

**Forest Service Manual
National Headquarters - Washington Office
Washington, DC**

**Forest Service Manual 3400 – Forest Health Protection
Zero Code**

Amendment: 3400-2009-1

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Duration: This amendment is effective until superseded or removed.

Approved by: Robin L. Thompson, Associate Deputy Chief

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Responsible Staff:

Last Change: 3400-90-2 to 3450

Superseded Document(s): 3400 Table of Contents, Amendment 3400-90-1, June 1, 1990; 3400 Zero Code, Amendment 3400-90-1, June 1, 1990; 3410, Amendment 3400-90-1, June 1, 1990; 3420, Amendment 3400-90-1, June 1, 1990; 3430, Amendment 3400-90-1, June 1, 1990; 3440, Amendment 3400-90-1, June 1, 1990; 3450, Amendment 3400-90-1, June 1, 1990

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 3400-90-2 to 3450.

Digest: Following is an explanation of the changes throughout the directive by section.

3400: Makes editorial and technical changes throughout the chapter. Replaces the term “forest pest management” with “forest health protection” to reflect the current organizational structure.

3401.1: Changes caption from “Federal Statutes” to “Laws.” Adds legislative authority for management of invasive plants on non-Federal lands and on Federal lands with tropical forests. Adds authority to accelerate information gathering to address forest-damaging insects and diseases, and to improve the capacity to detect insect and disease infestations at an early stage.

3401.2: Changes caption from “State Legislation” to “Regulations” and incorporates Department Regulations 9500-10 and 5600-001 in this section. Recodes existing direction to section 3401.4.

3401.3: Changes caption from “Quarantine Regulations” to “Executive Orders.” Removes all obsolete existing text in the section and incorporates to this section cross-reference to Executive Order 13112.

3401.31: Removes code, caption, and obsolete direction for “Export Regulations.”

3403.32: Removes code, caption, and obsolete direction for “Import Regulations.”

3401.4: Establishes code and caption “State Legislation” and recodes to this section direction previously set out in section 3401.2.

3403: Updates and clarifies policy. Adds the activity of monitoring forest health. Adds provision for cooperation with other Federal agencies.

3404.11: Removes responsibility for the Chief to submit an annual national insect and disease conditions report to the Secretary and Congress.

3404.12: Removes responsibility of Deputy Chief for State and Private Forestry to approve requests for the extension of special project completion dates. Cross-references invasive species responsibilities of the Deputy Chief for National Forest System in FSM 2900.

3404.13: Changes the caption from “Director, Forest Pest Management” to “Director of Forest Health Protection.” Adds forest health monitoring to the responsibilities of the Director of Forest Health Protection. Revises the responsibility for making Federal financial assistance provided by Federal statutes available to both States and other cooperators.

3404.2: Changes caption from “Regional Foresters, Station Directors, and the Area Director” to “Regional Foresters, the Northeastern Area Director, and the Director of the International Institute of Tropical Forestry.” Replaces the term “integrated pest management” with “forest health protection activities.” Removes requirement to establish formal procedures to report pest surveillance discoveries.

3404.21: Changes caption from “Regional or Area Staff Director Having Forest Pest Management Responsibilities” to “Regions, Northeastern Area, and the International Institute of Tropical Forestry Forest Health Protection Program Leadership Responsibilities.”

3404.3: Replaces the term “integrated pest management” with “forest health protection.” Replaces the term “pest control projects” with “forest health protection projects.”

3405: Removes code and caption, and all obsolete terms from “Definitions” section.

3409.11: Changes caption from “Forest Pest Management Handbook” to “Forest Health Protection Handbook,” removes all obsolete existing text, and reserves code and caption for future use.

3409.2: Removes code and caption.

3409.21: Removes code and caption, and all existing obsolete text.

3410: Makes editorial and technical changes throughout the chapter. Changes chapter title from “Pest Detection” to “Detection, Monitoring, and Evaluation.” Replaces the term “forest pest management” with “forest health protection” to reflect the current organizational structure.

3411: Changes caption from “Routine Field Surveillance” to “Detection and Monitoring.” Removes obsolete direction for surveillance and sets forth in this section new direction for detecting, monitoring, and evaluation of forest insect and disease conditions.

3412: Changes caption from “Detection Surveys” to “Reporting Detections of Insects and Diseases not Previously Known to Occur in the United States.” Revises procedure for reporting new pest introductions and replaces the term “new pest introductions” with “insects or disease causing agents not previously known to occur in the United States.”

3413: Establishes new code, caption, and sets forth new direction in this section for “Biological Evaluations.”

3413.04: Establishes new code, caption, and sets forth new direction in this section for “Responsibility” for staffs having forest health protection duties.

