

FSC US National Forest Stewardship Standard (Version 2)  
**DRAFT 1 CONSULTATION REPORT**

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**Introduction**

In April 2017, the FSC US Board of Directors agreed to take on the role of Standard Development Group for the revision of the FSC US forest management standard. FSC US staff began to organize and plan for the process before deciding to delay the effort for one year so they could focus on the FSC US Controlled Wood National Risk Assessment development process. In mid-2018, a Working Group of technical advisors appointed by the Standard Development Group began development of recommendations, in a series of phases, for the Standard Development Group. The Working Group successfully completed this process in late-2020.

The Working Group’s recommendations were then carefully reviewed by the Standard Development Group and led to the Draft 1 revised National Forest Stewardship Standard (NFSS) materials which were shared with stakeholders during two phases of public consultation. The Phase 1 consultation included the base indicators, which will be used by most certificate holders, and occurred in late-2020. The Phase 2 consultation included the Family Forest Indicators, Plantation Indicators, and Federal Land Supplementary Requirements and occurred in mid-2021.

With the assistance of FSC US staff and with further targeted outreach, the Standard Development Group worked through all of the comments received during both phases of the Draft 1 public consultation, and made adjustments to the language of the standard. During this process, they continued to focus on clarity of intent, feasibility of implementation for certified forest management organizations, and ensuring that core values of FSC are respected (i.e., that conformance with the indicators of the standard will result in conformance with FSC’s Principles and Criteria). The results of the Standard Development Group’s work is now shared with members, certificate holders and other stakeholders as Draft 2 of the revised NFSS.

Next Steps & Looking Forward

Following the Draft 2 public consultation, the Standard Development Group will again consider all comments received, and develop a final draft (Draft 3), which will be submitted to FSC International for approval later this year. The approval process is expected to take approximately a year, but could be shorter or longer. The final decision on the standard will be made by the International FSC Policy and Standards Committee, which has delegated authority from the International FSC Board of Directors for decisions on National Forest Stewardship Standards. If the Committee identifies any conditions for approval, these will need to be resolved before the standard is fully approved and published.

Following approval, there is typically a 3-month delay before the revised standard becomes effective, and this is followed by a 12-month transition period. All certificate holders must be audited to the revised standard during the transition period.

- Draft 3 approved and submitted by the Standard Development Group to FSC International – by November 2022
- FSC International staff review, and International FSC Policy & Standards Committee review and approval – ESTIMATED by end of year 2023
- Standard becomes effective – ESTIMATED by end of Quarter 1, 2024
- Transition period ends, and all certificate holders transferred to the revised standard – ESTIMATED by end of Quarter 1, 2025

## **Analysis of Stakeholder Groups Who Submitted Comments on Draft 1**

### Phase 1 – Base Indicators

- 54 unique sets of comments representing 61 individuals or organizations
- 41 of the individuals/organizations were affiliated with the Economic Chamber, including 27 representing FM certificate holders, 27 representing members, 5 representing CBs/auditors, and 1 representing a Native American tribe (also a certificate holder)
- 11 of the individuals/organizations were affiliated with the Environmental Chamber, including 6 members, and 1 auditor
- 4 of the individuals/organizations were affiliated with the Social Chamber, including 3 members, and 1 certificate holder
- the chamber affiliation for 5 of individuals/organizations is unknown, including 3 certificate holders

### Phase 2 – Family Forest Indicators

- 13 unique sets of comments representing 14 individuals or organizations
- 9 of the individuals/organizations were affiliated with the Economic Chamber, including 6 members, and 2 CB/Auditors
- 3 of the individuals/organizations were affiliated with the Environmental Chamber, including 2 members, and 1 certificate holder
- 2 of the individuals/organizations were affiliated with the Social Chamber, including 1 member.

### Phase 2 – Plantation Indicators

- 9 unique sets of comments representing 31 individuals or organizations
- 7 of the individuals/organizations were affiliated with the Economic Chamber, including 5 members, 2 certificate holders, and 2 CB/auditors
- 23 of the individuals/organizations were affiliated with the Environmental Chamber, including 4 members
- 1 of the individuals/organizations was affiliated with the Social Chamber, and is a member

### Phase 2 – Federal Land Supplementary Requirements

- 9 unique sets of comments representing 31 individuals or organizations
- 6 of the individuals/organizations were affiliated with the Economic Chamber, including 3 members, and 1 CB/auditor
- 24 of the individuals/organizations were affiliated with the Environmental Chamber, including 4 members
- 1 of the individuals/organizations was affiliated with the Social Chamber, and is a member

## General SDG Response to the Draft 1 Comments

### High level summary of comments

- Across chambers and type of stakeholders, the comments represented a mixture of accolades for perceived improvements (over the existing standard) and concerns (generally with new and/or significantly changed elements).
- At a high-level, comments from respondents aligned with the Economic Chamber focused on a need for greater streamlining, reduction in the level of prescriptiveness, recognition for the extent of the standard that is already addressed through US law, and concerns regarding the size of the burden that would be placed on certificate holders and the possibility for loss of existing and future certificate holders as a result.
- At a high-level, comments from respondents aligned with the Social Chamber applauded efforts to improve the standard for Family Forest owners and forest workers, while recognizing the need for further improvements. Social Chamber comments supported changes resulting in better reflection of the lower risk of and increased access for Family Forests, but noted that it will still be challenging for Family Forests to become and stay FSC-certified. They also recognized the changes in Principle 2 intended to improve the well-being of forest workers, but questioned whether conformance would be feasible for certificate holders of any size or management intensity.
- At a high-level, comments from respondents aligned with the Environmental Chamber did not share many over-arching themes, but did generally share support for the High Conservation Value Framework, changes in expectations for Representative Sample Areas, and efforts toward increased clarity for these and other elements. There were concerns expressed about reductions in some protections and need for further rigor in some areas.
- Numerous comments were received, regarding intent, applicability and guidance language in the body of the standard, which suggested that much of the language was duplicative, unnecessary, overly prescriptive and unclear. Other comments suggested additional guidance needs.
- The new annexes were generally received well and found to be useful, but comments indicated the need to clarify their status as guidance (i.e., not normative/required).

### Standard Development Group (SDG) General Response

- The SDG greatly appreciates the effort and time associated with preparation of the comments received on Draft 1, and the many opportunities identified to improve Draft 2.
- For Draft 2, the SDG continued to try and balance feasibility for current and potential certificate holders, with maintaining the high level of credibility represented by our US standard.
- During development of Draft 2, the SDG considered the full set of comments provided in response to each consultation question and those provided for each element of the standard, which often represented very different and frequently conflicting perspectives. The SDG worked to find consensus on whether and how to address comments, and how to address other issues identified by SDG members and the FSC US staff supporting the process.
- The SDG also continued to look for opportunities to streamline the standard and associated processes. One focus for streamlining during development of Draft 2 was the intent, applicability and guidance language in the body of the standard, to ensure that it provides value for helping certificate holders and Certification Bodies understand the expectations of the indicators. This

resulted in removal of some language that duplicated indicator or glossary language, removal of some language that provided general silviculture or forestry content (i.e., not specific to conformance with the standard), and working to convey relevant content more simply.

