

	<b>FOREST SERVICE MANUAL NATIONAL HEADQUARTERS (WO) WASHINGTON, DC NATIVE PLANT MATERIALS</b>
---	---

**FSM 2070 – NATIVE PLANT MATERIALS**

**ZERO CODE**

**Amendment No:** The Directive Manager completes this field.

**Effective Date:** The Directive Manager completes this field.

**Duration:** This amendment is effective until superseded or removed.

**Approved:** NAME OF APPROVING OFFICIAL  
Title of Approving Official

**Date Approved:** mm/dd/yyyy

**Posting Instructions:** Amendments are numbered consecutively by title and calendar year. Post by document; remove the entire document and replace it with this amendment. Retain this transmittal as the first page(s) of this document. The last amendment to this title was xx00-xx-x to xxxxx.

<b>New Document</b>		xx Pages
<b>Superseded Document(s) by Issuance Number and Effective Date</b>		xx Pages

**Digest:**

2070 – Changes the name of the chapter from “Biological Diversity” to “Native Plant Materials” and adds new direction on the use, growth, development, and storage of native plant materials.

**FSM 2000 – NATIONAL FOREST RESOURCE MANAGEMENT  
CHAPTER ZERO CODE 2070 – NATIVE PLANT MATERIALS**

**TABLE OF CONTENTS**

**2070.1 – AUTHORITY ..... 2**

    2070.11 – Laws ..... 2

    2070.12 – Regulations ..... 4

    2070.13 – Executive Orders ..... 5

    2070.2 – Objectives ..... 5

    2070.3 – Policy ..... 6

**2070.4 – RESPONSIBILITIES ..... 7**

    2070.41 – Chief ..... 7

    2070.42 - Deputy Chief for National Forest System ..... 7

    2070.43 – Regional Forester ..... 8

    2070.44 - Station Directors ..... 8

    2070.45 – Forest and Grassland Supervisors ..... 8

    2070.46 – District Ranger ..... 9

**2070.5 – DEFINITIONS ..... 9**

**2070.6 – REFERENCES ..... 10**

**FSM 2000 – NATIONAL FOREST RESOURCE MANAGEMENT  
CHAPTER ZERO CODE 2070 – NATIVE PLANT MATERIALS**

## **2070.1 – AUTHORITY**

Authority to manage National Forest System (NFS) lands, including the use of native and non-native plant materials, is derived from laws enacted by Congress that authorize the Secretary of Agriculture (the Secretary) to administer NFS lands and resources and to issue necessary regulations. Many of these authorities have subsequently been delegated from the Secretary to the Chief of the Forest Service.

### **2070.11 – Laws**

The principal statutes governing the management and use of native and non-native plant materials on NFS lands and other lands under Forest Service administration include, but are not limited to, the following statutes. Except where specifically stated, these statutes apply to all NFS lands and resources.

1. Organic Administration Act of 1897 (16 U.S.C. §§473 *et seq.*). Authorizes the Secretary of Agriculture to establish regulations governing the occupancy and use of national forests and to protect national forests from destruction.
2. Knutson-Vanderberg Act of June 9, 1930 (16 U.S.C. 576, 576a-576b). Section 3 specifies that the Secretary may require any purchaser of national forest timber to make deposits of money in addition to the payments for the timber, to cover the cost to the United States of planting, sowing with tree seeds, cutting, destroying, or otherwise removing undesirable trees or other growth, on the national forest land cut over by the purchaser, in order to improve the future stand of timber, or protecting and improving the future productivity of the renewable resources of the forest land on such sale area.
3. Bankhead-Jones Farm Tenant Act of 1937 (7 U.S.C. §§1010 *et seq.*). Title III authorizes the Secretary to develop a program of land conservation and land utilization in order to correct maladjustments in land use. Applies only to national grasslands and land utilization projects.
4. Anderson-Mansfield Reforestation and Revegetation Joint Resolution Act of October 11, 1949 (16 U.S.C. 581j (note), 581j, 581k). Requires the agency to accelerate and provide a continuing basis for the needed reforestation and revegetation of national forest lands and other lands under Forest Service administration or control.
5. Granger-Thye Act of 1950 (16 U.S.C. §§580 *et seq.*). Authorizes the Secretary to use a portion of grazing fees for range improvement projects on NFS lands. Specific projects mentioned are artificial revegetation, including the collection or purchase of necessary seed and

eradication of poisonous plants and noxious weeds, in order to protect or improve the future productivity of the range.

Section 11 of the act authorizes the use of funds for rangeland improvement projects on lands outside NFS under certain circumstances. (FSM 2204, ex. 01).

6. Sikes Act (Fish and Wildlife Conservation) of September 15, 1960 (16 U.S.C.670g-670l, 670o). Section 201 directs the Secretary of Agriculture to plan, develop, maintain, coordinate, and implement programs for the conservation and rehabilitation of wildlife, fish, and game, including specific habitat improvement projects, on public land under their jurisdiction.

