



CERTIFICATION FOR THE MANAGEMENT OF THE U.S. NATIONAL FOREST SYSTEM

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Introduction

Forest management certification¹ has been applied to virtually every type of land ownership around the world and in the United States, except for U.S. National Forests. The debate over the certification of federal lands, and National Forests in particular, has been wide-ranging. Forests within different categories of federal land in the US have been certified, including lands managed by the Department of Defense, National Park Service, and Fish and Wildlife Service (Table 1). To date, however, there has been no certification of National Forests. There are several reasons for this situation, including opposition by environmental interest groups, barriers erected within FSC-US² as a result of that opposition, and reticence on the part of the U.S. Department of Agriculture (USDA) and Forest Service to pursue National Forest certification.

The U.S. Forest Service manages 193 million acres (78 million hectares) of land and has 155 national forests. These lands comprise 8.5 percent of the total land area of the United States. Management activities that occur (or don't occur) on these lands have environmental impacts as well as implications for businesses and local, often rural, communities.

This report explores the history of the discussion about certification of the National Forest System (NFS), potential challenges associated with certifying these lands, and the importance of moving forward.

Table 1
Third-Party Certified Federal Lands in the United States

<i>Name/Location</i>	<i>Federal Agency</i>	<i>Year First Certified</i>	<i>Forest Certification Program</i>		
			<i>Forest Stewardship Council (FSC)</i>	<i>Sustainable Forestry Initiative (SFI)</i>	<i>American Tree Farm System (ATFS)</i>
Fort Lewis, Washington	Department of Defense	2002	X		
Marsh-Billings-Rockefeller National Historical Park, Vermont	National Park Service	2005	X		
U.S. Fish and Wildlife Service Lands, Minnesota	U.S. Fish and Wildlife Service*	2005 (SFI) 2010 (FSC)	X	X	
U.S. Army, Red River Depot, Texas	Environmental Division of the U.S. Army	2011			X

*These lands are federally owned and managed by the Minnesota Department of Natural Resources (a state agency) under a long-term management agreement with the U.S. Fish and Wildlife Service.

¹ For background information about forest certification and the programs mentioned in this report, see Dovetail's full listing of Certification Reports available at: <http://www.dovetailinc.org/content/dovetail-reports-certification>

² The Forest Stewardship Council (FSC) is an international forest certification program. FSC-US is the United States-based national initiative for FSC.

Background

The debate surrounding certification of federal lands goes back to at least 1997 (see Appendix A for a complete timeline). To a certain extent the debate can be summarized as “opposition to commercial logging on federal forests” versus “equal access to the opportunity and benefits of certification.”

No Commercial Logging

A number of interest groups in the United States have policy positions dating back to the 1990s that oppose commercial logging of federal forests. For example, the Sierra Club³ posts this information regarding their policy position:

“The Sierra Club support[s] protecting all federal publicly owned lands in the United States and advocate[s] an end to all commercial logging on these lands. *Adopted in the Sierra Club Annual Election, April 20, 1996*”⁴

Forest certification is directly associated with commercial logging because certification programs are designed as mechanisms to enhance the marketability of products harvested from the forest. The certification programs provide an eco-label that is applied to identify and track products made from materials harvested from certified forests. Given the commercial and market-based aspects of forest certification, certification can be viewed as incompatible with a policy of opposing commercial logging on federal lands; therefore, there is opposition to certifying these lands. There are additional aspects to this argument, including sensitivity to the diverse federal regulations (e.g., the National Environmental Policy Act, NEPA, and associated rulings) that apply to national forests and that may be impacted in unknown ways by participation in voluntary certification.⁵