- While the SDG worked to acknowledge and consider all comments, not all comments on Draft 1 resulted in a change to the standard for Draft 2.

#### Most Significant Changes Between Draft 1 and Draft 2

- **Climate Change** – condensing the key elements for consideration of climate change and actions to help adapt to climate change into a smaller number of locations in the standard; providing an extended timeline for existing certificate holders to achieve conformance with the new climate change expectations in Indicator 7.2.4; simplifying the content of Annex L (Climate Change Toolbox); ensuring that carbon sequestration and storage, as ecosystem services, are also addressed in the standard and in Annex L; considering if additional flexibility is needed for addressing the impacts of catastrophic disturbance events
- **Family Forests** – Increasing the family forest-focused elements associated with Principles 6 and 10, and thereby increasing family forest access to FSC certification
- **Applicability of Federal Land Supplementary Requirements to Different Land-Administering Federal Agencies** – clarifying that it is the SDG's intent to provide a set of Federal Land Supplementary Requirements in the standard that address all of the pertinent issues for all Federal Agencies, aligned with the FSC US Federal Lands Policy; and requesting additional input regarding specific issues identified during the Draft 1 public consultation that will be considered during development of Draft 3, along with input from a consultant, and additional inputs from targeted consultation with the Consultative Forum between Draft 2 and Draft 3.
- **Plantations** – clarifying the intent of the SDG regarding certification of plantations (i.e., no intent to move these over time to semi-natural forest) and aligning the applicable indicators with this intent
- **Non-Timber Forest Products (NTFP)** – working to expand the scope of the standard to include NTFP and reduce the need for secondary, Certification Body-developed, NTFP standards
- **Criteria 1.1, 1.2 and 1.3 & Establishing the Legal Context for Certification** – improving the alignment of the indicators to the Criterion language, reducing duplication between indicators and increasing clarity of expectations
- **Principle 2 & Forest Workers** – finding a way to make it possible for certificate holders to conform with the overall intent of the Principle which encompasses all forest workers (employees, contractors, contractor employees), but without crossing legal boundaries
- **Principle 3 & Identification of Native American Indigenous Peoples** – finding a way to streamline the process of determining which Native American communities would like to engage with which management units (including a role for FSC US to play moving forward)
- **Criterion 4.5 & Impacts on Local Communities** – shift focus to engagement with local communities, identification of potential community-level impacts that are of concern to the community, and identification of strategies to address those concerns.
- **Criterion 5.3 & Externalities** – finding a feasible way to address the intent of the Criterion, as the membership did not pass the motion proposing to eliminate it from the Principles & Criteria during the virtual General Assembly last October

- **Criterion 6.5 & Representative Sample Areas** – working to ensure that while maintaining alignment with the International Generic Indicators, the expectations for representative sample areas are feasible for certificate holders and do not become a barrier to certification
- **Indicator 6.6.6 & Exceptions to the Regional Requirements** – providing additional flexibility for justifying larger harvest openings for restoration purposes than permitted by the regional requirements; collecting information that will inform future considerations and decisions by the Standard Development Group regarding regional requirements
- **Criterion 6.8 & Rewarding Decisions that Result in a Greater Extent of Old Growth** – providing a small amount of very narrowly defined flexibility for limited harvest within northern white cedar or black spruce in upper Midwest states when the old growth successional stage of these forest types is widely represented, and as long as several conditions are met, including ensuring that old growth of these forest types does not again become underrepresented within the landscape.
- **Criterion 9.1 & High Conservation Value Assessments** - providing an extended timeline for existing certificate holders to achieve conformance with the changed approach to High Conservation Values (i.e., High Conservation Values and High Conservation Value Areas, instead of High Conservation Value Forests and their attributes), and the associated assessment expectations in Criterion 9.1
- **Criterion 10.2 & Use of Non-natives for Regeneration** – addressing concerns that Draft 1 was far more restrictive regarding use of non-native species than the existing standard, and clarifying that the use of non-natives for climate change adaptation is restricted to only those of North American origin
- **Criterion 10.7 & the FSC Pesticide Policy** – reducing duplication between the standard and the Policy to help streamline the indicators in the Criterion
- **Annex B & Determining Regional Boundaries** – clarifying that the boundaries on the map provide a high-level guide, but that final decisions on the applicable FSC US Region(s) should be based on ecological descriptions (now included in the annex)

# Significant Issues Raised & How Associated Comments were Taken into Account

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## PRIORITY ISSUE: Principle 2 & Forest Workers

Responses were mixed between chambers, but relatively consistent within chambers, although difficulty of auditing (i.e., demonstration of conformance) was a common threat throughout the comments. Economic Chamber respondents generally indicated that the Draft 1 revision defies conventional advice, at best, and at worst conflicts with US law (specifically that they violate the contractor-employee relationship). Social Chamber commenters were supportive of the effort, but reticent to think that it was achievable (citing pushback from the Economic Chamber, expense of conformance, how the different requirements will be monitored and verified, and a big need for support from FSC US). Specific concern was expressed regarding guest and other vulnerable workers, and creation of conditions which deny opportunities for local companies and workers. No overarching Environmental comments were received.

Opportunities for improvement identified by the Economic Chamber included: focusing on compliance with US law instead of unratified ILO conventions or specific outcomes for workers; focusing more on processes and implementation of processes instead of outcomes; recognizing that there may be competing social standards and values; clarifying how vendors or purchasers should be addressed; limiting government entity requirements for conformance to compliance with applicable laws; and focusing on requiring compliance with applicable laws in contract language (to address contractors).

### *SDG Actions Taken:*

- Clarify in the definition of “workers” that these are individuals who are implementing management activities under the scope of the standard.
- Include separate indicators to address employees of the organization vs contractors/contractor employees in Criteria 2.3, 2.4, and 2.6.
- Provide definitions for “employee,” “independent contractor,” and “contractor employee”
- Include guidance that other certification schemes (e.g., master logger) may inform demonstration of conformance (as a source of information), but they are not a complete replacement for demonstration of conformance.
- Include the concept of living wages, and include this term in the glossary, but request input on how provision of a living wage could be audited (see associated consultation question).
- Additional edits also implemented in response to more specific comments

## PRIORITY ISSUE: Principle 3, Indigenous Peoples’ Rights & FPIC

Economic Chamber respondents were mixed, but many note a significant increase in effort/burden, with potentially very little benefit, particularly given their previous experiences with lack of response from tribes that have been contacted. There were also significant concerns expressed regarding violation of private property rights, and also the impact of these indicators on state-level public agencies. Numerous commenters indicated concern that the expectations of Principle 3, combined with Annex F and Free, Prior & Informed Consent (FPIC) could push certificate holders to dropping FSC.