3420: Makes editorial and technical changes throughout the chapter. Changes chapter title from “Pest Management Evaluations” to “Management.” Replaces the term “forest pest management” with “forest health protection” to reflect the current organizational structure.

3421: Changes caption from “Biological Evaluation” to “Requirements for Forest Health Protection Prevention, Suppression, Eradication, and Restoration Projects.” Revises cooperative control project participation criteria.

3421.1: Changes caption from “Risk Evaluation” to “Requirements for All Prevention, Suppression, Eradication, and Restoration Projects” and sets forth in this section new direction for these requirements. Removes obsolete direction for conducting risk evaluation.

3421.2: Changes caption from “Initial Evaluation” to “Additional Requirements for Projects on Non-Federal Lands” and sets forth in this section new direction for these requirements. Removes obsolete direction for initial evaluation.

3421.3: Removes code, caption, and obsolete direction for “Pretreatment Evaluation.”

3421.4: Removes code, caption, and obsolete direction for “Post-Treatment Evaluation.”

3431.5: Removes code, caption, and obsolete direction for “Cooperation.”

3422: Changes caption from “Economic Evaluation” to “Coordination with USDA Animal and Plant Health Inspection Service” and sets forth in this section new direction for cooperation between Federal and State agencies. Removes obsolete direction for economic evaluation.

3423: Changes caption from “Environmental Analysis” to “Documentation of Forest Health Protection Prevention, Suppression, Eradication, and Restoration Projects.” Revises requirements for documentation of proposed pest control projects. Changes the term “pest control projects” to “forest health protection prevention, suppression, eradication, and restoration projects.” Changes the requirement for an environmental analysis to requirement for appropriate analysis.

3424: Changes caption from “Loss Assessment” to “Forest Health Protection Prevention, Suppression, Eradication, and Restoration Project Record Keeping.” Changes requirements for control project record keeping.

3430: Makes editorial and technical changes throughout the chapter. Changes chapter title from “Forest Pest Management Control Project Standards” to “Program Funding and Accomplishment Reporting” and provides guidance on Forest Health Protection program funding and accomplishment reporting. Replaces the term “forest pest management” with “forest health protection” to reflect the current organizational structure. Removes obsolete direction throughout entire chapter and sets forth new direction in all sections.

3431: Changes caption from “Standards for Proposed Control Projects” to “Allocation and Use of Funds.”

3431.1: Establishes code and caption “Federal Lands Forest Health Management” and sets forth new direction in this section for using funds for management of invasive plants.

3431.12: Establishes code, caption, and sets forth new direction in this section on “Financial Assistance to Other Federal Agencies.”

3431.2: Establishes code and caption “Cooperative Lands Forest Health Management.”

3431.21: Establishes code, caption, and sets forth new direction in this section on the “Cooperative Forest Health Protection Program.”

3431.22: Establishes code, caption, and sets forth new direction in this section on “Cost-sharing Prevention, Suppression, Restoration, and Eradication Programs and Projects.”

3432: Changes caption from “Documentation of Proposed Control Projects” to “Special Technology Development, Pesticide Impact Assessment Program, Forest Health Monitoring Evaluation Monitoring Projects, and Other Program/Projects.”

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3432.1: Establishes code, caption, and sets forth new direction in this section on “Cost-sharing Special Technology Development, Pesticide Impact Assessment Program, Forest Health Monitoring Evaluation Monitoring Projects, and Other Program and Projects.”

3433: Changes caption from “Forest Service Participation in Cooperative Control Projects” to “Reporting Forest Health Conditions, Accomplishments, and Expenditures.”

3434: Changes caption from “Control Project Recordkeeping” to “Forest Health Protection Accomplishments.”

3435 through 3435.2: Removes codes, captions, and all obsolete direction for these sections.

3440: Removes obsolete direction from entire chapter. Changes chapter title from “Special Pest Management Projects” to “Special Forest Health Protection Projects” and reserves code and caption for future use.

3450: Removes obsolete direction from entire chapter. Changes chapter title from “Pest Management Administration” to “Forest Health Protection Administration” and reserves code and caption for future use.

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This title sets forth Forest Service policies and responsibilities for protecting the health of the Nation's forest and tree resources from detrimental insects, disease causing agents, and noxious or invasive plants.

