in certain other areas in response to deliberations by Standards Working Group and Committee members and other stakeholders.
- **The FSC Standards revision process has exclusively focused on Indicators and Guidance** and not on the FSC Principles and Criteria (P&C), which must be globally consistent. According to FSC policy, FSC-US cannot in this process modify the Principles and Criteria in any way and, as noted above, must have Indicators that correspond with all requirements of each Criterion. While some Criteria include requirements that might be covered by US law, related Indicators are necessary to verify compliance with US law.

Principle 1: Compliance with Laws and FSC Principles

- **Separation of requirements for employees and contractors/workers:** Provisions for employees were separated from those for contractors/workers. This takes into account the fact that landowners/managers have a different relationship with employees than with contractors/workers while still ensuring that certain requirements are met for treatment of contractors/workers (e.g., safety, fair wages). The need for contract language that speaks to contractor/worker issues was retained.
- **Restrictions on Off-Road Vehicle Use:** Since the development of the current U.S. regional standards, there has been substantial stakeholder concern regarding the negative impact caused by some motorized recreation on some FSC-certified forests, and that the current regional standards do not adequately address this issue. Restrictions on off-road vehicle use were added to Draft 6 of the new national standard and retained in Draft 7.
- **Partial certification (C1.6):** FSC-International provided clarification on how to incorporate partial certification requirements within this Standard and revisions were made accordingly.
- **FSC-US Land Sales Policy (C1.6):** Distinct from land conversion (which focuses on actions within a certified FMU and covered in C6.10), FSC-US has developed a Land Sales Policy to provide parameters for the selling of FSC-certified lands. This policy is referenced in C1.6 and is available, in draft form, for review.

Principle 2: Tenure and Use Rights and Responsibilities

- *Clarification of customary tenure and use rights (C2.2):* Requirements regarding compliance with customary tenure and use rights held by others was maintained in this draft to the extent that they are also legally established rights. It is recognized that customary tenure and use rights may exist outside the legal system, but that conformance focuses on legally established rights.

Principle 3: Indigenous People's Rights

- *Consultation with tribal representatives:* Clarification was provided that actual "consultation" with tribes may be out of the control of the forest owner/manager because such consultation requires willing participation by tribal representatives, and therefore the Standard can only require sincere, culturally appropriate attempts at consultation, and consultation when that willingness is present.

Principle 4: Community Relations and Worker's Rights

- *Separation of requirements for employees and contractors/workers:* See Principle 1, above.
- *Clarification of requirements for 'social impacts' (C4.4):* Respect for the human dimensions of forest management is a core value of FSC. However, we have found that Criteria (contained current regional standards) that address social issues have received a wide range of interpretation and conformance has not always been evaluated consistently. The proposed language in Draft 6 attempted to rectify this issue; additional revisions to the Indicator and guidance language were made to clarify the actual requirements under this Criterion.
- *Opportunities for local community benefit:* In various parts of the Standard, 'preference' for local hiring, local purchasing and other actions that address community benefit was substituted with "opportunity." This responds to concerns that prior language may have conflicted with some state anti-discrimination laws.

Principle 5: Benefits from the Forest

- *Clarification of Intent of Principle 5:* Revisions were made to the intent language of Principle 5 and associated Criteria, with minor revisions made to Indicators to reflect the intent. Principle 5 is focused on making the most efficient use of harvested resources (e.g., maximizing value, minimizing waste) while also meeting all other Criteria of the Standard. It calls for landowners/managers to strive for economic viability, but does not require economic profitability.
- *Implementing activities described in the management plan (C5.1.a):* Similar to Draft 6, landowners/managers must be financially able to implement the activities described in the management plan. However, Draft 7 allows for flexibility in difficult economic times, and now includes the qualifier that compliance with this Indicator shall focus on 'core' management activities, including all those required to meet this Standard.

- *Opportunities for local community benefit*: See Principle 4, above.
- *Sustained yield harvest levels (C5.6)*: All Indicators in this Criterion were revised.

Principle 6: Environmental Impact

Criterion 6.1:

- Clarification on expectations regarding “assessments of environmental impact” and streamlining of Indicators.
- Historic conditions are specifically mentioned for consideration in assessing potential short- and long-term impacts and establishing desired future conditions.
- *For all regions, G1-G3 species as well as S1-S2 species are considered “rare.” S3 species and communities that merit conservation attention are included in the definition of “rare” (Indicator 6.1.a)*: Whereas Draft 6 retained the regional language regarding what species and communities are considered “rare” (some regions included S1-S3 while other regions did not), Draft 7 calls for all regions to consider some S3 species and communities as “rare”. See Draft for qualifying language.
- Guidance has been added to provide rigor and consistency regarding appropriate data sources for assessments.

Criterion 6.2:

- See Criterion 6.1 for changes made to definition of “rare”.
- *Managing for cumulative impacts*: In all parts of the Standard, cumulative impacts were integrated into the definition of “long term.”
- *Clarification on requirements for establishing conservation zones and protected areas (Indicator 6.2.b)*: Language was modified to specify that these areas need to be established when they are necessary to maintain or improve the short and/or long-term viability of the species.

