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Mr. Daly:

On behalf of the members of the **FSC Family Forests Alliance**, we respectfully submit the following comments on the FSC Standard Review. As you know, the Alliance is an outgrowth of a national small landowner meeting at the Wingspread Center in Racine, WI in the fall of 2005. Over the course of 2006, a group of several ‘core’ members have worked to form the Alliance and define structure and objectives. Core members of the Alliance represent many of the leaders in the FSC community and are geographically dispersed. The following member organizations have contributed and reviewed the submitted comments:

- Dovetail Partners, Minneapolis, MN
- Southern Forests Network, Asheville, NC
- Trust to Conserve Northeast Forestlands, Hebron, ME
- Blue Ridge Forestry Cooperative, Hiwassee, VA
- Cook County Sustainable Forestry Cooperative, Hovland, MN
- Community Forestry Resource Center, Minneapolis, MN
- Northwest Natural Resource Group, Port Townsend, WA
- Rapid Improvement Associates, LLC., Black Earth, WI

Our comments are focused on the February 2006 report prepared by Phil Guillery entitled “Family Forest Program and Small Low Intensity Forests as a Cross-Cutting Issue in the Standard Review Process”. We have included excerpts from that report in this letter to aid in clarifying the context of our comments. We also provide comments on the recommendation to consolidate the nine regional standards.

We look forward to the productive outcome of this review process. The Alliance aims to support the growth and expansion of FSC certification as an opportunity for family forests, their owners, and their communities. Please contact us with any questions.

Sincerely,

John Gunn Alyx Perry Harry Groot Mark Adams Kathryn Fernholz
Ian Hanna Don Arnosti Warren Gaskill

General Comments on FSC Certification and Family Forests

“The review also found that the current regional standards are generally not approachable from the perspective of the family forest owner or manager. The standards are also difficult to audit or implement on small properties. The review recommends that the revision of the standards address these issues through the development of specific family forest standards or address family forests explicitly in any revised standards. In addition, an important need is to include extensive guidance focused towards the needs of family forests and their owners.” (excerpted from 10/12/06 letter from Ned Daly to FSC Members, Certificate Holders, and Stakeholders)

Family Forests Alliance Comments:

The Family Forests Alliance support the further evaluation of how the definitions of “Family Forest” and “Small Low Intensity Managed Forest” are applied in an FSC context throughout the US. Auditing requirements need to be flexible enough to represent the realities of forest management activities on family forest properties of different sizes and levels of activity and with different ownership objectives. Examples of such flexibility could include the definition of “micro” Family Forests (e.g. less than 100 hectares in size) where audits are based more explicitly on outcomes rather than process. Allowances could also be made for practices that are executed on the “micro” level such as harvesting only a few trees per year or a very small total volume (e.g. under 4 cords annually). CARs could also allow for more flexibility for local solutions to issues, rather than uniform “group” policies or practices. We recognize that there is flexibility inherent in the current system, but we feel that the current reliance on the “discretion of the certification body” to offer greater flexibility inappropriately burdens the auditors, creates inconsistencies, and there is too little incentive for this vague direction to be employed for the benefit of the client when it may result in reduced revenues, increased risks, or inconveniences for the auditor. Our members have vast experience in the practical application of FSC standards to Family Forests and are willing to share these experiences formally with the FSC as the Family Forest Program is further developed.

“With expanded markets for FSC products, the potential for group certification, however, is starting to create interest in the development of very large groups made up of potentially thousands of owners and millions of acres under one certificate. While no certificates this large presently exist, state programs such as Wisconsin DNR, the State of Minnesota and Georgia Pacific are all researching the possibility. FSC policy on SLIMFs allows for very large groups to be eligible for some of the streamlined measures and standards as long as all members of the group are either under the 1000 ha limit or meet the low intensity definition. Any revision of regional standards or development of family forest standards must consider the potential of very large groups.” (excerpt from *Family Forest Program and Small Low Intensity Forests as a Cross-Cutting Issue in the Standard Review Process*)

Family Forests Alliance Comments:

There is discussion in the report of aiming for larger groups (e.g. 1,000's of members rather than dozens). The Family Forests Alliance supports the development of models of group certification that will allow the FSC standard to be applied and maintained at larger scales of family forest owner participation. However, large groups represent unique challenges that will need to be addressed. For example, allowing for more record keeping and monitoring at an aggregated level rather than for each property; modified guidance for sample intensity during assessments; allowing for an alternative "opt-out" approach for certifying large groups of landowners already participating in an existing program as opposed to an "opt-in" process. There are potentially several other barriers related both to the assessment process as well as specific Principles and Criteria that will need to be identified and addressed in order for large FSC groups to be more feasible and attractive. A concerted effort will be needed to identify these specific barriers and potential solutions.