7. Multiple Use-Sustained Yield Act of 1960 (16 U.S.C. §§528 *et seq.*). Authorizes the Secretary to, among other things: administer NFS lands for outdoor recreation, range, timber, watershed, and wildlife and fish purposes; to develop the surface renewable resources for multiple use and sustained yield of several products and services to be obtained from these lands, without impairment of the productivity of the land; and to cooperate with interested State and local governmental agencies and others in the development and management of the national forests.

8. Wilderness Act of 1964 (16 U.S.C. §§1131 *et seq.*). Authorizes the Secretary to administer certain congressionally designated NFS lands as wilderness. Directs the protection and preservation of these wilderness areas in their natural state, primarily affected by nature and not man's actions.

9. The Endangered Species Act (ESA) of 1973 (16 U.S.C. §§1531 *et seq.*). Provides for the conservation of threatened and endangered species of plants and animals. Section 7 requires Federal agencies to ensure that actions they authorize, fund, or carry out are not likely to jeopardize the continued existence of any threatened or endangered species or result in the destruction or adverse modification of the species' critical habitat. This provision also requires Federal agencies to consult with the U.S. Fish and Wildlife Service (USFWS) (for non-marine species) or the National Oceanic and Atmospheric Administration (NOAA) Fisheries (for marine species) whenever an agency action is likely to affect a threatened or endangered species or its critical habitat. Section 9 prohibits the *take* of a threatened or endangered species.

10. Federal Land Policy and Management Act (FLPMA) of 1976 (43 U.S.C. §§1700 *et seq.*). Section 102 directs management of public lands in a manner that will protect the quality of the ecological values; where appropriate, will preserve and protect in their natural condition; will provide food and habitat for fish and wildlife and domestic animals; and will provide for outdoor recreation and human occupancy and use.

11. Forest and Rangeland Renewable Resources Planning Act (RPA) of 1974 as amended by the National Forest Management Act (NFMA) of 1976 (16 U.S.C. §§1600 *et seq.*). Section 6 provides for diversity of plant and animal communities based on the suitability and capability of the specific land area.

12. Surface Mining Control and Reclamation Act of (30 U.S.C. 1201, 1201 (note), 1236, 1272, 1305). Section 515 directs the establishment on the regarded areas, and all other lands affected, a diverse, effective, and permanent vegetative cover of the same seasonal variety native to the area of land to be affected and capable of self-regeneration and plant succession at least equal in extent of cover to the natural vegetation on the area; except that introduced species may be used in the revegetation process where desirable and necessary to achieve the approved post mining land use plan.

13. Cooperative Forestry and Assistance Act of 1978 (16 U.S.C. 2101 (note), 2101-2103, 2103a, 2103b, 2104-2105). Section 3 details the assistance that may be given to State foresters or equivalent State officials, and State extension directors, in the form of financial, technical, educational, and related assistance.

14. The North American Wetland Conservation Act 1989 (16 U.S.C. 4401 (note), 4401-4413, 16 U.S.C. 669b (note)). Section 9 directs Federal agencies to cooperate with the Director of the U.S. Fish and Wildlife Service to restore, protect, and enhance the wetland ecosystems and other habitats for migratory birds, fish, and wildlife within the lands and waters of each agency.

15. Section 323 of Public Law 108-7, the Consolidated Appropriations resolution, (16 U.S.C. 2104 note). Establishes new authorities allowing the Forest Service to enter into stewardship contracts with public or private entities or persons to perform services to achieve land management goals for NFS lands that meet local and rural community needs.

16. Healthy Forests Restoration Act of 2003 (H.R. 1904). Provides improved statutory processes for hazardous fuel reduction projects on certain types of at-risk NFS and Bureau of Land Management lands and also provides other authorities and direction to help reduce hazardous fuel and restore healthy forest and rangeland conditions on lands of all ownerships.

17. The National Historic Preservation Act of 1966 (16 U.S.C. §§470 *et seq.*). Requires agency heads to assume responsibility for the preservation of historic properties owned or controlled by the agency and to develop a preservation program for the identification, evaluation, and nomination of historic properties to the National Register. Requires agency heads to evaluate the effects of an undertaking on property that is included or eligible for inclusion in the National Register and to afford the Advisory Council a reasonable opportunity to comment on the undertaking. Defines undertaking to include permitting activities or Federal financial assistance under the jurisdiction of an agency.

## **2070.12 – Regulations**

The authority to manage NFS lands is delegated from the Secretary of Agriculture to the Under Secretary for Natural Resources and Environment (NRE) at 7 CFR §2.20. This authority has been delegated in turn from NRE to the Chief of the Forest Service at 7 CFR §2.60. The subsequent regulation for management of NFS lands and other lands under Forest Service administration including the use of native and non-native plant materials is:

36 CFR Part 10, Subpart (b). These rules provide for sustainable ecological systems through supporting diversity of native plant and animal species within a plan area.