3401 - Authority

3401.1 - Laws

1. National Forest Management Act of 1976 (90 Stat. 2949, as amended; 16 U.S.C. 1600 (note)). This act, in conjunction with the Forest and Rangeland Renewable Resources Planning Act of 1974 and the National Environmental Policy Act of 1969, requires assessment of alternative management actions to facilitate balanced, integrated approaches to resource protection and development. The act also requires sound management practices to prevent excessive losses due to pests.
2. Federal Insecticide, Fungicide, and Rodenticide Act of 1972, as amended, (86 Stat. 973, as amended; 7 U.S.C. 136, 136b, 136i-m, 136p). This act, administered by the Environmental Protection Agency, authorizes the registration, distribution, sale, shipment, receipt, disposal, and use of pesticides. It includes provisions for the conduct of research and instructions on integrated pest management.
3. Cooperative Forestry Assistance Act of 1978 (92 Stat. 356; 16 U.S.C. 2101 (note) as amended). Section 8 of this act sets forth the basic Federal authority for forest insect and disease management and assigns the primary Federal authority for insect and disease control to the Secretary of Agriculture. The act provides for Federal, State, and private cooperation in managing for forest insects and diseases and the need for Federal leadership and financial assistance on all forest lands. The act does not give Federal agencies the right of entry on non-Federal lands, because such authority is regulated by States.
4. Forest Ecosystems and Atmospheric Pollution Research Act of 1988 (P.L. 100-521, 102 Stat 2601; 16 U.S.C. 1642) This act directs the Secretary of Agriculture to conduct such surveys as are necessary to monitor the long-term trends in the health and productivity of domestic forest ecosystems.
5. Hawaii Tropical Forestry Recovery Act of 1992 (106 Stat. 4593, 16 U.S.C. 4502a, 4503 et seq.). This act grants authorities to the Secretary of Agriculture to treat invasive plants on Federal and non-Federal ownerships in Hawaii and in tropical forests on Federal lands in other States.
6. Healthy Forest Restoration Act of 2003 (117 Stat. 1887, 16 U.S.C. 6501). This act improves the capacities of the Secretaries of Agriculture and Interior to conduct hazardous fuels reduction projects on National Forest System and Bureau of Land Management lands in order to protect communities, watersheds, and other at risk lands from catastrophic wildfire. Title I requires the Secretary of Agriculture to conduct fuels

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reduction projects on Federal land on which “windthrow or blowdown, ice storm damage, the existence of an epidemic of disease or insects or the presence of such an epidemic on immediately adjacent land and the imminent risk it will spread poses a significant threat to an ecosystem component or forest” to use an expedited environmental analysis and appeal process. Title VI requires the Secretary of Agriculture and the Department of the Interior working through the Forest Service and the U.S. Geological Survey, as appropriate, to plan, conduct, and promote comprehensive and systematic information gathering on forest-damaging insects and associated diseases, assist land managers in the development of treatments and strategies to improve forest health and reduce the susceptibility of forest ecosystems to insects and diseases, disseminate results of the information gathering, and cooperate with colleges, universities, Federal, States, local agencies, and private and industrial partners. The Title also provides that the Secretary may conduct silvicultural assessments on Federal lands at risk of infestation by, or is infested with, forest-damaging insects.

7. Consolidated Appropriations Resolution FY 2003 (Pub. L. 108-7), Division F, Title II, and subsequent appropriations acts (Pub. L. 108-108). This Resolution authorizes financial, technical, and related assistance for States for management of invasive or noxious plants on non-Federal lands (117 Stat. 250), and for restoration and rehabilitation of National Forest System lands damaged by forest pests and pathogens (insects and diseases).

3401.2 - Regulations

1. Policy on Noxious Weed Management. Department Regulation 9500-10 ((DR 9500-10) (January 18, 1990)). Establishes U.S. Department of Agriculture (USDA) policy to manage and coordinate noxious weed activities among USDA agencies in order to improve the quality and ecological conditions of crop and rangeland in the United States.
2. Policy on Gypsy Moth Activities. Department Regulation 5600-001 ((DR 5600-001) (June 1, 1990)). Establishes Departmental gypsy moth policy. Assigns responsibilities to USDA agencies and defines agency roles to avoid unnecessary duplication and to provide maximum coordination of USDA activities dealing with the gypsy moth.

3401.3 - Executive Orders

Executive Order 13112 issued February 3, 1999 (E.O. 13112). Directs Federal agencies to:

1. Identify actions that may affect the status of an invasive species;
2. Prevent introduction of such species;

3. Detect and control such species;
4. Monitor population of such species;
5. Provide for restoration of native species;
6. Conduct research on invasive species and develop technologies to prevent introduction of such species;
7. Promote public education of such species; and
8. Not authorize, fund, or carry out actions likely to cause the introduction or spread of invasive species in the United States or elsewhere unless the benefits of the action clearly outweigh the harm and that steps to minimize the harm will be taken.

3401.4 - State Legislation

States may have statutes and regulations regarding forest health protection activities that affect Forest Service cooperation or assistance on State and private lands.

3402 - Objective

To protect, maintain, and enhance the health of America's forests by managing insects, disease causing agents, and invasive plants affecting trees and forests.