Equal Access

On the other side of the debate over federal forest certification is a broad category of considerations related to allowing for equal access to the opportunity and benefits of certification. These considerations include concerns from communities and businesses that rely on federal lands for timber and non-timber product supplies. Studies have shown the potential for economic benefits from certification as well as other forest management and forest health benefits. For example, a study in Pennsylvania reported a 10 percent increase in revenue from certified forests.⁶ Land managers also report diverse benefits, including improved global market competitiveness, greater stakeholder support for forest management and retention of jobs.⁷ Companies that operate in regions dominated by federal ownerships are effectively restricted from opportunities to produce and market certified forest products or participate in associated market possibilities. Additionally, the natural resource managers that work for these federal agencies are unable to access and participate in the professional development benefits associated with forest certification programs. Forest certification is associated with changes in management that can result in environmental improvements related to wildlife habitat, water quality and other considerations. Recent research found that land managers implemented an average of 13-14 changes in their practices in order to become or remain certified.⁸

³ Sierra Club is not the only group with a policy position that opposes federal lands certification. Other organizations, including the Natural Resource Defense Council (NRDC) and American Lands Alliance have been in opposition.

⁴ Available at: <http://www.sierraclub.org/policy/conservation/forest.aspx> ; Accessed 5/3/11 and 4/5/12

⁵ For an overview of laws affecting the National Forest System, see: <http://www.fs.fed.us/publications/laws/selected-laws.pdf> (Accessed 4/20/12)

⁶ www.rainforest-alliance.org/resources/.../economic_benefits.pdf (Accessed 4/20/12)

⁷ <http://www.dnr.state.mn.us/forestry/certification/benefits.html> (Accessed 4/20/12)

⁸ Moore, S.E., F. Cubbage and C.Eicheldinger. 2012. Impacts of Forest Stewardship Council (FSC) and Sustainable Forestry Initiative (SFI) Forest Certification in North America. *J. For.* 110(2): 79-88.

Barriers to Expanded Federal Lands Certification

A significant direct barrier to certification of federal lands in the U.S is the lack of participation by officials in USDA and the Forest Service in the certification of these lands. Another barrier to equal access and complicating a decision to certify is the FSC-US policy related to federal lands certification that has been in place since 2003.⁹ This policy was adopted by the FSC-US Board in response to concerns from members of the FSC's Environmental Chamber. The policy outlines three thresholds that must be met before federal ownerships are eligible for FSC certification (Table 2).

A quick read of the FSC-US Federal Lands Policy illustrates the roadblocks that the policy presents. For example, given that Standard 2 is under the direct control of the Board of FSC-US, it is unclear how an outside party could support or initiate the activities that are necessary to address this threshold. Secondly, it may be challenging for a federal agency to meet the threshold for Standard 1 and make a commitment to pursue certification when Standard 3 has not been completed to define the standards by which the agency would be audited. Finally, given the assumed sequential order of the thresholds, Standard 3 and the development of indicators would potentially not begin until significant investments had already been made in addressing Standards 1 and 2. There is potential uncertainty around the cost and timeline for completing Standard 3 and unknown impacts on the overall feasibility of federal lands certification. The basic effect of this FSC-US policy has been to stymie the application of certification to federal lands.

Table 2
Summary of FSC-US Federal Lands Policy¹⁰

<i>Threshold</i>	<i>Summary of Requirement</i>
Standard 1 – Willing Landowner Participation	The federal agency must indicate interest and willingness to be certified with clear authority to request certification and allowance for certification through the agency's governing policies that will permit the necessary certification contracts and commitments.
Standard 2 – Public Consensus	The Board of FSC-US has the authority to determine whether or not public consensus exists concerning timber harvesting on U.S. federal lands. The determination would be based upon actively seeking viewpoints of diverse stakeholders, consultation with the FSC membership regarding support for federal lands certification, and existence of public policy mandates.
Standard 3 – Special National Indicators	FSC-US will develop national indicators (e.g., a forest management standard) for the applicable federal ownership type that will be approved by the Board of FSC-US.

⁹ FSC is unique among forest certification programs for having additional requirements associated with certification of U.S. federal lands.

