

Breadth and Width of the Minnesota DNR

An outline of the Minnesota DNR's forest management

Forest certification is a voluntary, independent, third-party audit process to evaluate forest management against a set of standards. Minnesota DNR has made a decision to become dual certified by Forest Stewardship Council (FSC) and Sustainable Forestry Initiative (SFI) standards. Achieving forest certification is identified as an indicator of progress in Minnesota DNR's "A Strategic Conservation Agenda 2003-2007" document.

Forest certification will benefit the DNR and citizens of Minnesota by:

- Improving management of Minnesota's forest resources, based on internationally accepted criteria and standards,
- Creating greater credibility with and support from our diverse stakeholders,
- Enhancing Minnesota's state and local economies by protecting current wood and paper markets and creating new certified wood and paper markets, and
- Documenting professional forest management by DNR personnel.

In preparation for the upcoming FSC and SFI certification audit, Minnesota DNR underwent a self-assessment to determine the likelihood of achieving certification, and to look for areas to improve its forest management. DNR's Forest Certification Implementation Team (FCIT) spent much time and effort examining how the DNR meets the specific Principles and Criteria contained within FSC's and SFI's standards. The following document outlines what FCIT found in their investigation of the DNR.

FSC's "Lake States Standard" contains ten Principles and numerous sub-Principles. The sub-Principles outline what is expected of any organization that wishes to achieve certification. Sub-Principles range from indigenous peoples' rights to herbicide usage to plantation limits. The auditors use the sub-Principles as benchmarks to determine who is awarded certification.

Forest Stewardship Council's Lakes States Standard

Principle #1: Compliance with laws and FSC Principles. Forest management shall respect all applicable laws of the country in which they occur, and international treaties and agreements to which the country is a signatory, and comply with all FSC Principles and Criteria.

The many laws, rules, treaties, and statutes that the Minnesota DNR follows address this principle. A sample includes:

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| ▶ Various International Treaties | ▶ Minnesota State Statute & Governor's Executive Orders |
| ▶ Federal laws such as the Endangered Species Act & Migratory Bird Treaty Act of 1918 | ▶ DNR rules, Minnesota Forest Resource Council Guidelines, DNR Operational Orders, old growth forest policy, in-lieu of tax payments, labor contracts, and many more |
| ▶ Wetland Laws, PCA rules, Indian treaties & the Pittman-Robertson Act | |

Principle #2: Tenure and use rights and responsibilities. Long-term tenure and use rights to the land and forest resources shall be clearly defined, documented, and legally established.

This principle is addressed by the following activities:

- ▶ Minnesota State Statute 16B.245 addresses inventorying state lands.

- ▶ Minnesota State constitution defines forest use rights relative to school trust fund lands.

- ▶ Lease agreement with the United States of America pursuant to Title III of the Bankhead-Jones Farm Tenant Act of July 22, 1937 details use rights on land utilization project (LUP) lands.

- ▶ Consolidated Conservation lands (MN statute 84.A55) describes use rights on Con-Con lands.

- ▶ Also, long-term tenure and use rights can be found in the following:
 - ◊ Timber sales manual
 - ◊ Operational orders such as operational order 110, which outlines posting guidelines on WMAs.
 - ◊ Commissioner rules such as chapter 6100 - forest rules and chapter 6230.0250 -wildlife mgmt rules
 - ◊ The 1837 and 1854 Treaties cover indigenous peoples' rights.
 - ◊ Minnesota statutes 97A.151, 155, 157, and 161 address resource use and management by native people.
 - ◊ Minnesota statute 89 describes legal and customary rights to use state forests.

Principle #3: Indigenous peoples' rights. The legal and customary rights of indigenous people to own, use, and manage their lands, territories, and resources shall be recognized and respected.

This principle is addressed by the following activities.

- ▶ The 1837 and 1854 Treaties detail the interaction and agreements between the U.S. and indigenous peoples rights.

- ▶ In addition, specific legislation Minnesota statutes 97A.151, 97A.155 and 97A.161 describe agreements between the State of Minnesota and the Leech Lake Indian Reservation.

- ▶ Minnesota Statute 97A.157 covers the 1854 Treaty. The Red Lake Band also has specific rights detailed in state and federal law relative to its properties.

Principle #4: Community relations and workers' rights. Forest management operations shall maintain or enhance the long-term social and economic well being of forest workers and local communities.

This principle is addressed by the following activities.

