

forest GUILD

Policy Statement:

State-level Forest Practices Regulations

Approved by the members March, 2002

Creative forest practices regulations should be developed in every state to conserve forest resources. It is widely recognized that the public derives a vast array of benefits from forests, including clean water, wildlife habitat, wood and various non-timber products that help maintain local economies, and aesthetic values that contribute to a high quality of life. Nevertheless, a number of common practices conducted in the name of forest management continue to damage resource productivity and environmental values. Such practices include indiscriminate clearcutting, widespread conversion of natural forests to single-species monocultures, and high-grading (removal of the most valuable trees without concern for residual forest stands and long-term forest condition).¹ Such abuses must be remedied in order to maintain the public benefits derived from forests. It was in response to similar abuses that the forestry profession itself arose in the United States in the late 19th Century. In addressing these concerns, however, legislative bodies should encourage, rather than penalize, forest management approaches that are recognized as preserving public benefits.

Regulations should be carefully drafted to distinguish irresponsible from responsible forest management, and to appropriately reward the latter, while inhibiting and censuring the former. Well-intended quantitative prescriptions developed to curb irresponsible harvesting practices often become the de facto standard for all silvicultural operations. Such “cookbook prescriptions” can overly restrict the ability of foresters to use good judgment and make thoughtful decisions that best suit conditions at the level of a forest stand. Therefore, effective forest practices codes are most likely to result from a combination of creative outcome-based frameworks for achieving objectives and well-targeted prescriptive “safety-nets.” “Safety-net” prescriptions might address harvesting on steep slopes or reforestation requirements. Outcome-based approaches might focus on conditions that maintain water quality and riparian habitat, such as maintaining adequate shading, filter strips, and wildlife travel corridors, rather than proscribing certain activities in stream zones altogether.

In many cases, sound forest management is already achieving or exceeding many of the ecological results targeted by regulations. In these cases, fees, forms and permitting processes that target over-harvesting and other forms of irresponsible logging often place needless burdens on foresters and landowners while accomplishing little or nothing with respect to improved environmental conditions and maintenance of public benefits.

These concerns must be adequately addressed in the development of regulations through consultation with forest managers who have demonstrated success in meeting environmental and economic objectives.

¹ Please refer to Guild Position Statements on Silviculture for Natural Forests and High-Yield Production Forestry.

Landowners and managers should have the option of choosing between simple sets of prescriptive regulations and flexible outcome-based approaches that meet or exceed the regulations. Essential elements of an outcome-based approach to forest practices regulation include:

- Definition of broadly supported desired outcomes (e.g., clean water, and maintenance of native biological diversity and ecological functions).
- Assuming landowners may choose between the prescriptive option and an outcome-based option, conditions under which a landowner would be allowed to partake in the outcome-based alternative (e.g., approval of a management plan).
- Adherence to the outcome-based approach produces results that meet or exceed adherence to the prescriptive regulations.
- Method of determining if the desired outcomes have been met /defining thresholds beyond which a violation has occurred.

An example of an outcome-based approach could be third-party forest management certification that measures the results of forest management against a set of rigorous standards. Third party certification can provide a sound way to demonstrate the compatibility of timber harvesting with ecological and community concerns.

The Guild encourages legislative bodies to explore the compatibility of third-party certification standards, other incentive based programs, and performance measures with the objectives of any proposed forest practices regulations. Wherever possible, such approaches should be incorporated into regulatory frameworks in order to enhance their flexibility and effectiveness in conserving forest resources over the long term.