We caution the promotion of large group certificates held by timber-procuring companies as a good model for group certification. While we recognize the significant contribution many companies have made by providing group certification to family forest owners, and we do not question their desire to "do the right thing" in most cases, these relationships create at least the appearance of conflicts of interest that should be carefully considered. Corporations are managed to maximize profits for their shareholders, not to maximize justice for landowners, forest workers, and communities. Placing control of the market for FSC timber from family forestlands squarely in the hands of corporations could result in perpetuating unjust socioeconomic conditions that are opposed to FSC principles. Indeed, some groups in the Family Forest Alliance were formed to address landowners' inherent distrust of industry. Enhancement of the Criteria and Indicators associated with Principle 4: Community Relations and Worker's Rights could be used to help address this risk. Providing guidance to the Certification Bodies about these risks could also be helpful.

“Short-term, focus efforts on helping Family Forests and programs that support Family Forests gain access to FSC by supplying controlled wood to certified mills. Implementation will require some work to identify exactly what Family Forests and participating mills must do to have wood qualify as controlled wood. The positive part of this strategy is that in most cases family forest owners will need to do little if anything to have the wood from their forests qualify as controlled wood.” (excerpt from *Family Forest Program and Small Low Intensity Forests as a Cross-Cutting Issue in the Standard Review Process*)

Family Forests Alliance Comments:

We don't agree with the emphasis on short-term efforts to promote the concept of Family Forest wood meeting the Controlled Wood definition. While we recognize and support the importance of Controlled Wood as a component of an "FSC Mixed" product, placing

emphasis on the role of Family Forest wood as meeting this standard would provide a disincentive for landowners to pursue a higher standard of forest management. The report states that much of the wood harvested in the US can currently meet the FSC Controlled Wood definition with little or no modification in practices. Given this fact, Family Forest owners can already gain access to FSC Controlled Wood markets without the assistance of specific programs to do so. Specific efforts to support this access would not be a wise use of limited funding, and the onus to implement the controlled wood standard should remain with the chain-of-custody certificate holders who are required to document their non-FSC certified sources.

“The Standard Revision Process should initially focus on revising the regional standards for forests over 1000 ha since that is where the majority of demand for certification is at this time. The process does need to address the Family Forest Program as FSC policy requires but Family Forests should not drive the process.”
(excerpt from Family Forest Program and Small Low Intensity Forests as a Cross-Cutting Issue in the Standard Review Process)

Family Forests Alliance Comments:

The blunt response to this comment is that the existing standards are currently working well for landowners over 1,000 hectares in size as demonstrated by the dramatic growth in FSC-certified lands in this size class in the United States in recent years. A key finding of this review was “that the current regional standards are generally not approachable from the perspective of the family forest owner or manager. The standards are also difficult to audit or implement on small properties.” **It is clear then, that the standards are not working for small properties and this is where the Standards Revision Process should focus!** The existing FSC-certified family forests are facing significant challenges to maintaining their certified status and opportunities to enroll large numbers of family forests have been missed (e.g. Wisconsin Managed Forest Law). There is an urgent need to modify how FSC engages family forests and immediate action could still be supportive of exploratory work currently on going in several states and the research recently completed by the Forest Service.

Furthermore, the lack of FSC-US attention to family forestlands is perplexing considering FSC's mission to "promote environmentally appropriate, socially beneficial, and economically viable management of the world's forests". Considering the vast acreages of U.S. forestlands that are in family ownership and that produce the majority of our timber, logic would seem to dictate that this group would be a primary target for engagement and assistance. With FSC's current limitations for certifying federal lands, and current national economic trends away from long-term corporate ownership of timberland, the significance of this ownership group is steadily increasing.

Consideration of social and economic sustainability issues should place further emphasis on certifying family forestlands. While it is understandable that recruitment strategies have targeted larger ownerships, and in particular lands owned and managed by

corporations in order to most efficiently increase certified acreage, the seemingly singular focus on this strategy has resulted in additional disadvantages to family landowners. For reasons that should not be necessary to elaborate on here, facilitating preferential access to FSC certification and markets for large and corporate producers works directly counter to goals of economic and social sustainability.

FSC's analysis noted that creating market advantages for family forest producers is critical for motivating family forest participation. Yet, we are aware of few efforts to ensure that efforts to expand market demand are being utilized to increase access and participation among family forest owners. Currently, some of the best niche marketing opportunities for certified family forests are through the sale of non-timber forest products. The lack of clarity in the Regional Standards with regard to NTFPs makes certification of these products particularly difficult.

