Northwest Forest Practices Regulation and Forest Management Certification

By STEVERSON O. MOFFAT AND FREDERICK W. CUBBAGE

In the United States, sustainable forestry certification programs and sustainable forestry proof-of-performance programs have now enrolled nearly 36 percent of the nation's timberlands. However, only the American Tree Farm System and the National Woodland Owners Association's Green Tag Forestry program are targeted specifically for small woodland owners. We were interested in finding out how easy it would be for small woodland owners to meet the requirements not only of these two programs, but also of the American Forest and Paper Association's Sustainable Forestry Initiative, the Rainforest Alliance's SmartWood program and Scientific Certification System's (SCS) Forest Conservation Program. To do this, we needed to compare management practices typical of landowners in different regions of the United States.

However, no single management regime can be termed typical for any one state, let alone region. Management intensity differs among landowners, as do the primary management objectives, types of species grown, rotation age, intermediate treatments (if any), harvest methods and a host of other considerations (climate, rainfall and site quality, for example). We chose to focus on management constraints. These constraints come in two forms: (1) what forest landowners are required to do by state law, and (2) what forest landowners are required to do when they participate in forestry assistance programs.

There are regional differences between state regulatory programs. In general, there are fewer forestry regulations of any kind in the South. States in the Intermountain West employ a mix of permit-based compliance systems and specific practices acts, while more of the Lake States augment their permit-based compliance systems with tax relief programs. In the Northeast, many states utilize permit-based approaches, and a few states have comprehensive forest practices laws. Finally, states in the Pacific Northwest demonstrate the most extensive use of comprehensive forest practices laws. All other things being equal, these regulatory programs set the minimum standard for forestry practices in the jurisdictions where they apply and mandate the practices forest landowners must utilize. As such, they will be used to represent "mandated" forest management in this article.

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Regulations alone do not encompass the full breadth of state forestry guidelines, however. In a broad sense, voluntary and regulatory Best Management Practices (BMPs), combined with Stewardship guidelines, represent state-sponsored efforts for sustainable forestry. While not every landowner practices forestry to the standards set forth by state programs, it is reasonable to assume that a landowner interested in certification would meet the conditions stipulated by BMPs as well as be enrolled in a state's Stewardship Program. All other things being equal, BMPs and Stewardship guidelines together offer a high, but attainable, standard for forest management in each state, and will represent "combined" management practices for the purposes of this paper.

We divided the United States into five regions: Northeast, South, Lake States, Intermountain West and Pacific Northwest. We selected one state to serve as a proxy for each region based on the importance of forestry to its region, the distribution of small woodland owners in the state, and how representative the state is to the overall regulatory characteristics of its region. Using these criteria, we selected Pennsylvania, Georgia, Wisconsin, Montana and Oregon to represent their respective regions. However, for the purposes of this article, we will only look at Montana and Oregon.

State Regulatory Programs, Voluntary BMP Programs and Stewardship Programs

Seventeen regulatory, quasi-regulatory and voluntary elements were identified through analysis of the five states' programs. These included management plans; harvest plans; road, skid trail, harvesting methods, and streamside regulations and guidelines; and clearcutting, endangered species habitat, burning, herbicide, reforestation, and aesthetic regulations and guidelines.

Under the mandated scenario, Oregon's comprehensive forest law addressed 16 of the 17 elements, and Montana met 9 of 17. When voluntary BMP guidelines were included with the mandatory elements, Oregon still met the most with 16 of the 17, and Montana met 13 of the 17. Including Stewardship Incentive Program elements, the combined scenario added 3 new elements while augmenting the 17 regulatory/BMP elements described above. Stewardship elements addressed timber, soil, water, wildlife and fisheries management; recreational uses, aesthetic attributes, forest health and endangered species. Under the "combined" scenario, Oregon met 20 of the 20 elements and Montana 13 of the 20.

Standards and Certification Guidelines

Although each certification group has slightly different guidelines, groups of "program elements" that contain a number of requirements could be identified (Table 1). Operational Attributes included management plans and land records; Timber Management and Environmental Impacts are self-explanatory; Community and Efficiency include factors associated with being a good neighbor; and Chain of Custody is tracking the log to the sawmill to the final product. In general, SmartWood and Scientific Certification Systems had a greater number of strict requirements in all program elements. Green Tag was less strict, and the Sustainable Forestry Initiative and Tree Farm System provided the most flexibility in their standards.

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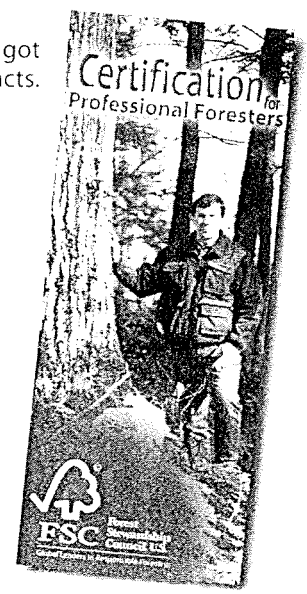

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CALENDAR

Washington Farm Forestry Association annual meeting, May 10-12, Red Lion Hotel, Kelso, Wash. Contact Nels Hanson, 360-943-3875.

