



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Washington, D.C. 20240

IN REPLY REFER TO:
Division of Forestry

APR 18 2003

Gerald
H.S.

Memorandum

To: All Regional Directors
From: Deputy Commissioner of Indian Affairs *Terrance L. Vidler*
Subject: Guidance on Forestry Sustainability Verification

It has come to my attention that some Tribes are being asked by their forest products customers to provide verification that their forests are managed in a sustainable manner. In turn, some of these Tribes have requested a statement or letter of sustainable forestry verification from their regional offices or agency line officers.

In order to assure consistency in how these requests are responded to, a set of criteria have been developed as guidance to regional offices and agencies that are requested by Tribes to provide verification that their forests are managed sustainably.

Sustainably managed forests and forestry programs shall meet the following criteria:

- The Program must be operating in compliance with the *National Indian Forest Resources Management Act* of 1990, 25 U.S.C. §3101 et.seq., with particular emphasis on Section 305(b) of the Act, which states:

Indian forest land management activities undertaken by the Secretary shall be designed to achieve the following objectives -

- (1) *the development, maintenance, and enhancement of Indian forest land in a perpetually productive state in accordance with the principles of sustained yield and with the standards and objectives set forth in forest management plans by providing effective management and protection through the application of sound silvicultural and economic principles to -*
 - (A) *the harvesting of forest products,*
 - (B) *forestation,*
 - (C) *timber stand improvement, and*
 - (D) *other forestry practices;*
- (2) *the regulation of Indian forest lands through the development and implementation, with the full and active consultation and participation of the appropriate Indian tribe, of forest management plans which are supported by written tribal objectives and forest marketing programs;*
- (3) *the regulation of Indian forest lands in a manner that will ensure the use of good method and order in harvesting so as to make possible,*

- on a sustained yield basis, continuous productivity and perpetual forest business;*
- (4) *the development of Indian forest lands and associated value-added industries by Indians and Indian tribes to promote self-sustaining communities, so that Indians may receive from their Indian forest land not only stumpage value, but also the benefit of all the labor and profit that such Indian forest land is capable of yielding;*
 - (5) *the retention of Indian forest land in its natural state when an Indian tribe determines that the recreational, cultural, aesthetic, or traditional values of the Indian forest land represents the highest and best use of the land;*
 - (6) *the management and protection of forest resources to retain the beneficial effects to Indian forest lands of regulating water run-off and minimizing soil erosion; and*
 - (7) *the maintenance and improvement of timber productivity, grazing, wildlife, fisheries, recreation, aesthetic, cultural and other traditional values.*
- Further, the Program must be operating in compliance with 25 CFR Part 163, with particular emphasis on section 163.11(c), which states,

The harvest of forest products from Indian forest land will be accomplished under the principles of sustained yield management and will not be authorized until practical methods of harvest based on sound economic and silvicultural and other forest management principles have been prescribed. Harvest schedules will be prepared for a specified period of time and updated annually. Such schedules shall support the objectives of the beneficial land owners and the Secretary and shall be directed toward achieving an approximate balance between net growth and harvest at the earliest practical time.

- If the Program is operated by the BIA or is a Tribally contracted program under Public Law 93-638, then the BIA Forestry Manual, must be adhered to.
- The Tribe/Agency responsible for the forestry program must have an approved Forest Management Plan (FMP) or a Forest Plan contained within an Integrated Resources Management Plan (IRMP), and must adhere to this Plan or approved modifications to the Plan during the course of their forestry operations.
- The Program shall operate in compliance with federal statutes and Tribal laws and ordinances.

If upon evaluation of the Forestry Program all of the above criteria are satisfied, then you may issue a statement of verification that the forest on the examined Indian land is being managed sustainably in accordance with criteria established by federal law.

Please refer questions and comments to Mr. Bill Downes or Mr. John Vitello, Central Office Division of Forestry, at (202) 208-4837 or (202) 208-5968, respectively.