“Look for opportunities to develop or pilot family forest standards and/or guidance documents where there is interest. For example, the state of Minnesota and Wisconsin have both expressed interest in the development of specific family forest standards and have funded projects to investigate the feasibility and recruit other states. In addition, the FSC Georgia-Pacific Field Test demonstrated strong interest in developing specific family forest standards in the Southeast. Some of the products that might be developed could be checklists, template management plans, guidance and interpretation of regional standards for Family Forests, and guidance for FF on how to meet controlled wood standards.”

and

“... it would be recommended that family forest indicators and issues be incorporated into any standards and a standard for the Family Forest Program not be developed. Most of the issues highlighted in this document in regards to Family Forests and the regional standards can be addressed by developing a guidance document for the Family Forest Program.”

Family Forests Alliance Comments:

We strongly encourage the development of an approach that uses a formal Guidance Document as a means of supplementing the application of a National or Regional Standard Indicators to Family Forests (or SLIMF) in the US. The stand-alone Guidance Document should be a tool that is useful for certification bodies as well as a public document that clearly outlines the expectations for Family Forest landowners wishing to achieve FSC certification.

There is a growing resource of diverse FSC “Groups” that can play a significant role in the development of Family Forest Indicators and a Guidance Document. Many of these groups are willing to share experiences, templates, management plans, checklists, etc. if it will serve to streamline processes associated with FSC certification and the development

of groups. The Alliance can aid in organizing this effort and making this collaboration happen.

FSC-US has clearly recognized the limited ability of streamlined auditing procedures to increase access for family forests, and the critical need to support group certification programs. This is encouraging to the many community-based efforts that are working to provide access through group certification programs. However, there seems to be little recognition of the incredible amount of expertise and the many resources these groups have developed to respond directly to the needs of family forest owners. These groups seem to be consistently underrepresented in FSC stakeholder discussions, and have found FSC to be unresponsive to their communications, applications for FSC membership, and requests for support and cooperation. The missed opportunities to collaborate have also resulted in a lack of recognition among policy and decision makers of the importance of these community-based groups and the role FSC can play in supporting private land stewardship. Despite FSC's recognition of the many obstacles to certification for family forests, it does not yet appear that FSC is taking full advantage of the potential to build on the existing efforts, incorporate the learning from these efforts, and thereby enhance the FSC's impact and effectiveness in the most efficient manner possible.

Regional standards and regional configurations

“The review proposes that FSC-US consolidate the nine regional standards into a national standard that incorporates regional variations. Recognition of regional, state, and local variation is of utmost importance in FSC standards. This recognition is important not only to reflect regional differences in legal, social, economic, and environmental conditions, but also to reflect preferences of local stakeholders, a key component of the FSC system and something that distinguishes it from other certification systems. The argument for harmonization or unification to a national standard is not to limit intentional and logical regional variation but is seen as important to improve consistency in certification decisions, auditability and insurance of standard integrity. The review found that the current standards are similar in intent across the Principles and Criteria. Furthermore, when regional differences were appropriate, seldom did the current regional configurations aid in making the standards better.” (excerpted from 10/12/06 letter from Ned Daly to FSC Members, Certificate Holders, and Stakeholders)

Family Forests Alliance Comments:

Given the findings that regional configurations rarely aided in making the standards better, it is reasonable to consider a unified national standard that still practically incorporates regional variations. We support a transition to a single national standard to the extent that it frees resources to more quickly develop the family forest standards and take action on other initiatives. While we recognize that regional standards are beneficial in being able to address local issues and increase opportunities for stakeholder support at the regional scale, we believe these benefits can be retained in a national standard that is

carefully developed to preserve regional variations. We recognize that the review, revision and long term maintenance of nine regional standards is a costly endeavor and making this investment jeopardizes FSC's ability to undertake other activities. If the FSC decides to move toward a national standard, we hope that the family forest standard will be elevated in priority and additional resources will be committed to the effort. Under such a national FSC standard, a strong guidance document or set of notes on intent will be a fundamental need for the application of the standard to family forests nationwide.

Specific Comments on the Standards

The document *Family Forest Program and Small Low Intensity Forests as a Cross-Cutting Issue in the Standard Review Process* includes Appendix I and a review of indicators in terms of their compatibility with family forest certification. In our opinion the "partially complies" category adds very marginal value as an evaluation category. Furthermore, as a place to start a discussion, we would suggest that any Criterion that have less than 3 "complies" should be considered for elimination from the Family Forest Standard. Criteria that have significant non-compliance with the primary questions are known and significant barriers to family forest certification and the development of alternative indicators are unlikely to adequately overcome these challenges.

We are concerned that the recommended alternative indicators will rely too much on creating additional administrative and record keeping requirements for family forests and group managers (e.g, the use of the term "document" in C 1.2 and 2.1). These administrative fixes are a significant burden on group managers and do little to improve forest management or increase a landowner's capacity to practice responsible forestry. If administrative requirements are added they should not be barriers to being awarded certification, they should be implemented over the life of the certificate (e.g. Multiple-year CAR), and FSC should make significant efforts to provide templates and unambiguous guidance on how to quickly address the requests (e.g, regional lists and resources that group managers can simply adopt verbatim or quickly modify).