Social Chamber commenters were supportive but expressed concern regarding the capacity of both certificate holders and tribes to engage as suggested in the indicators, with a particular emphasis on the difficulty of the expectations in Principle 3 and Annex F for Family Forests. One commenter looked to FSC US to support and facilitate engagement between certificate holders and tribes.

The limited Environmental Chamber respondents were generally supportive with a small number of more specific recommendations.

Many opportunities for improvements were identified by respondents from all chambers.

*SDG Actions Taken:*

- Revise Indicator 3.1.1 to build on the premise that FSC US will provide support/resources to identify which lands are of interest for particular tribes – to reduce influx of requests to tribes from multiple certificate holders, and to remove the need for tribes to self-identify where there are specific areas of importance (i.e., for determining whether there are potential impacts from management activities) and instead just ask tribes to identify certified lands where there are interests. Demonstration of consultation with FSC US is intended to be adequate for demonstration of conformance with Indicator 3.1.1. Availability of digital management unit boundaries (per Motion 61 of 2021) will assist this process.
- To implement the above, FSC US will work with tribes to develop a culturally appropriate process to answer the following questions: Do you wish to be consulted and provide input regarding management activities? For which FSC-certified management units? Who is the best contact? Expectation is that FSC US will have completed the outreach/engagement process with the necessary tribes prior to the effective date of the revised standard.
- Clarify/emphasize in Principle 3 and Annex F that FPIC is for legal and customary/established rights not a vehicle for establishing new rights.
- Clarify what happens if a rightsholder does not wish to engage in, or withdraws from, an FPIC process.
- Change terminology from “Native American groups” to “Native American Indigenous Peoples”
- Note that many of the clarifications and guidance requested by commenters are already available in Annex F, and do not need to be duplicated in the body of the standard.
- Additional edits also implemented in response to more specific comments

PRIORITY ISSUE: Regional Requirements & Deviations from These Requirements

The SDG asked a consultation question regarding whether the regional requirements were appropriately addressed in Draft 1 (i.e., Indicators 6.6.5, 6.6.6, 6.7.5, and 6.7.6). Responses were mixed among the Economic and Environmental chambers. The Economic chamber perceived that, with just several exceptions, there was now less flexibility and that the requirements had not been improved, just moved around in the Standard. Conversely, the Environmental chamber perceived that the new flexibility would be well received by the Economic Chamber but poorly received by the Environmental Chamber. Opportunities for improvement cited by the Economic Chamber include prioritizing a literature review of regional requirements [after the revision is completed] and, as part of this, considering eliminating regional requirements, focusing on timber types, making a GIS map available for download, and making the process for deviations from the regional requirements easier. Numerous Economic chamber comments suggest that the regional requirements do not reflect natural disturbance regimes (the focus of base Indicator 6.6.5), which makes it difficult to consider and plan harvests, retention and impacts at a landscape scale.

The SDG also asked consultation specifically about regional requirements for the Ozark-Ouachita Region and the Pacific Northwest dry zone.

- Few responses for the Ozark-Ouachita region question were received across all chambers. In the Economic Chamber (including CBs), the preference was to Merge the northern portion with the Appalachian Region and the southern portion with the Southeast Region (following Cleland et al. 2007). Just two responses from the Environmental Chamber and one response from the



Social Chamber were received – all three of these indicated that the region should remain as it is with two subregions that have different requirements.

- Overall, it appears that adapting the standards for the Pacific Coast dry zone forests would have broad support across chambers. There were only two environmental chamber respondents – one indicated support for recognizing the dry zone and the other suggested that there was some flexibility already, but it could be increased (just not through expanding Indicator 6.6.6). Several suggestions were proposed as to how to move forward, including a detailed proposal for a pilot test.

Additional comments were received regarding Indicator 6.6.6. Economic recommendations to not limit the indicator to only restoration purposes, as elements required for deviations are rigorous, and to not require consultation with “interested stakeholders.” Environmental comments suggest that proposed amendments to this indicator weaken the standard, with specific concern expressed regarding item (d) where the amendment makes the comparison of “equal or greater benefit...” to the base indicator instead of to any applicable regional requirement, and the potential difficulty auditing this due to the subjectivity and variation in outcomes that would be involved. An Environmental comment submitted during the Phase 2 consultation indicates that the above concerns are of particular importance in the context of public lands.

Additional comments were also received regarding Indicator 6.7.6. Environmental comments suggest that proposed amendments to this indicator weaken the standard, with specific concern expressed regarding the amendment that makes the comparison of “equivalent or greater environmental protection...” to the base indicator instead of to any applicable regional requirements. Explicitly, the concern is that riparian buffers far smaller than those allowed by the regional requirements will be justified, as there are no objective metrics for alternate buffer widths, particularly in states where BMPs for water quality are not sufficient for the protection and restoration of water quality, fish and other aquatic resources. An Environmental comment submitted during the Phase 2 consultation indicates that the above concerns are of particular importance in the context of plantations and federal lands.

#### *SDG Actions Taken:*

- Commit to completing, within 2 years from the approval of the revised standard, a comprehensive assessment of the most recent research regarding topics addressed through regional supplementary requirements to confirm the need for, and adjust as appropriate, the regional supplementary requirements.
- Assessed the regional supplementary requirements associated with Indicator 6.7.5 to identify further opportunities to reduce duplication with other indicators.
- Maintain the general Draft 1 approach for regional supplementary requirements, including for both the Ozark-Ouachita and Pacific Coast (including dry forests) regions
- Add a second option for justifying larger harvest openings through revisions to Indicator 6.6.6, while also collecting information that will inform future SDG considerations and decisions.
- Maintain the Draft 1 benchmark for “greater or equal benefits” (i.e., maintain the comparison to the base indicator, not the regional supplementary requirements) in the existing option for Indicator 6.6.6, and in Indicator 6.7.6.
- Make Indicators 6.6.6 and 6.7.6 not applicable for plantations.
- Additional edits also implemented in response to more specific comments

## PRIORITY ISSUE: Representative Sample Areas (RSA)

The SDG asked a consultation question regarding whether Representative Sample Areas were appropriately addressed in Draft 1. Responses were extensive and mixed among chambers. Most economic chamber respondents felt that moving from a landscape-focus to an management unit-focus was an undue and unrealistic burden on certificate holders that would manifest in a deterrent for current and prospective FSC certificate holders—one Social chamber member felt similarly, noting that RSA are a preservation-oriented concept and shouldn't be required. Environmental chamber responses were mixed, but generally supportive of the concept and the overall approach—two suggestions were that allowing for evaluation of RSA outside the management unit was insufficient for evaluating local species' needs and smaller level ecosystem connections and that achievement of RSA requirements is better aligned with designating a proportion of the management unit, not through an arbitrary number of RSA. A Social chamber member commented that RSAs are a distraction from our focus on ensuring the primary area of management is achieving stewardship.