Oregon SAF annual meeting, May 17-18, Corvallis, Ore. Contact: Leslie Batten at 503-295-4024, leslieb@swift-net.com.

Thinning...Why? Variable Retention Harvesting...What's Ahead? *cosponsored by the SAF Portland Chapter, OSU Extension, World Forestry Center, Western Forestry and Conservation Association,* May 21, World Forestry Center, Portland, Ore. Contact: Chal Landgren at 503-397-3462 or chal.landgren@orst.edu.

Washington State SAF annual meeting, May 23-25, Shilo Inn, Ocean Shores, Wash. Contact: Nancy Peckman, general chair, 360-537-8285.

Label Comprehension, June 5 and 7, Chemeketa Community College, Salem, Ore. To register, call 503-399-5139. For program information, contact Craig Anderson at 503-399-6565.

Precision Forestry Symposium, June 18-19, Seattle, Wash. Contact: College of Forest Resources at 206-543-0867, www.cfr.washington.edu/outreach/cecal.html.

Western Circle of Stewards, The Way Good Forestry Ought to Be: Fun, Informative, Profitable, June 21-24, Cispus Learning Center, Randle, Wash. For information, call 800-476-8733 or visit www.nationalforestry.net/subjects.asp?topic=stewards.

Eastern Washington Forest Owners Field Day, June 23, Okanogan County, Wash. Contact: Steve Gibbs at 800-527-3305 or steve.gibbs@wadnr.gov.

Western Washington Forest Owners Field Day, September 8, Whatcom County. Contact: Steve Gibbs at 800-527-3305 or steve.gibbs@wadnr.gov.

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Mandated and Combined Management & Standards and Certification Programs

Table 1 illustrates the number of program elements and how many were met by selected state approaches. Two comparisons are made: (1) between mandated management—what forest landowners are required to do—and (2) between combined management—what forest landowners are also encouraged to do by voluntary BMPs and Stewardship Programs.

Findings

Under mandated management, landowners in Oregon (and by proxy other landowners in the Pacific Northwest) have the fewest gaps between what they are required to do to meet state regulations and what the sustainable forestry standards and certification groups require, and most likely, lower costs if they want to meet the requirements to get their land certified. This advantage persists under combined management, but by a much lesser degree. The advantages to owners in the Pacific Northwest are accrued primarily under

Table 1.

Mandated Management		
Number of Requirements and Type of Program Element	Number Met	
	Montana	Oregon
7 Operational Attributes	1	2
12 Timber Management	5	8
12 Environmental Impacts	3	6
9 Community and Efficiency	0	1
Chain-of- Custody	-	-

Combined Management		
Number of Requirements and Type of Program Element	Number Met	
	Montana	Oregon
7 Operational Attributes	2	3
12 Timber Management	7	10
12 Environmental Impacts	5	9
9 Community and Efficiency	0	2
Chain-of- Custody	-	-

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the timber management and environmental impacts program elements. Oregon's comprehensive forest practices law addresses 8 of the 12 timber management standards and certification criteria, and 6 out of the 12 environmental impacts criteria (Table 1). Other regulatory approaches (mandatory BMPs, permit-based regulation and streamside management laws) as utilized in Montana met 5 of the 12 timber management criteria and 3 of the 12 environmental criteria, leaving substantial gaps for landowners to fill in both program elements.

No appreciable advantage exists for landowners in the remaining three standards and certification program elements. For the most part, regulatory programs neither require the type of information stipulated by the operational attributes and the community relations/operational efficiency guidelines; nor do states monitor the chain-of-custody. Again, Oregon landowners have a slight advantage in meeting operational attributes guidelines due to the requirements that they have management plans and file notice with the state prior to engaging in forestry activities.

No appreciable advantages exist in either state for any of the program elements under the combined management scenario. As a general rule, Oregon landowners have the fewest gaps to fill. In the table, Montana landowners appear to be limited, but this is due to Montana's approach to Stewardship that provides a high degree of discretion to landowners, rather than omissions in their Stewardship program. As with mandated management practices, none of the combined practices address chain-of-custody criteria.

Conclusions

Our results indicate that a regional advantage in certification exists for owners in the Pacific Northwest as far as the mandated management scenario is concerned. (This suggests that they are bearing greater mandated costs now.) Voluntary BMPs and Stewardship Programs are enough alike to result in a level playing field for landowners in the Pacific Northwest and Intermountain West.

This also suggests that sustainable forestry standards and certification organizations will need to reduce direct and indirect costs to small landowners and develop ways to increase benefits to attract a significant number of family forest owners to their programs. Sustainability continues to be an important issue in forest management, however, and interest in verifying the quality of forest management in the United States is increasing. Time will tell if standards and certification, as currently defined, will prove effective as an approach for small landowners. ■

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Idaho, Washington and Oregon have forest practices acts that include requirements for stream and riparian zone protection. (Photo courtesy of Washington State Department of Natural Resources)

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