### **2070.13 – Executive Orders**

1. Executive Order 13112 (February 3, 1999). Provides for restoration of native species and habitat conditions in ecosystems that have been invaded by non-native invasive species.

3. Executive Order 13148 (April 21, 2000). Directs federal agencies to promote the sustainable management of Federal facility lands through the implementation of cost-effective, environmentally sound landscaping practices, and programs to reduce adverse impacts to the natural environment.

4. Executive Order 13352 (August 26, 2004). Directs the Departments of the Interior, Agriculture, Commerce, and Defense and the Environmental Protection Agency to implement laws relating to the environmental and natural resources in a manner that promotes cooperative conservation, with an emphasis on appropriate inclusion of local participation in Federal decision making, in accordance with their respective agency missions, policies, and regulations.

### **2070.2 – Objectives**

Objectives for native plant materials in both aquatic and terrestrial ecosystems are to:

1. Maintain, restore, or rehabilitate native ecosystems that are self sustaining, resistant to invasion by non-native invasive species and/or provide habitat for a broad range of species including, threatened, endanger and rare species.

2. Maintain adequate protection for soil and water resources, through timely and effective revegetation of disturbed sites which would not be restored naturally.

3. Promote revegetation of native ecosystems by the use of native plant materials.

4. Promote the appropriate use and availability of native and non-native plant materials.

5. Cooperate with other federal agencies, tribal, State, and local governments, academic institutions and the private sector to increase the knowledge and availability of native plant materials, including developing sources of genetically appropriate plant materials.

6. Increase and disseminate information which will guide the selection, use, and availability of genetically appropriate plant materials.

7. Promote the study, planning, and implementation of actions which will maintain, restore, and rehabilitate native ecosystems on NFS lands and other lands administered by the Forest Service and in the United States.

## 2070.3 – Policy

Policies for selection, use, and storage of native and non-native plant materials are as follows:

1. Ensure native plant materials are given primary consideration.
2. Restrict use of non-native, non-invasive plant materials to only those situations when timely reestablishment of a native plant community either through natural regeneration or with the use of native plant materials is not likely to occur. For example:
  - a. When emergency conditions exist where it becomes necessary to protect basic resource values (e.g., soil stability, water quality and to help prevent the establishment of invasive species).
  - b. When native plant materials are not available and/or are not economically feasible.
  - c. In permanently, highly altered plant communities, such as road cuts, sites dominated by exotic weeds
  - d. In designated historical sites where maintenance of historical vegetation communities (including agricultural crops) is needed to maintain historical integrity (FSM 2630).
3. Select non-native plants as interim, non-persistent plant materials provided they will not hybridize with local species, will not permanently displace native species, or offer serious long-term competition to the recovery of endemic plants, and are designed to aid in the re-establishment of native plant communities.
4. Base determination and selection of genetically appropriate plant materials on the site characteristics and ecological setting, using the best available information and plant materials.
5. Ensure that development, review, and/or approval of revegetation plans, including species selection, genetic heritage, growth stage, and any needed site preparation, is done by a senior plant specialist who is knowledgeable and certified or trained in the plant community type where the revegetation will occur. For example: rangeland ecologist, forest ecologist, silviculturalist, plant geneticist, aquatic plant specialist, or botanist.
6. Do not use Federally or state designated noxious weeds.
7. Cooperate and coordinate within the Forest Service, with other federal agencies, organizations, and private industry in the development of native plant materials and supplies.
8. Anticipate plant material needs for emergency and planned revegetation. Develop core plant lists, planting guidelines, plant material sources, and seed caches and seed storage facilities.

Specific direction for commercial timber species is in FSM 2470.

## **2070.4 – RESPONSIBILITIES**

The Chief delegates the authority and responsibility for the overall administration of the native plant materials program on NFS lands and other lands administered by the Forest Service in conformance with applicable Federal law, regulation, and policy to the Deputy Chief, National Forest System (NFS). This delegated authority is reserved to the Deputy Chief, NFS, except for the delegations to the regional foresters (RF), forest/grassland supervisors (F/GS), and/or district rangers (DR).

### **2070.41 – Chief**

1. Retains overall authority over and responsibility for establishing national policy for restoration of disturbed sites and degraded ecosystems.
2. Establishes national policy for appropriate use of native and non-native plant materials.
3. Promotes cooperation and coordination between federal agencies, state, tribal and local governments, the nursery industry and the public for the development and supply of native and non-native plant materials.
4. Provides coordination across Deputy Areas to ensure the use of native plant materials are integrated into all Forest Service program areas.