Several relevant opportunities for clarification cited by the Economic chamber include identifying in Annex G that the expected percentage increase for large-management unit RSA designation, removing Figure 1, as the rest of Annex G is sufficient for identifying when “enough” has been designated, and clarifying the historic limitations surrounding lands that were previously scoped out of the management for conservation. Other concerns identified by the Economic chamber include: the cost and technical difficulty of creating RSA for ecosystems that do not currently occur on the management unit; few certificate holders have the technical capacity for the assessment outlined in Annex G, and particularly difficult for family forests who will have to hire consultants; the impact of taking lands out of production, particularly for family forests; FSC needs to recognize the variations between management units regarding what remains in more natural conditions and allow flexibility for the types of conservation that are implemented depending on the unique conditions of the management unit.

There was also support from the Economic chamber for the Draft 1 introduction of language recognizing that there may be a need to actively manage RSA and high conservation value areas. Additionally, there was a comment that the scale of “ecosystem” is inappropriate, that natural community or forest type would be better, but as ecosystem is used in the language of the Criterion, this consideration is out of scope for the standard. A couple of comments suggested that Indicator 6.5.3 is not necessary and should either be eliminated or moved to guidance for Indicator 6.5.2.

The SDG asked a consultation question regarding whether RSAs and conformance were Criterion 6.5 been addressed appropriately for Family Forest Management Units in Draft 1. Many comments from across chambers reflected that the requirements are overly complex considering the resources available to the majority of family forest owners, that the RSA concept is quite technical, that it is likely most family forest owners will be challenged to navigate and implement requirements without specialized professional assistance, that the cost of conformance will be a barrier to certification, and generally that the requirements for designation on family forest management units is not feasible and will be a barrier to certification. A number of comments recommended creating a new RSA annex specifically for family forest that would simplify the intent and process of designating RSAs for forests that meet the family forest designation requirements. A Social chamber comment notes that the guidance for family forest to focus on a small number of the steps in Annex G is helpful, but requested clarity if they would be acceptable in audits since the indicator references the annex. For the indicators, an Economic comment recommended focusing on those NPCs that are identified as at-risk in the FSC NRAs (or other publicly available data sources such as State Forest Action Plans which are required in all states so as to set an even playing field for family forest in the USA) and that currently occur within the management unit.

A Social commenter suggested that because of the small scale and low intensity of most family forests, they are being managed as native ecosystems by definition, and that as the biggest threats to natural

conditions (exotic invasive plants, insects, and diseases) are in many, many cases beyond management in any meaningful way. An Economic commenter also suggested that family forests should be exempt from the requirement to establish RSAs in light of the small scale and low intensity of operations typical of family forest operations, and in consideration of the marginal ecological viability of exceedingly small areas. A number of commenters suggested establishing a de minimis rule be included for exemption of FMUs under a certain size.

One Environmental commenter indicated that this treatment of RSAs will be feasible for the members of their group certificate. Another ENV comment suggested clarifying that restoration is desirable but should be considered optional for family forest management units.

#### *SDG Actions Taken:*

- Maintain an expectation of conformance with Criterion 6.5 for all management units (considering both RSA and the Conservation Areas Network), with exceptions only for management units less than 50 hectares (124 acres) being able to recognize RSA outside of the management unit (if certain criteria are met), and family forest management units within groups where the Conservation Areas Network 10% designation may be covered by other group members.
- Expect that if a viable RSA exists, then it needs to be identified and protected, then it needs to be identified and protected, unless there are multiple potential RSA for the same ecosystem, and the Organization can achieve greater conservation value by focusing on other ecosystems.
- Do not explicitly require that an RSA be designated for each potential ecosystem that could possibly occur with the management unit.
- Replace Draft 1 Indicators 6.5.1-6.5.3 with adapted versions of IGIs 6.5.1-6.5.4.
- Remove Figure 1 from Annex G and revise the remainder of the annex to align with the revised indicators.
- Maintain the allowance for RSA to be designated outside of the management unit, with the exception of federal management units and management units with plantations, but clarify that they need to be within the same ecological section and need to be permanently protected.
- As part of its implementation strategy, FSC US will be developing additional resources to help simplify and streamline the process of identifying RSA.
- Specifically for family forest management units:
  - Maintain the RSA requirement for family forests, as making a change is outside of the scope of the standard revision process. But maintain the simpler indicators, including making Indicators 6.5.3 and 6.5.4 not applicable.
  - Develop a simpler RSA set of guidance for family forest management units
  - For Draft 3, Link the best available information at the end of Annex G with the specific steps
  - For Draft 3, evaluate the destinations of links in the standard and annexes (not just Annex G) for the validity and usefulness of the destination and consider if there is a way to provide a clear indication of the resource/information source, without including a specific link (which may change).
  - Support development of “communities of practice” to support family forest certification and CH (i.e., opportunities to learn from each other and share resources and share tools, etc.) - to be initiated as part of FSC US's implementation strategy

- Additional edits also implemented in response to more specific comments

### PRIORITY ISSUE: Conservation Areas Network

The SDG asked a consultation question regarding whether Conservation Areas Networks (CAN) were appropriately addressed in the Draft 1 revised standard. Responses indicated that the concept of the CAN was generally not well received, particularly by the Economic Chamber. However, a number of respondents, including from the Economic chamber indicated that the concept and guidance are appropriate, clear and feasible. Members from both the Economic and Social chamber (just one member) indicated that the CAN was a zero-sum concept; that designating 10% of the MU would be untenable; and that FSC had failed to recognize that active, responsible forest management is compatible with conservation. Numerous Economic chamber members commented on the additional workload and expense that would be required to identify, consult, document and monitor these areas, particularly for family forests. An Environmental chamber member suggested that the Annex needs to explicitly limit CAN inclusions to be on the MU (with exception of RSA designated outside of the management unit), as it currently does not. One commenter asked for greater clarification on whether conservation easements could be considered as part of the CAN. An Environmental commenter indicated that a strict 10% “set aside” could severely limit FSC in the Appalachian region.

Opportunities for improvement, all of which were cited by the Economic Chamber, generally include more effort from FSC to clarify how the CAN will be assessed (audited), how to prioritize inclusion of lands in the CAN, additional guidance on the level of timber harvest allowed within CAN areas, and provision of rationale for the 10% threshold. One comment suggested that FSC US could assist with the CAN analysis across wood baskets, and then provide a national interpretation that for particular spatial areas the requirement had been met, and that certified landowners within these areas do not need to do anything further.