- ▶ DNR's personnel education, training and development program, State of Minnesota employee benefit and assistance programs
- ▶ State statutes relative to hiring practices and labor contracts and boilerplate language associated with our contracts
- ▶ School forest program, Project Learning Tree, Forest Stewardship Program, DNR grant program, Forest Legacy Program, & the Firewise program
- ▶ Local community interactions
- ▶ Affirmative action program, Fair Labor Standards Act, Family Medical Leave Act, Operational Order # 104 (zero tolerance for workplace violence), & DNR safety and health programs
- ▶ Minnesota Logger Education Program
- ▶ Administrative Procedure Act: (Minnesota 2004 Session Laws Chapter 14). This Act serves the following purposes:
 - (1) Provide oversight of powers and duties delegated to administrative agencies;
 - (2) Increase public accountability of administrative agencies;
 - (3) Ensure a uniform minimum procedure;
 - (4) Increase public access to governmental information;
 - (5) Increase public participation in the formulation of administrative rules;
 - (6) Increase the fairness of agencies in their conduct of contested case proceedings; and
 - (7) Simplify the process of judicial review of agency action as well as increase its ease and availability.
- ▶ Minnesota Forestry Employee Association & Minnesota Fish and Wildlife Employee Association
- ▶ EQB monitoring program
- ▶ Operational order # 59 - herbicide use & operation order # 47 - prescribed burning
- ▶ OHV trail inventory and designation process (Minn. Laws 2003 Chapter 128, Article I. Sec. 167 and Minnesota rules 6100.1950, subp. 3
- ▶ Annual harvest plan review and public input process
- ▶ Minnesota statute section 90.042 - relative to public involvement in our SFRMP Process
- ▶ Timber sale administrative and policy statements, DNR Web Site

Principle #5: Forest management operations shall encourage the efficient use of the forest's multiple products and services to ensure economic viability and a wide range of environmental and social benefits.

This principle is addressed by the following activities:

- ▶ Minnesota State Statute 89 - State Forests, tree planting, & forest roads
- ▶ SFRMP planning process, timber harvest level determination process, & development of desired future forest conditions planning effort
- ▶ Ecosystem classification system, Minnesota county biological survey
- ▶ Old growth forest policy
- ▶ Scientific and Natural Areas, Wildlife Management Areas, State Forest, & ecologically important lowland conifers
- ▶ 2004 Conservation Agenda
- ▶ Minnesota statute chapter 88 (Fire Laws)
- ▶ Forest inventory program including FIA plots
- ▶ Forest Resources Council's site level guidelines & statewide timber sale inspection system
- ▶ Timber sale auction guidelines, Utilization and Marketing Unit, balsam bough harvesting guidelines, Market Place Bulletin, Underutilized Species Task Force, White Paper on Tamarack Resources, white cedar working group
- ▶ FRC's Forest Management Guidelines, Commissioner's Book (dated Jan. 2003), Stewardship 2001
- ▶ State forest rules (6100.0100 to 6100.1950), Wildlife Management Area rules (6230.0250), & State statute 86A - Outdoor Recreation System

Principle #6: Environmental impact: Forest management shall conserve biological diversity and its associated values, water resources, soils, and unique and fragile ecosystems and landscapes, and, by so doing, maintain the ecological functions and the integrity of the forest.

This principle is addressed by the following activities.

- ▶ SFRMP process
- ▶ Minnesota Forest Resource Council landscape planning projects
- ▶ 2004 Conservation Agenda
- ▶ Native plant community classification, Natural Heritage Information System, Minnesota County Biological Survey, Minnesota Wildlife Assessment Program, Minnesota Forest Resource Council Site Level Guidelines, & Ecological Land Classification System
- ▶ Natural Resources Conservation Service soil surveys
- ▶ Minnesota Environmental Policy Act – Minnesota statutes section 116D.04 and 116D.045, Minnesota State Statutes 86A, Sustainable Forest Resources Act of 1995, State Wetland Conservation Act of 1991, & Environmental Review Program Rules – Minnesota Rules Chapter 4410
- ▶ Minnesota Environmental Quality Board (EQB) & Generic Environmental Impact Statement (GEIS) 1994
- ▶ Recreational trail environmental review program rulemaking, DNR trail designation process, & Rapid Environmental Assessment Checklist (REAC)
- ▶ Bearing tree record database & forest inventory assessment (FIA) plots
- ▶ Operational order 59 & 90
- ▶ Forest archeologist & non-game research program
- ▶ Development of desired future forest conditions during the planning process
- ▶ DNR training sessions
- ▶ Scientific and Natural Area Program, Wildlife Management Areas, State Forests, State Parks, & old growth forests
- ▶ Visual sensitivity GIS layer
- ▶ DNR Division of Forestry Insect and Disease program, marketing program, & insect and disease yearly assessments
- ▶ World Health Organization pesticide use agreements
- ▶ Federal guidelines relative to the development and implementation of biological control agents, Minnesota Invasive Species Advisory Council (MISAC), & DNR Invasive Species Program

Principle #7: A management plan -- appropriate to the scale and intensity of the operations -- shall be written, implemented, and kept up to date. The long-term objectives of management, and the means of achieving them, shall be clearly stated.