¹⁰ The complete FSC Federal Lands Policy is available online (accessed 5/3/11 and 4/5/12):

http://www.fscus.org/images/documents/revised_fed_land_pdfs/FL_Policy_Final.pdf

Addressing the FSC-US Federal Lands Policy

Special National Indicators and Currently Eligible Federal Lands

One way that FSC-US could move through the process outlined in their policy would be to delay a decision on public consensus (Standard 2) until after development of NFS-specific standards (Standard 3). This approach could also involve a tentative decision by the Forest Service to move forward (Standard 1), pending the adoption of acceptable standards. The process of FSC-US developing NFS standards may require a substantial time period to be completed, but all is currently on hold so long as the federal administration has not elected to take the first step of declaring that the NFS is a willing landowner.

Despite these barriers in the FSC system, it is important to note several mitigating factors. At the same time the FSC-US Board adopted their federal lands policy, the Board also adopted standards for certifying U.S. Department of Defense (DOD) and U.S. Department of Energy (DOE) forests. These agencies had expressed interest in having lands under their management certified, and the process of applying the FSC-US Federal Lands Policy to these categories of federal lands was completed for them. In other words, there are currently no pre-existing barriers to certifying these categories of federal ownership. All three requirements from within the FSC-US Federal Lands Policy have been met for them. The FSC-US standard adopted for DOD and DOE certification assessments includes a total of 13 additional requirements for certifying these federal forests.¹¹

As with other land ownership categories, it is appropriate that NFS certification not be made mandatory, but offered as an option to be applied where it makes sense. In September 2011, the Congressional Research Service issued a report on forest certification and the potential affect on the management of national forests.¹² The report acknowledged, “*A third-party evaluation of the forest plans, and their implementation, could potentially alleviate—or escalate—stakeholder and congressional disputes over the appropriate management of the national forests.*”

Public Consensus, including FSC Member Support

The second standard within the FSC-US Federal Lands Policy (Table 2) requires public consensus regarding timber harvesting on federal lands. The process for determining consensus includes consultation with FSC members and has not been formally completed. However, there have been some unofficial opportunities for FSC-US members to weigh-in on the issue of certification of National Forests. In 2006, members from one chamber, the Environmental Chamber, expressed strong opposition to proposed pilot studies of certification for national forests. At the same time, letters of support for the studies were provided to FSC-US from members of the remaining two chambers, the Economic and Social chambers.

The following is an excerpt from the letter of support from FSC members of the Social Chamber:¹³

“The lack of an authentic opportunity for the U.S. Forest Service to apply for FSC certification has negative implications for: 1) improving the supply of certified wood in the U.S. market, 2) the ability of rural communities and enterprises to engage in the green market place, and 3) improving government procurement policies and standards related to worker wages and safety. The United States is the only country within the FSC system that does not currently have any of the federal lands that are dedicated to forest management certified.”

¹¹ The standards for FSC certification of DOD and DOE lands are available at: <http://www.fscus.org/news/archive.php?article=270&> (accessed 4.5.12)

¹² For additional information, see: <http://natural-resources-reports.blogspot.com/2011/09/forest-certification-programs.html>

¹³ In 2006, Dovetail Partners was a member of the FSC Social Chamber and a signatory to the letter of support.

Appendix B includes a summary of public comments on NFS certification received in response to the Federal Register Notice regarding the pilot studies. It is worth noting that three of the largest FSC land managers in the US (Wisconsin Department of Natural Resources (DNR), Minnesota DNR, and Michigan DNR), from states representing approximately 47% of FSC certified forestland in the US, expressed support in favor of NFS certification.

The Findings of NFS pilot studies

From 2006-2007, the Forest Service, using the Pinchot Institute for Conservation as a partner, conducted pilot studies of five national forests located across the United States.^{14,15} The studies applied the FSC and SFI forest management certification standards in a simulated auditing situation. The full procedures of an official audit were completed, but the findings did not result in the issuance of any certificates because the Forest Service was not seeking certification as an outcome of the process.