The SDG asked a consultation question regarding whether the guidance in Annex H is sufficient for understanding and conforming with the associated CAN requirements. Generally, ECON comments indicated that while the guidance is sufficient, the CAN concept is infeasible. Other comments were very similar to those received regarding the CAN generally. One ECON comment indicates that many of the potential CAN components identified in Annex H are not applicable to the US Southeast. Another ECON comment suggests that the guidance suggests a focus on Intact Forest Core Areas which is possible when these already exist, but it is not a viable concept to suggest that all management units must have Intact Forest Core Areas.

Commenters asked for a number of additions to Annex H, including greater clarity regarding the overall purpose for the CAN, potential to include recreation areas, management expectations and allowances, more examples, guidance on verification of areas, provision of a standardized methodology, and a definition for “cultural.”

### *SDG Actions Taken:*

- Maintain an expectation of conformance with Criterion 6.5 for all management units (considering both RSA and the Conservation Areas Network), with exceptions only for management units less than 50 hectares (124 acres) being able to recognize RSA outside of the management unit (if certain criteria are met), family forest management units within groups where conformance with C6.5 may be achieved across the group, and the limited scenarios where the certificate holder was responsible for protection of areas outside of the management.
- Maintain the allowance for the CAN to include areas outside of the management unit, with the exception of federal management units and management units with plantations.

- For Annex H: Add additional examples; add clarity that areas where the intent is to provide for or support culturally-oriented recreational activities may be included in the CAN, but this does not mean that all recreational areas may be included; add a definition for "cultural" to the glossary; add a brief description of the purpose and origin; add the graphic from the Representative Sample Areas-Conservation Areas Network-High Conservation Values topic overview; add clarity that non-forested areas and non-commercial forested areas may be included in the CAN; add management guidance; add clarity that the list included is not exhaustive, it is simply a list of potential examples; update to align with the revised Forest Management Group Standard regarding conformance with Criterion 6.5 across the group.
- Additional edits also implemented in response to more specific comments

### PRIORITY ISSUE: High Conservation Values

The SDG asked a consultation question regarding whether High Conservation Values (HCV) were appropriately addressed in the Draft 1 revised standard. Critiques of the revisions to the approach for addressing high conservation values were mixed, both within and among chambers, but overall were more positive than negative with appreciation for the efforts to clarify HCV identification and expectations of certificate holders. The Economic chamber appreciated that HCV areas are not necessarily set asides but also indicated that the new focus on HCV instead of high conservation value forests would increase administrative burden and monitoring. Concerns from the Economic chamber were largely regional. For instance, Pacific Coast respondents indicated that RMZs should count as HCV areas and that FSC should plan to support certificate holders as they defend anticipated reductions in HCV to stakeholders; respondents from Minnesota indicated that designating natural origin lowland conifer as old growth would be very problematic for many of the state's certificate holders.

A number of certificate holders expressed frustration with the change from a focus on HCVF to HCV. Comments suggested that this will make the HCVA assessment per Criterion 9.1 much more intensive than in the existing Standard and will result in added costs and man hours. Other changes also were associated with added costs, including periodic updates, monitoring and keeping abreast of new research, in addition to engagement and continued consultation with affected and interested stakeholders. One comment expressed concern regarding "keeping abreast of new research," (See Annex K 3.d. The remainder of these concerns are related to requirements in the Principles & Criteria, which we cannot change.

Environmental chamber responses indicated a need for stricter provisions for halting management immediately when adverse effects occur, several content specific edits to the Standard, and a need for high concentrations of lentic/wetland systems should be explicitly identified as HCV. No responses were received from the Social chamber.

A majority of responses suggest that providing some examples of HCV would be a valuable addition to Annex K.

Certificate holders generally supported the change from Cleland's Sections to Cleland's Provinces, although one indicates that State is a better scale, and one suggests that if Province is used, then FSC needs to provide clear guidance on how an assessment at this scale of landscape is performed and who would be involved. Environ Chamber comments focused on Provinces being too large a unit for use pertaining to HCVs and significance at a regional scale, suggesting that there is a need for greater protection of potential HCVs than would be afforded, and that since many Provinces are immense, they extend far beyond the range at which some HCVs will ever exist. The Chamber recommends using Cleland's Sections instead. One comment indicated that the use of Provinces in this manner is

especially inappropriate in the context of federal lands, which are more likely to contain HCVs, and need to play a leadership role in forest ecosystem conservation and restoration.

The SDG asked a consultation question regarding whether HCVs and conformance with Principle 9 for Family Forest Management Units was appropriately addressed in the Draft 1 revised standard. A mixture of perspectives across chambers received in responses - some indicating that generally scale, intensity and risk have been appropriately addressed (particularly with the Family Forest checklist in Annex K), while others suggest that the combination of indicators and Annex K are simply too much for family forest management units (complexity and overall burden) and if not greatly simplified will require extensive investment in outside help. Specific SOCIAL recommendation to reduce the documentation requirements (which are increased from the existing standard) for FF. Additionally, monitoring of HCVs is considered low risk for family forests in the current standard yet is required in the draft revision - adding burden. ENV suggestion to not make the checklist the only lower-burden option available to FF, but also allow other alternative approaches. ECON suggestion to use the NRA as a reference and if the FSC NRAs concludes low risk for HCVs, that this principle be deemed NA or at least low-risk for FF FMUs given scope/scale/intensity.

#### *SDG Actions Taken:*

- FSC US will be providing additional resources to assist all certificate holders in implementation of changes, including provision of HCV examples
- Do not provide additional content specifically for family forests at this time, but provide additional support during implementation
- For existing certificate holders, do not explicitly require a new assessment, just require conformance (which may be possible without a full new assessment), and provide additional time to update the HCV assessment if needed (3 years for family forests, 2 years for larger)
- Maintain Cleland's Provinces as the scale for considering significance at a regional scale
- Annex K does not prohibit designation of RMZ as HCVA, nor require family forests to use the check list
- Additional edits also implemented in response to more specific comments

#### PRIORITY ISSUE: High-grading & Exploitative Practices

The SDG also asked consultation specifically about whether high grading and other exploitative practices were appropriately addressed in Draft 1, and whether the associated indicators are feasible for certified organizations. Most respondents indicated that, "yes" given the indicators identified in the issue overview and the standard as a whole, these kinds of practices would not be possible within forests that conform with the standard and "yes" that the associated indicators are feasible. However, many comments from the Economic and Social chambers also expressed confusion and frustration over the terminology used in the issue overview and associated guidance language in the standard, as the types of silvicultural practices mentioned are also used for positive and responsible management. Members of all chambers were confused that "selective harvests" or "select cuts" were categorized as exploitative harvests. A Certification Body was one of the few respondents suggesting that it is not adequately addressed, and that it should be considered more explicitly (and at minimum, the guidance in Indicator 7.2.14 be added to the other indicators mentioned in the issue overview).