This principle is addressed by the following activities:

- ▶ Management plans are prepared according to the subsection forest resources planning process and include elements required in this criterion.
- ▶ Forest Inventory Module, Cooperative Stand Assessment, and Forest Inventory Assessment provide background data for forest planning.
- ▶ The following guides, manual, and programs also address this Principle: Minnesota Forest Resources Council Voluntary Site-Level Guidelines, Minnesota County Biological Survey, Natural Resources Information System (NHIS), rare features database, DNR "Forest policies, guidelines and recommendations matrix", timber sale contracts utilizing outcome based objectives, Timber Sale Procedure manual, Minnesota Loggers Education Program, & the DNR Forestry training standard
- ▶ All elements of the DNR's SFRMP planning processes are available to the public for review and are posted on the DNR web site.

Principle #8: Monitoring and assessment: monitoring shall be conducted - appropriate to the scale and intensity of forest management - to assess the condition of the forest, yields of forest products, chain of custody, management activities and their social and environmental impacts.

This principle is addressed by the following activities:

- ▶ 2004 Conservation Agenda
- ▶ SFRMP staff guidelines
- ▶ Forest inventory analysis plots
- ▶ Division of Forestry Director's Management Team forest reinventory goal
- ▶ Silvicultural and roads module (SRM regeneration monitoring)
- ▶ Timber sales monitoring policy, Minnesota Forest Resource Council (MFRC) monitoring program, subsection plan monitoring process, off-highway vehicle trail monitoring, fish and wildlife monitoring program, wetlands wildlife monitoring program,
- & statewide timber sales inspection system (DMT March 2003)
- ▶ Natural resource assessment office (Grand Rapids), Regional DNR forest health specialists, forest archaeologist, & forest economist position
- ▶ Forest Birds of the Western Great Lakes Program & North American Amphibian monitoring program
- ▶ Minnesota Dept. of Employment and Economic Development
- ▶ Payroll cost coding
- ▶ Timber Scaling Manual & timber sale reporting procedures

Principle #9: Management activities in high conservation value forests shall maintain or enhance the attributes that define such forests. Decisions regarding high conservation value forests shall always be considered in the context of a precautionary approach. High Conservation Value Forests are those that possess one or more of the following attributes:

This principle is addressed by the following activities.

- ▶ Minnesota Valley State Recreation Area, Regionally Significant Ecological Areas (RSEA), Mississippi Scenic Riverway Management plan
- ▶ Minnesota County Biological Survey (MCBS) – Landscape Study Areas biodiversity ranking
- ▶ Cooperative Management Plan Environmental Impact Statement - Lower St. Croix
- ▶ Ecologically important lowland conifers
- ▶ Minnesota DNR Old-Growth Forest designation process and Management Guidelines for Old Growth Forests (OGF)
- ▶ Manitou Collaborative, Sand Lake/Seven Beaver Collaborative, and coordination with other cooperators

Principle #10: Plantations: Plantations shall be planned and managed in accordance with principles and Criteria 1 - 9, and Principle 10 and its Criteria. While plantations can provide an array of social and economic benefits, and can contribute to satisfying the world's needs for forest products, they should complement the management of, reduce pressures on, and promote the restoration and conservation of natural forests. Forest Management plans and operations comply with BMP and other government forest management guidelines applicable to the forest, both voluntary and regulatory.

Definition: Plantations are forest areas lacking most of the principal characteristics and key elements of native ecosystems, as a result of such human activities as planting, sowing, or intensive silvicultural treatments like short-term rotations and short-term coppice systems. Planting, seeding, and coppicing do not necessarily result in plantations. Non-forest land being afforested becomes a plantation or a managed natural forest based on the owner's goals and objectives for the land in question as well as the development of its attributes.

- ▶ DNR defers to the determination by auditors on applicability of this standard to DNR lands. There is differing opinion on whether our seeding and planting sites are in fact "Plantations" as defined for this principle.