The management units evaluated in the pilot study were:

- Allegheny National Forest (ANF) in Pennsylvania
- Lakeview Federal Stewardship Unit (LFSU) on the Fremont-Winema National Forest in Oregon
- Chequamegon-Nicolet National Forest (CNNF) in Wisconsin
- Mt. Hood National Forest (MHNF) in Oregon
- National Forests in Florida (NFF)

Generally speaking, the results of these pilot studies of certification on National Forests were similar to outcomes of certification assessments conducted on other forest ownership types. There were identified strengths and weaknesses, and the specific challenges varied from one forest management unit to another. Table 3 summarizes the findings reported by the Pinchot Institute. Each forest was assessed using both standards (FSC and SFI) and Table 3 identifies the performance gaps identified in the FSC and SFI reports as well as the forest(s) where the gap was identified. For example, Road Maintenance was identified as a performance gap in the FSC and/or SFI reports for the Allegheny, Lakeview and Mt. Hood National Forests.

Table 3
Summary of Performance Gaps Identified in National Forest Pilot Studies (Pinchot, 2007)

<i>Performance Gap</i>	<i>FSC reports</i>	<i>SFI reports</i>	<i>ANF</i>	<i>LFSU</i>	<i>CNNF</i>	<i>MHNF</i>	<i>NFF</i>
Road Maintenance	X	X	X	X		X	
Off-Highway Vehicles Management	X				X	X	
Vegetation Management /Forest Health	X	X	X	X	X	X	X
Use of Trained Harvesters and Worker Safety	X	X	X	X	X	X	X
Use of Highly Hazardous Chemicals	X		X	X	X	X	X
Old Growth Management	X		X		X	X	
Non-timber Forest Products	X		X	X	X	X	
Sustainable Harvest Levels		X		X		X	X
Responsible/Effective Utilization		X	X	X			
Use of Best Management Practices		X	X	X	X	X	

¹⁴ The lead author of this report was a member of the audit team for the pilot study evaluation at the Lakeview Federal Stewardship Unit on the Fremont-Winema National Forest in Oregon.

¹⁵ For complete information about the study, see: http://www.pinchot.org/gp/National_Forest_Certification

It is important to note that in the time since the pilot studies were completed in 2007, both the FSC and SFI programs revised their standards and any new assessments of National Forests would include the application of new standards from both programs.

Additional Challenges

In addition to the specific findings of the pilot studies, there are additional potential challenges to NFS certification, including logistical and political challenges. To be successful with certification, the Forest Service would need to develop a plan for managing the process, addressing assessment findings, training employees, and other details. There are also concerns about the potential for conflicts between federal regulations (e.g., NEPA and public consultation procedures) that apply to national forest lands and the voluntary requirements of the certification programs. These are significant challenges and there are unique circumstances associated with the National Forest System and with individual national forests. However, it is important to note that similar issues have arisen and been overcome in the certification of other large public and federal land ownerships in the United States. Other large land managers with ownerships in multiple states and regions have also faced challenges related to certification's compatibility with applicable regulations, deciding where to begin with certification and the long-term management of their certification activities. The Pinchot study and the track record of certification experience over the past 20 years suggest that these are manageable challenges. A reasonable approach would be to develop a phased and gradual rollout plan for NFS certification.

The Pathway Forward

Perhaps the simplest way to move forward today with certification of national forests would be through the Sustainable Forestry Initiative (SFI) or American Tree Farm System (ATFS). The SFI program does not have additional requirements that are unique to U.S. federal lands certification and has been applied to federal (Crown) lands distributed throughout Canada.¹⁶

With respect to FSC, the FSC-US Federal Lands Policy offers one pathway forward; in this case it would be necessary for FSC-US to take an active role in determining the course of NFS certification by initiating the FSC policy requirements (i.e., initiating the development of standards for NFS assessments). In May 2011, the FSC-US Board of Directors unanimously passed a motion to establish an exploratory committee on federal lands certification. It is anticipated that the recommendations from this committee will be released in 2012.