In comments for Indicator 7.2.14, multiple Economic chamber commenters recommended removing the guidance about "exploitative practices" as it is unnecessary (i.e. the standard requires managing for environmental and social values and therefore exploitative practices are impossible), and because it

may be used to meet social objectives. However, numerous other commenters from multiple chambers indicate that the guidance is helpful. Another commenter recommends adapting the guidance so that practices which could be used for environmental or social benefits are removed and only those practices that have no possible benefits and are truly exploitative remain.

A peer reviewer contracted by FSC US commented that, “None of the draft indicators under Criterion 10.11 explicitly addresses the associated instruction for standard developers which requires that ‘Standard Developers shall\* develop indicators to prevent high grading.’”

#### *SDG Actions Taken:*

- Do not add an indicator specific to high-grading
- Simplify the guidance language regarding high-grading that was associated with Indicator 7.2.14 in Draft 1, and include it with all of the indicators that are referenced (5.2.3, 6.6.2, 7.2.14, 10.5.1, 10.11.4).

#### PRIORITY ISSUE: Climate Change

The SDG asked a consultation question regarding whether climate change had been appropriately addressed in Draft 1. The majority of responses were positive regarding the incorporation of climate change and the general approach to how it has been done. A number of certificate holders emphasized the additional cost and time associated with implementing the Indicators, particularly 6.1.1, and particularly for smallholders. A small number indicated that the assessment requirement in 6.1.1 is too vague, and a small number indicated that overall the draft standard goes too far, while other comments indicate that it does not go far enough. One Economic commenter suggested making the climate change requirements voluntary, and/or allowing more flexibility for balancing climate change expectations with landowner goals and objectives (e.g., ecosystem services, wildlife habitat, recreation, timber production, and mill species requirements). Another commenter noted that field testing these new requirements should be a priority.

A number of respondents noted that climate change assessments should be conducted at broader scales (i.e., at a landscape scale). Other respondents indicated that there should be guidance regarding the timescales (e.g., short, medium, long) and climate scenarios (e.g., +1.5o C, +2.0o C) to be considered in assessments. Another suggested that the current management plan may be the best adaptation strategy and already in place (i.e., an actively and responsibly managed forest).

A number of respondents expressed concern about mandating actions now that could be monetized in the future – i.e., requiring certificate holders to initiate efforts to increase carbon storage or sequestration rates, as it could interfere with potential and actual carbon markets (if a forest landowner takes climate mitigation actions before signing up for a carbon credit program it jeopardizes their ability to sell credits on those activities at a later date). One commenter noted that state agencies may decide to wait if their state is considering setting up a carbon offset market.

One Economic commenter expressed concerns that: the climate change requirements might force managers to diversify forests that are not naturally diverse, and therefore it is important to consider forest diversity at the site and landscape levels; studies of the impacts of climate change over the past 40 years do not support assisted migration as an adaptation strategy; and potential consequences if certificate holders are expected to increase rotation length to increase carbon sequestration in unsuitable forest types.

### *SDG Actions Taken:*

- Remove the requirement for a threats assessment from Indicator 6.1.1, and instead combine it with the Indicator 7.2.4 assessment (to streamline climate change considerations).
- Provide certificate holders with some additional time to come into full conformance with the climate change requirements in Indicator 7.2.4 – family forests are to have 5 years from the new standard’s effective date, larger organizations will have 3 years.
- Clarify that the allowance for using non-native species for regeneration in Indicator 10.2.2 is limited to only North American species, and allow hybrids of native/non-native only if neither “parent” is GMO and there is long-term research to indicate they are not a threat to other native species.
- Add carbon storage and sequestration in Indicator 7.2.6 (i.e., The management plan includes a description of the carbon resources and outlines activities to conserve them)
- Add a new section to Annex L (Climate Change Toolkit) on carbon sequestration – primarily pointing to resources to assist with considerations about how to evaluate and conserve carbon resources, but also indicating that FSC US will provide additional guidance as part of implementation support
- Implement additional edits in Annex L to make it more usable.
- Do not add examples to Annex L, but point to NIACS and others who provide examples, as possible
- No changes specifically to address climate change-associated considerations for stocking densities or using forest management to reduce the risk of catastrophic wildfires, as Criterion 5.2 is believed to adequately provide the flexibility needed
- Add new guidance language to the “Guidance for all regions” box associated with Indicator 6.6.5, to address live tree and dead tree retention following catastrophic events.
- Additional edits also implemented in response to more specific comments

### PRIORITY ISSUE: Federal Lands

General Economic chamber comments suggesting that federal lands largely don't require the additional indicators - that can be addressed by scale, intensity and risk considerations, and that they are some of the most analyzed and monitored lands in the nation. Additional Economic comment that the supplementary requirements are often too prescriptive, not outcome oriented, and do not add substantively to the base indicators.

Multiple Environmental chamber comments that the supplementary requirements as proposed have significant problems and do not rise to the level needed given the importance of federal lands to maintain and restore biodiversity, carbon stores, and other natural forest values and ecosystem services, while also providing important recreational opportunities and other social values. Three core problems are identified: (1) the draft expands the scope of federal lands, which raise additional land management issues; (2) the draft weakens or eliminates important provisions of the existing Standard’s supplemental indicators; and also (3) fails to correct important problems with existing supplemental indicators for federal lands.

Environmental comment that the Supplementary Requirements fail to take management beyond minimal legal requirements when needed, they fail to incentivize management beyond that in which commercial logging is a significant factor, they fail to require management informed by historical native



ecosystem distributions, they fail to require assessments and adequate actions taken to increase forest carbon storage. Additional Environmental comment that significant improvements in management of Federal forests will be needed for FSC certification to be constructive and appropriate, and that it must require performance above and beyond regulatory minimums, or it risks being irrelevant, ineffective, and in some cases, greenwash.

Environmental comment suggesting consideration of additional indicators for federal lands pertaining to climate change planning in the form of carbon storage and sequestration, forest resilience, and mitigation/adaptation strategies, since federal lands are in a good position from the funding and long-term planning positions to consider and implement such strategies.

The SDG asked a consultation question regarding whether the supplementary requirements meet condition #2 in the Federal Lands Policy for all federal land-managing agencies, that is do they address the need for, “national-level indicators that address the special resource management, legal, technical, procedural, and governance issues associated with federal ownership.” Economic responses were all positive to this question. One Environmental comment (representing a large number of Environmental stakeholders) was clearly negative, and the other indicated, “technically, yes, depending on perspective” but clarified that the current supplementary requirements are not adequate for FSC certification. An Environmental comment provided in response to a different question specified that the Standard and its indicators are not designed to address lands managed with recreation, scientific research, cultural preservation, and public education as principal goals.

