

STANDARD 2

Compliance with Laws

Forest management activities comply with all relevant federal, state and local laws, regulations and ordinances.

PERFORMANCE MEASURE 2.1

Landowner shall comply with all relevant federal, state, county and municipal laws, regulations and ordinances governing **forest management** activities.

GUIDANCE

The **Standard** only applies to laws, regulations and ordinances related to forest management activities taking place on the property.

Landowners or **designated representatives** should employ the maxim, “When in doubt, ask.” Common forest management activities that are regulated in many states include conservation of state and federally protected species and their habitat, prescribed burning, **pesticide** application, harvesting, road building, pond construction and stream crossings.

Excellent professional resources are available at local natural resource agency offices. Please consult the resource pages on the [ATFS website](#) and at www.mylandplan.org for additional help on relevant federal and state laws and regulations.

Indicator 2.1.1

Landowner shall comply with all relevant laws, regulations and ordinances and will correct conditions that led to **adverse regulatory actions**, if any.

GUIDANCE

Full legal compliance with relevant laws, regulations and ordinances is the intent of the **Standard**. Mistakes may occur in carrying out forest management activities. **Landowners** must be committed to correcting inadvertent violations. A pattern of willful violation of relevant laws, regulations or ordinances is not acceptable.

If there is evidence of past nonconformance, then the **landowner** must show proof of a good-faith effort to remedy the nonconformance. If the matter is tied up in court, then the **landowner** is only disqualified when a final adverse judgment is rendered and the **landowner** refuses to comply with the ruling.

Compliance with all relevant (applicable) laws can be verified by a three-tiered process:

- Step 1 – Observation of conditions on the subject property
- Step 2 – The **landowner’s** verbal or written claim of legal compliance
- Step 3 – Research with the state Department of Natural Resources, local Natural Resource Conservation Service office or State Forestry Commission offices

If Step 1 and Step 2 do not raise any issues, then the **qualified ATFS inspector** or **third-party assessor** is not required to employ Step 3.



Indicator 2.1.2

Landowner should obtain advice from appropriate **qualified natural resource professionals** or **qualified contractors** who are trained in, and familiar with, relevant laws, regulations and ordinances.

GUIDANCE

Landowners are advised to engage **qualified natural resource professionals** and **qualified contractors**, licensed **pesticide** applicators and other trained professionals to support regulatory compliance.