### **2070.42 - Deputy Chief for National Forest System**

The Deputy Chief, National Forest Systems (NFS) is delegated the authority and responsibility for management and restoration of NFS lands in conformance with applicable Federal law, regulation and policy. All authorities are reserved to the Deputy Chief, except for the delegations to the Regional Foresters (RF), Forest and Grassland Supervisors, and District Rangers set forth in the following sections.

1. Establishes national policy for selection of appropriate plant materials for use on NFS lands.
2. Delegates the authority to use native and non-native plant materials consistent with national policy.
3. Establishes national policy to ensure that the appropriate use of plant materials, native and non-native, are integrated into all program areas on NFS lands.
4. Establishes national policy for evaluation and monitoring of plant materials on NFS lands.



### **2070.43 – Regional Forester**

1. Establishes regional policy for use of native plant materials consistent with national policy.
2. Establishes management direction and policy to ensure native plants materials are integrated into regional programs and Land Management Plans (LMP).
3. Shall appoint a regional native plant program coordinator.
4. Coordinates with Forest Service nurseries, Natural Resource Conservation Service Plant Materials centers, other federal agencies, state and tribal governments and private industry to ensure a supply of genetically appropriate plant materials.
5. May delegate the authority to use genetically appropriate native and non-native plant materials.
6. Anticipate plant material needs for emergency and other restoration activities by developing seeding guidelines and lists of important, core native species based on ecological types and available seed sources.

### **2070.44 - Station Directors**

1. Establishes research objectives which will further the understanding and knowledge of native plant materials, propagation techniques and genetic requirements of plant species used in revegetation.
2. Coordinates research and research priorities on native plants with other research institutions and organizations.
3. Ensures the use of all plant materials, used in research, are consistent with national policy.

### **2070.45 – Forest and Grassland Supervisors**

1. Shall ensure forest and grassland programs are implemented consist with national and regional policy for native plant materials.
2. Establishes management direction and policy to ensure native plants materials are integrated into forest and grassland programs and are also included in the Land Management Plan (LMP).
3. Shall appoint a forest or grassland native plant materials coordinator.
4. May delegate the authority to use genetically appropriate native and non-native plant materials in revegetation projects.

5. Anticipates plant material needs for emergency and other restoration activities by developing seeding guidelines and a list of core native species based on ecological types and available seed sources.

6. Shall ensure all revegetation projects are reviewed and approved by journeyman level plant specialist (FMS 2073) and are consistent with national, regional and forest/grassland polices for the use of native plant materials.

7. Coordinates with other federal agencies, state, tribal and county governments and private industry to ensure a supply of genetically appropriate plant materials.

### **2070.46 – District Ranger**

1. Shall ensure the use of all plant materials is consistent with national, regional and forest policy

2. Shall ensure native plant materials are incorporated into all district programs.

3. Shall review and approve revegetation projects to ensure they are consistent with national, regional and forest polices for the use of native plant materials.

### **2070.5 – DEFINITIONS**

Genetically appropriate. A plant adapted to target site conditions (e.g., has good establishment, vigor, and reproductive capabilities); sufficiently diverse to respond and adapt to changing climates and environment conditions; unlikely to cause genetic contamination and undermine local adaptations, community interactions, and function of resident native species within the ecosystem; unlikely to become (unnaturally or inappropriately) invasive and displace other native species; unlikely to be a source of non-native invasive pathogens; likely to maintain critical connections with pollinators.

Invasive species. A species, including its seed, spores or other biological material, whose introduction causes or is likely to cause economic or environmental harm or harm to human health.

Native plant. All indigenous, terrestrial, and aquatic plant species that evolved naturally in an ecosystem.

Noxious weeds. Those plant species designated as noxious weeds by the Secretary of Agriculture or by the responsible State official. Noxious weeds generally possess one or more of the following characteristics: aggressive and difficult to manage, poisonous, toxic, parasitic, a carrier or host of serious insects or disease, and being native or new to or not common to the United States or parts thereof.

Plant materials. Seeds, parts of plants, or whole plants.

Rehabilitation. Reparation of ecosystem processes, productivity, and services based on functioning preexisting or extant ecosystems.

Restoration. Assisting the recovery of an ecosystem that has been degraded, damaged, or destroyed (including) the re-establishment of the pre-existing biotic integrity in terms of species composition and community structure.

Revegetation. Re-establishment of plants on a site.

## **2070.6 – REFERENCES**

1. Restoring Western Ranges and Wildland, Volumes 1 -3. General Technical Report-136. 2004. United States Department of Agriculture, Forest Service, Rocky Mountain Research Station.
2. Roger, D.L. and A. M. Montavio. 2004. Genetically appropriate choices for plant materials to maintain biological diversity. University of California. Report to the USDA Forest Service. Rocky Mountain Region, Lakewood, CO.