The negative comment noted above clarified that the issues relevant to and important for Bureau of Land Management (BLM) and National Park Service (NPS) lands had not been considered as part of the process and that there are some serious and important additional management expectations, challenges, and controversies within the administrative units. For the BLM, these include: mineral and oil exploration; water storage and distribution facilities; grazing; wildlife management; management of woodlands, mixed forest/desert ecosystems and habitats, and high desert ecosystems; and management of archaeological, paleontological, and historical sites. For NPS, these include: recreation, scientific research, cultural preservation, and public education as principal objectives. This environmental comment continued that at minimum if the scope of the supplementary requirements continued to include these other lands, the definition of “management unit” at Page 5 should clearly indicate the minimum scale in a way commensurate with the scale of individual National Forests – i.e., individual “Field Offices” for the BLM (which are administrative units, not literal “offices”), and individual National Parks for the National Park Service.

Concerns were also expressed in Environmental comments regarding: the robustness of BLM management plans; the inadequacy of the supplementary requirements for lands where commercial timber harvest and other commercial resource extraction would be absolutely inappropriate and controversial; and the lack of prohibitions on significant commercial logging, mineral extraction, or other extractive/industrial activity in National Parks; the lack of constraints on other commercial uses of National Park; the lack of expectations for a “lighter touch” in National Parks for timber harvest, chemical applications, road construction, salvage logging, and other management activities.

The SDG asked a consultation question regarding whether there are any specific Family Forest indicators for which small federal management units should be eligible. Mixed responses from Economic chamber - some support making all Family Forest indicators eligible for federal management units, some support to keeping the approach in as in Draft 1 with no eligibility for federal management units, some support for aligning with the non-federal public lands eligibility (i.e., eligible if small, but not if low impact), and one suggested that Marsh-Billings-Rockefeller Historic National Park should be allowed to continue to use them. Environmental chamber comment supporting continuing the current approach (i.e., no federal lands eligible for the Family Forest Indicators) to maintain credibility of FSC certification and reduce confusion for the public, but noting that an exception might be made for Marsh-Billings-Rockefeller Historic National Park due to its unique history and mandate. Social chamber

comment recognizes that while Marsh-Billing-Rockefeller’s risk profile aligns with family forests due to its history of family management and conservation, it has access to resources that most family forests don't and has additional risks (due to additional stakeholder interests and concerns), and therefore should not be treated the same as other family forest management units. Several comments from multiple chambers suggested that small federal management units should at least have exceptions for landscape level requirements in the standard. There was no support from any chamber for differentiating expectations for small federal management units between agencies or type of management unit.

*NOTE: An additional topic regarding “Old Growth & Federal Lands” is addressed further below.*

**SDG Actions Taken:**

- Given the comments and concerns received regarding whether the federal land supplementary requirements address the unique conditions of lands managed by Federal agencies beyond the US Forest Service, Department of Defense, and Department of Energy, the SDG is requesting additional input regarding specific issues identified during the Draft 1 public consultation that will be considered during development of Draft 3, along with input from a consultant, and additional inputs from targeted consultation with the Consultative Forum between Draft 2 and Draft 3.

*See Table 1 (below) for potential locations of additional supplementary requirements or guidance to address the identified issues.*

- Clarify that even if the federal land supplementary requirements address the unique conditions of other agencies beyond US Forest Services, Department of Defense and Department of Energy, the other agencies will remain ineligible for FSC certification until Condition #1 of the FSC US Federal Lands Policy is met (i.e., the agency demonstrates, with a commitment at the national level, that it is a willing landowner to participate in the certification process).
- Confirm the scale of certification, as suggested in comments.
- Maintain the current status of ineligibility of federal lands for family forest indicators, but clarify that Indicator 6.8.1 (providing a mosaic of species and underrepresented successional stages across the management unit) is not applicable for small federal management units.
- Additional edits also implemented in response to more specific comments

Table 1. Potential locations of additional supplementary requirements or guidance to address identified issues

Issue Identified	Potential Location of Additional Supplementary Requirements or Guidance
mineral and oil exploration	Criterion 1.2 (defining existing use rights) Indicator 1.3.2 (conflicts between conformance with the standard and compliance with laws or regulations) Criterion 6.2 (impacts of management activities on environmental values) Criterion 6.3 (preventing negative impacts) – particularly Indicator 6.3.2 (mitigating negative impacts when they occur) Criterion 6.9 (forest conversion)
water storage and distribution facilities	Criterion 6.2 (identify impacts of management activities on environmental values) Criterion 6.3 (preventing negative impacts) – particularly Indicator 6.3.2 (mitigating negative impacts when they occur) Criterion 6.7 (protection of water resources and their connectivity) Criterion 6.9 (forest conversion)

grazing	Indicator 1.2.1 (defining existing use rights) Indicator 1.3.2 (conflicts between conformance with the standard and compliance with laws or regulations) Criterion 6.2 (impacts of management activities on environmental values) Criterion 6.3 (preventing negative impacts) – particularly Indicator 6.3.2 (mitigating negative impacts when they occur) Criterion 6.6 (maintaining native species and biodiversity) Criterion 6.7 (protection of water resources and their connectivity) – particularly Indicators 6.7.7 (mitigating negative impacts) and 6.7.9 (grazing)
wildlife management	Criterion 6.2 (impacts of management activities on environmental values) Indicator 6.3.2 (mitigating negative impacts when they occur) Criterion 6.6 (maintaining native species and biodiversity) – particularly Indicator 6.6.8 (strategies to manage hunting, fishing, trapping and collection of native species)
management of woodlands, mixed forest/desert ecosystems and habitats, and high desert ecosystems	Criteria 6.1 (identifying environmental values that may be affected by management activities) Criterion 6.6 (maintaining native species and biodiversity) Criterion 9.1/Annex K (identifying high conservation values)
management of archaeological, paleontological, and historical sites	Criterion 3.5 (protecting sites of special significance for Indigenous Peoples) Criterion 4.5 (protecting values important to local communities) Criterion 9.1/Annex K (identifying high conservation values)
robustness of management plans	Criterion 7.2 (development and implementation of management plans)
recreation	Criterion 6.1 (identifying environmental values that may be affected by management activities, including recreation as an ecosystem service) Criterion 4.5 (protecting values important to local communities)
scientific research	Principle 8 (monitoring and assessment) – particularly Criterion 8.2, which includes monitoring and evaluating changes in environmental conditions
cultural preservation	Criterion 3.5 (protecting sites of special significance for Indigenous Peoples) Criterion 4.5 (protecting values important to local communities) Criterion 9.1/Annex K (identifying high conservation values)
public education	Criterion 1.8 (demonstrating and communicating a long-term commitment to the FSC Principles and Criteria) Criterion 4.3 (providing opportunities for employment, training and other services)
inadequacy of the supplementary requirements for lands where commercial timber harvest and other commercial resource extraction would be absolutely inappropriate and controversial	Criterion 5.1 (production of benefits and/or products, including ecosystem services) Criterion 5.2 (sustainable production of products and services) Principle 10 (implementation of management activities)
lack of constraints on other commercial uses when inappropriate and controversial	Criterion 1.2 (defining existing use rights) Criterion 1.4 (preventing illegal and unauthorized activities) Criterion 1.8 (demonstrating and communicating a long-term commitment to the FSC Principles and Criteria) Criterion 5.1 (production of benefits and/or products, including ecosystem services) Criterion 5.2 (sustainable production of products and services)
lack of expectations for a “lighter touch” for timber harvest, chemical applications, road construction, salvage logging, and other management activities when inappropriate and controversial	Principle 10 (implementation of management activities)