Criterion 6.3:

- *Old Growth*: Protection, maintenance, and restoration of Old Growth are core components of FSC-certified forest management. In order to address the recognized nation-wide rarity and importance of the protection of existing Old Growth, the Standard revision incorporates a national classification of those forest stands that have never been logged versus those that have had logging activities but still retain Old Growth trees and related ecological components. Old Growth stands that have never been logged may only be managed when necessary to retain the Old Growth values (e.g. to remove invasive species). Old Growth stands that have been logged may be harvested as long as there is no loss of extent or quality of the forest. This provision ensures that management activities that create Old Growth conditions (such as long-rotation forestry) can continue to be used. Legacy trees are protected under Indicator 6.3.g. Provisions for old growth harvest on American Indian lands in the Pacific Coast regional standard are now extended to all regions.

- *Openings without retention:* Commonly referred to as “clearcuts,” openings without retention is a key issue in FSC-certified forest management. Maximum allowable opening sizes in the current regional standards were maintained in order to preserve the diverse environmental and social values captured by the regional standards development processes. Regional numerical limits on openings without retention (ranging from two acres to twenty acres) were maintained where they existed. Those regions that did not include numerical maximums on opening sizes have restrictions (and will continue to be restricted) by requiring live trees be retained within openings at a level that increases with opening size. These requirements ensure continuity of forest structures (such as living and dead trees of different species, sizes, and ages) within harvested areas. In order to allow for site-specific departure from these limits, an Indicator was developed that allows exceptions under very limited conditions.

Criterion 6.4:

- *Off-property designation of Representative Sample Areas (RSAs):* Revisions were made for what constitutes adequate protection of an RSA that is located off the FMU. To be considered sufficiently “protected in their natural state,” off-property designations of RSA lands must have GAP Status 1 and 2 levels of protection, and may include some GAP Status 3 lands when management is consistent with RSA goals.

Criterion 6.5:

- *Streamside Management Zone requirements (SMZs):* As in Draft 6, requirements in the current regional standards were maintained. An Indicator was added to allow for departures from numerical limits under very limited circumstances.

Criterion 6.6:

- Minor revisions were made to clarify when and how chemicals are used and to eliminate redundancies in Indicators.
- Requirements, such as not using products on the FSC list of Prohibited Pesticides or GMO species, were not and cannot be changed in the FSC-US Standard due to FSC-International policy.

Criterion 6.10:

- *Conversion:* FSC takes an especially restrictive stance on conversion of forest land to plantation or non-forest uses. FSC’s global criterion 6.10 specifies that conversion is only allowable at a very limited scale, not on lands of high conservation value, and that any instance of conversion must result in additional, long-term conservation benefit. FSC-US has added guidance to ensure that there is consistent application of what is defined as limited (less than 2% over a rolling five year period) as well as what measures ensure additional, long-term conservation benefits.
- Indicators addressing conversion to plantations and non-forest uses apply only to lands currently contained within the FSC Certificate and therefore subject to this Criterion (land sales are addressed under a separate FSC-US policy).

Principle 7: Management Plan

- *The management plan may be a series of documents:* Clarifications were made that the “management plan” need not be one document, but can be a variety of documents or an umbrella document that describes how a collection of management documents relate to an integrated strategy for forest management.
- Minor revisions were made to ensure that, although formatted differently, the requirements under Criterion 7.1 are more similar to those in the current regional standards.

Principle 8: Monitoring and Assessment

- Minor revisions were made to correspond with other revisions in the Standard and to clarify some confusion in Draft 6 regarding requirements. Additional guidance was also provided for what information may be kept confidential (Indicator 8.5.a)

Principle 9: Maintenance of High Conservation Value Forests

- *Assessing and Managing for High Conservation Value Forests (HCVFs):* No significant changes were made from Draft 6 to Draft 7. Minor revisions were made to clarify requirements regarding mapping HCVFs, monitoring HCVFs, HCVFs on adjacent ownerships, and the different types of stakeholder consultation required to adequately manage for HCVFs.
- *The HCVF Assessment Framework:* Major revisions were made to the format of the Assessment Framework (previously referred to as “template” or “toolkit”), but the overall content remains similar to Draft 6. Of significance, this framework is considered a separate, companion document to the Standard, and not part of the Standard. All requirements that were in the Framework and only referenced in Draft 6 are now included in Draft 7 of the Standard.

Appendices

Appendix A: Glossary

- Changes in definitions were made to correspond with Indicator revisions and for terms that were “under development” in Draft 6.
- The FSC-International Glossary of Terms was also added for terms with different definitions than those used in the FSC-US Standard.

Appendices C, D, E and F of Draft 6 were removed. These will be companion resources rather than part of the Standard. Additional companion resources will also be developed, including a resource on “Evaluating for Social Impacts.”

Appendix G of Draft 6 was removed and all necessary information was included in the Indicators and Guidance of Criterion 5.6

A new Appendix F was added for High Conservation Value Forests.