It is not clear that this stage of the Standards Review Process includes a request for detailed comments on individual Principles, Criterion, or Indicators within the FSC Standards. It is our understanding that future steps within this process will allow for more detailed comments on the standards and the first step being implemented at this time revolves around refining the process for the standards review and gathering feedback on the leading proposals, such as developing a single national standard.

At this time, we offer just a few comments on the standards from individual organizations. We anticipate being engaged in the future steps of the Standards Review Process and providing more detailed and comprehensive feedback on the specifics of the standards at that time.

Comments on FSC Standards for Principles 1-10

For follow-up on Principle 3 comments contact Mark Adams, Cook County Sustainable Forestry Cooperative (madams@boreal.org).

For follow-up on Principles 6 – 10 comments contact Alyx Perry, Southern Forests Network (alyx@southernsustainableforests.org).

Principle 3: Indigenous Peoples' Rights

1. In the United States, with its self concept as a melting pot, the definition of indigenous is as critical as it is tricky. It may be helpful to consider that most, if not all “Native American “ groups with a land base are in fact recognized as Sovereign Nations. This is perhaps unique to North America. These groups not only cross state lines, they also cross international boundaries. There are other groups who have long term tenure on the land that can be measured in terms of centuries; Spanish land grants in the South West, Century Family Farms in the Mid West come to mind.
2. Many “Native” groups have the bulk of there membership living not on there land base, often in urban environments. Other “Native groups with out a land base are attempting to establish a land base through purchasing block of land. With in a “Native” group there very often is a social/cultural split between what is self-identified as “Traditionals”, who have a spiritual relationship to the land and the “Moderns” who have embraced the cultural norms and social structures of the conquerors.
3. Under the strict definition given in the Principles and Criteria not all Native Americans would qualify as indigenous on there currant lands, i.e. the Navajo took from the Hopi, the Ojibwe pushed out the Lakota.
4. The spirit of Principle 3 would seem to apply to people living or attempting to live in a manner consistent with the traditional, pre-industrial occupants of the region.

Principle 6: Environmental Impact

RE: Criterion 6.3

More specific indicators and guidance are needed on the following issues:

1. Retention of woody debris: As biomass utilization becomes more common, it’s crucial to provide very specific indicators and guidance for determining sufficient levels of woody debris retention.
2. Even-age management systems: Appropriate thresholds for retention in even-age stands; and indicators for the appropriate use of even-age management for restoration

3. Clearcut size limits: Appropriate methods for determining the size of clearcuts at the landscape and/or stand level, and specific consideration of binding size limits for clearcuts in the SE standard.
4. Species diversity: Determining management goals for species diversity, especially according to “scale and intensity” under the FFP

Revisit definitions of Old Growth (e.g. SE) which include the characteristics of a multi-leveled canopy, large logs on the ground, etc. Several of these are not broadly applicable (e.g. old-growth longleaf stands may have neither multi-level canopies or logs on the ground, due to fire management). There is sufficient variability in the characteristics of old-growth forests in the Southeast that adopting some relationship to OG forest descriptions developed by the Forest Service or some other reputable source might be a better choice than using such generalizations. (From FSC Analysis of Principle 6)

Strongly support this statement, and suggest that ENGOs such as TNC and the Southern Appalachian Forest Coalition be consulted in the Southeast region.

Principle 9: Maintenance of High Conservation Value Forests

The SE inclusion of natural forest and the corresponding poor definition of this term in the glossary make the SE standard less than easily auditable. (From FSC Analysis of Principle 9)

HCVF is particularly hard to define and identify for small ownerships, especially in light of the vague “natural forest” description.

It would be very useful to be able to reference designations from TNC, NatureServe and the state Natural Heritage programs.

Principle 10: Plantations

Regarding requirements for maintaining viable wildlife habitat and encouraging species diversity:

Many family forest owners (in the Southeast) participate in programs to create and maintain habitat for game species in plantations. While these management activities admittedly result in high wildlife populations, it would be useful to have indicators or guidance that help evaluate a suitable level (and “composition”) of wildlife species diversity in these cases.

“Further expertise for guidance: Rural economics expert- to assess the “effectiveness” of the Indicators to enhance the economic and social stability “of communities?” This will be a rare person who has both a rural economic/social background and a background in plantation composition.” (From FSC Analysis of Principle 10)

Suggestion: Connor Bailey, Auburn University, Alabama

RE: Criterion 10.6. Measures shall be taken to maintain or improve soil structure, fertility, and biological activity. “Sufficient woody debris is retained within plantation stands to assure adequate nutrient recycling”

As biomass utilization becomes more common, it’s crucial to provide very specific indicators and guidance for determining sufficient levels of woody debris retention.