3403 - Policy

It is the policy of the Forest Service to:

1. Protect forest health on National Forest System lands.
2. Cooperate with other Federal agencies, tribes, States, non-governmental organizations, and other appropriate entities to protect forest and tree health.
3. Include forest health considerations in forest resource management planning and decision making.
4. Monitor, assess, and report on the health of the Nation's forest and tree resources.
5. Assist States in developing professional forest health capacity and expertise.

3404 - Responsibility

3404.1 - Washington Office

3404.11 - Chief of the Forest Service

The Secretary of Agriculture has delegated all responsibilities for forest health protection programs on Federal and non-Federal lands to the Chief of the Forest Service (7 CFR 2.60; FSM 1230). The Chief is responsible for overseeing the use and coordination of integrated approaches to forest health protection.

3404.12 - Deputy Chief for State and Private Forestry

It is the responsibility of the Deputy Chief for State and Private Forestry to:

1. Serve as a liaison within the Forest Service, and with the Office of the Secretary regarding forest health protection activities.
2. Provide national coordination for reporting and recording forest health protection activities.
3. Approve funding for forest health protection projects and programs.
4. Approve the use of funds to suppress insects, diseases, and invasive plants affecting forests and trees on lands managed by other Federal agencies.

Some responsibilities for invasive species management on National Forest System lands are shared, integrated, and coordinated with the Deputy Chief of National Forest System (FSM 2900).

3404.13 - Director of Forest Health Protection

The Director of Forest Health Protection has the responsibility to:

1. Administer the functions of section 8 of the Cooperative Forestry Assistance Act (FSM 3401, para. 3).
2. Provide leadership, consultation, and support in forest health protection activities and pesticide use.
3. Provide leadership, technical advice, and guidance on:
 - a. The forest health monitoring program, surveying and detection, evaluation, prevention, and suppression of forest insects, disease-causing agents and invasive plants, and restoration of lands damaged by those agents.

- b. National policies, objectives, priorities, standards, and procedures for forest health protection activities.
- c. Requirements under which the Forest Service may make financial assistance provided by Federal statutes available to States and other cooperators.
- d. Pesticides and pesticide use.

3404.2 - Regional Foresters, the Northeastern Area Director, and the Director of the International Institute of Tropical Forestry

It is the responsibility of regional foresters, the Northeastern Area Director, and the Director of the International Institute of Tropical Forestry to:

- 1. Ensure the implementation and coordination of forest health monitoring and forest health protection activities. In addition, regional foresters ensure that National Forest System resource managers are adequately trained in forest health concepts and procedures.
- 2. Forward requests for forest health protection funds to the Chief for projects and programs on non-Federal public and private lands and for those projects on National Forest System lands that they determine need treatment and qualify for funding.
- 3. Forward requests for funds to the Chief for projects to develop new technology, transfer new technology, evaluation monitoring, and collect data to support the registration of pesticides that are used in forestry.
- 4. Provide forest health protection assistance to other Federal agencies, tribes, and States within their geographic and administrative jurisdictions.
- 5. Annually report to the Chief on forest health conditions within their administrative and geographic jurisdictions.
- 6. Make minor adjustments in funding allocations for prevention, suppression, and restoration projects approved by the Deputy Chief for State and Private Forestry to meet on-the-ground necessities and document those adjustments.

3404.21 - Regions, Northeastern Area, and the International Institute of Tropical Forestry Forest Health Protection Program Leadership Responsibilities

Within the regions, the Northeastern Area, and the Institute of Tropical Forestry the assigned leader for Forest Health Protection programs has the responsibility to:

- 1. Provide technical and scientific information, advice and guidance, and related assistance to National Forests, other Federal agencies, tribes, States, and others on forest health protection and pesticide use.

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2. Establish procedures for Forest Service personnel to report routine forest insect and disease surveillance discoveries.
3. Conduct surveillance and other surveys to detect and assess the impacts of insects and disease causing agents and other factors affecting the health of forests and trees.
3. Conduct a regional forest health monitoring program.
4. Evaluate and determine the need to initiate, continue, intensify, revise, or discontinue forest health protection activities and, upon request, make forest health protection recommendations.
5. Conduct forest health protection training, including aviation safety, for persons responsible for, and implementing, forest health protection activities.

3404.3 - Forest Supervisors and District Rangers

Forest supervisors and district rangers have the responsibility to:

1. Ensure full consideration of forest health issues in resource management activities on National Forest System lands.
2. Conduct routine field surveillance to detect potentially damaging forest insect and disease occurrences.
3. Assign a staff member to serve as principal contact with Forest Health Protection staffs.
4. Propose and submit for pest eradication, suppression, prevention, restoration, or other forest health protection project funding.
5. Conduct approved forest health protection projects.

3409 - Handbooks

3409.1 - Internal Servicewide Handbooks

3409.11 - Forest Health Protection Handbook [Reserved]