There is also the possibility of moving forward by pursuing certification of those federal lands for which FSC has approved standards, including the Department of Defense and Department of Energy lands. Certifying these federal ownerships does not directly address the issue of certifying NFS lands, but it may be an opportunity to move forward with expanding federal lands certification in general.

In all cases, for NFS certification to move forward the Forest Service must declare itself a willing landowner and express an interest and commitment to pursuing certification. Once that occurs, whatever next steps are taken, a substantive discussion of alternatives can begin. For the NFS, it is likely to make the most sense to move forward in locations where NFS certification is least controversial and where most non-NFS lands are already certified, such as in Wisconsin and Pennsylvania.

¹⁶ The FSC standard has also been applied to federal lands throughout Canada, see: <http://cfs.nrcan.gc.ca/pages/242> and <http://cfs.nrcan.gc.ca/pages/282> for more information about certification of Canada's public forests

The Bottom Line

Forest management certification has been applied to virtually every type of land ownership around the world and in the United States, except for the U.S. National Forest System. The lack of NFS certification creates disparities in economic opportunities, including opportunities to participate in the growing green economy and ecosystem service markets. Failure to engage National Forest land managers in certification has resulted in missed opportunities for these professionals to contribute to the growth of responsible forestry and the shared professional understanding of responsible management practices. National Forests have an important role to play in the economic, ecological and social health of America's forests and forest-dependent communities. It is time for National Forests to be engaged in third-party forest management certification.

Special thanks for editorial review and information provided by Douglas MacCleery, former Senior Policy Analyst, Forest Management Division, National Forest System, Washington, D.C.

Resources

FSC Federal Lands Policy (accessed 5/3/11 and 4/5/12)

http://www.fscus.org/images/documents/revised_fed_land_pdfs/FL_Policy_Final.pdf

FSC Findings on Federal Lands (accessed 5/3/11 and 4/5/12)

http://www.fscus.org/images/documents/revised_fed_land_pdfs/FL_Findings_Final.pdf

FSC Department of Energy and Department of Defense Standards (accessed 5/3/11 and 4/5/12)

http://www.fscus.org/images/documents/revised_fed_land_pdfs/DOE_DOD_V1.1.PDF

Forest Service Pilot Studies (accessed 5/3/11 and 4/5/12)

<http://www.fs.fed.us/projects/forestcertification/index.shtml>

Appendix A: NFS Certification Timeline

February 1997	Collins Pine and WWF approach Forest Service Chief Mike Dombeck and FS leadership about setting up certification pilots on NFS lands
March 1997	Sustainable Issues Development team (SDIT) begins evaluation of pros and cons of NFS certification
May 8, 1997	Acting NFS Deputy Chief, Janis McDougal issues memo to RFs directing no certification contracts pending further review
February 1998	Community leaders of Lakeview Oregon decide to pursue a pre-certification evaluation of the Lakeview Sustained Yield Unit
Feb-April 1998	Strong opposition arises from some elements in the environmental community to FSC certification of NFS lands and becomes major issue for FSC and the FS
June 25, 1998	NFS Deputy Chief Bob Joslin sends memo to FSC explaining FS position on certification and third party audits
July 1998	Major multi-party conference in Lakeview on certification and management of LSYU -- results in decision to pursue third party audit, rather than full certification
Fall 1998	FSC issues "temporary" moratorium on any NFS certification
November 2000	Phil Janik asks Policy Analysis to revisit issue as interest in NFS certification continues.
January 2001	Certification is a topic at the Policy Analysis Board meeting in DC. The Board agrees that further analysis should be conducted on the issue.
Feb-Aug 2001	Various meetings held with Ron Jarvis (Home Depot), Gerald Rose (State Forester-Minn.), Ken Arney (State Forester-Tenn.), Will Price and Al Sample (Pinchot Institute), Michael Washburn (Yale University).
June 2001	Roundtable meeting hosted by Yale University with the various certification organizations (except Green Tag who had a scheduling conflict) and an NGO representative. All group representatives clearly express the opinion that the time is not right for USFS to enter into the certification arena (including self-certification) at this time.
June-August 2001	Draft policy paper supporting third-party environmental audits, rather than certification, reviewed by SDIT representatives. Two briefings held with the Chief's office on the issue.
December 2001	Paper presented to National Leadership Team (NLT). NLT decides that third-party environmental audits are promising. Specifics are to be reviewed and agreed on by the Deputy Chiefs.
March 2002	Decision memo prepared for Deputy Chief, NFS supporting third-party environmental audits (explore use of ISO and EMS). No action taken.
February 2003	FSC-US approves its Federal lands Policy setting forth pre-conditions for certification of federal lands
February 2005-2007	NFS Certification Test Project with Pinchot Institute
2009	Listening Sessions and Public feedback to results of test project
2011	FSC-US Board of Directors establishes an exploratory committee on federal lands certification

Appendix B: Summary of Public Comments on NFS Certification Federal Register Notice

1/5/09

Individual comments

Support: 22

Oppose: 82 (including 61 form emails and letters)

More nuanced: 4

Individuals and organizations on record (includes letters w/multiple signatures)

Support: 46

Oppose: 105 (incl. 61 form letters)

More nuanced: 4

Summary by organizational type:

Forest Industry

Support (2)

New Page (support SFI/FSC certification)

Weyerhaeuser (support SFI)

Form Letters (encouraged by American Lands Alliance)

Opposed (60)

Support FSC only (1)

Individual Comments

Opposed (12)

Support (4)

NGOs, including associations:

Individual letters

Support (12)

Ruffed Grouse Society

Society of American Foresters

Wild Turkey Federation

SFI

Sustainable Northwest¹⁷

California Farm Bureau Federation

Pennsylvania Forest Products Association

National Lumber and Building Material Dealers Association

Price County Forest and Parks (WI)

¹⁷ Signed by 23 organizations: Watershed Research and Training Center, Sustainable Northwest, SNW Wood Distribution, Inc., Healthy Forests, Healthy Communities Partnership, The Collins Companies, The Forest Guild, Ecosystem Workforce Program, Community Energy Systems, Wallowa Resources, American Forests, Resource Innovations, Northwest Connections, Lake County Resources Initiative, Southern Forest Network, Northwest Natural Resources Group, Smallwood Utilization Network, Mount Adams Resource Stewards, Forest Energy Corporation, Sustainable Woods Network, Jefferson State Forest Products, Gila WoodNet, NM Forest Industry Association, WoodNet Market Council.

Wisconsin County Forests Association
Wisconsin Paper Council
Warm Spring Federated Tribes

Oppose (9)

The Wilderness Society
Bark
Sierra Club Forest Certification Committee
Delaware-Otsego Audubon Society
Motorcycle Industry Council
Pit River Tribal Environmental Department
Southern Appalachian Forest Coalition
Americans for Responsible Recreation Access
Joint ENGO letter¹⁸

More Nuanced (3)

AF&PA
TNC
Wildlaw

Public Agencies

Support (4)

Minnesota DNR
Wisconsin DNR
Michigan DNR
Montana DNR

¹⁸ Signed by 24 organizations: Allegheny Defense Project , American Lands Alliance, Bark, Center for Biological Diversity, Cherokee Forest Voices, The Clinch Coalition, Dogwood Alliance, Habitat Education Center, Heartwood, Klamath-Siskiyou Wildlands Center, The Lands Council, Natural Resources Defense Council, Oregon Wild, Sierra Forest Legacy, Pacific Rivers Council, Sierra Club, Siskiyou Project, Southern Appalachian Forest Coalition, Western North Carolina Alliance, Wild Earth Guardians, Wild South, The Wilderness Society, WildWest Institute.

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