## Plantations

General Economic chamber comments in support of the plantation indicators and changes proposed in Draft 1. Social chamber comment in support of the plantation indicators and proposed changes, but with concern expressed that they do not reflect the needs of plantations on family forest management units, and suggest further relaxing some of the more rigorous expectations for plantation management (and specifically for family forests). The Social comment further indicates that this will benefit natural forests as displaced demand resulting from reduced productivity of existing plantations (do to more rigorous certification expectations) will necessarily be directed toward natural forests, thereby increasing pressure on those forests. Social suggestion that some criteria could use additional plantation considerations, or at least include guidance (e.g., C6.5, and C10.1, particularly Indicator 10.1.2).

Environmental chamber comments that the proposed plantation indicators do not fully address what is needed given the impact of plantations. They recognize some improvements, but indicate that other changes seriously weaken or eliminate crucial provisions of the existing Standard's requirements, including changes that: reduce to trivial levels the percentage of plantations that must be restored to natural and semi-natural forest conditions; often completely exempt plantations from having any percentage restored to natural and semi-natural conditions, including in regions like the Southeast that have been most impacted by plantation conversion; and allow the vast majority of plantation areas to be managed more intensively than under the existing Standard, moving them further away from natural forest conditions. The comments suggest that the result will be a failure to meaningfully reverse the harm caused by existing plantations and the gaping hole they often represent in forest ecosystems, habitats, biodiversity, and carbon stocks. The also suggest that as proposed, the base indicators create a loophole that would allow semi-natural and natural forests to be converted to plantation – this appears to be associated with Indicator 10.2.2 (non-native species regeneration for climate change adaptation)..

The Environmental comments note that many existing plantations in the US were established at the expense of natural forests, and that there is little evidence that their establishment or certification somehow removes pressure from remaining natural forests in the US. They indicate that therefore the only path to credible and meaningful certification of these existing plantations is for significant portions of them to be restored to more natural conditions—conditions that can also be highly productive for forest products. And indicate that instead at least some of the proposed indicators are now closer to certifying business-as-usual forestry.

The SDG asked a consultation question to request suggestions for a different way to bring more US plantations into the FSC system and thereby increase the associated benefits. Responses to this question span from suggestions that FSC certification will always be too demanding and complex for plantation certification (particularly given increasing RSA, conservation areas network, and pesticide requirements), to confirmation that the current changes will likely bring more plantations into the system, to highly concerned comments regarding the changes to the Plantation indicators in C6.6 that were proposed in Draft 1 (that they will not result in meaningful portions of existing plantations being restored to more natural conditions, that they will allow plantations to be more intensively managed than under the existing standard, that they will not result in significant environmental benefits for plantations that are certified) and the potential that they will lead to greenwashing. There were Economic and Social suggestions for additional changes to reduce rigor and bring in more existing plantations into the US FSC system. There was also an Environmental suggestion for an alternative approach that focused on driving market demand for FSC products.

### *SDG Actions Taken:*

- Provide a clear and transparent statement in the introduction regarding the SDG's intent to encourage existing plantations in the US to become FSC certified (except on public lands), as a way to increase the environmental and social benefits associated with these managed lands.
- Maintain the Draft 1 expectation for 15% of the management unit maintained in or restored to a natural or semi-natural state requirement for management units of all sizes that have plantations (per PL Indicator 6.6.1.2), with the exception of family forest management units that are less than 124 acres (50 hectares) and meet all of the other conditions of FSC Interpretation FSC-INT-01-001\_9 (see Annex G). Also provide these very small management units with a similar exception to the 6.8.1 plantation indicator.
- Confirm that family forest management units with plantations may use the family forest indicators, unless there is an associated plantation indicator, in which case the plantation indicator applies.
- Maintain RSA and CAN expectations for management units with plantations
- The SDG commits to continuing the plantation conversation past the approval of the standard to explore how to really achieve the high level intent for plantations in the US as described in the introduction, and how to incorporate outputs from this conversation into the next revision of the standard.
- Additional edits also implemented in response to more specific comments

### Non-Timber Forest Products (NTFP)

Recently, FSC International staff communicated to FSC US staff that they are trying to move away from specific standards for non-timber forest products (NTFP). Instead, they are encouraging SDG to incorporate certain International Generic Indicators (IGI) into their NFSS which would allow the NFSS to specify NTFP that are in scope for certification under the standard. An assessment by FSC US of the list of IGI provided by FSC International staff indicates that only one additional indicator would be necessary to incorporate NTFP formally into the FSC US standard.

FSC US reached out to Certification Bodies in the US with a request for information regarding currently certified NTFP in the US, and also NTFP where interest has been expressed, but are not currently certified. All respondents were supportive of including NTFP in the NFSS and believed there would be interest in certification of these materials.

There are no NTFP currently FSC certified in the US. The following have either been previously certified (#), or have had interest previously expressed.

- Balsam boughs #
- Spruce tops (for Christmas trees) #
- Maple syrup #
- Birch or yellow poplar bark
- Willows
- Witch hazel ointment
- Black ash (for baskets)
- Sap-based foods (e.g., hickory syrups, derivatives of both maple and hickory syrups);
- Resins and oils;
- Chaga
- Mushrooms and other Fungi

- Ginseng and other teas/herbals/medicinals (e.g., cohoshes, yaupon holly, etc.).
- Fruits (e.g. juniper and salal berries) and nuts (e.g. chestnuts, walnuts)
- Branches, boughs
- Pine straw (needles)
- Holiday trees and other ornamental plants

*SDG Actions Taken:*

- Include NTFP within the scope of the standard, but first gather additional information during the Draft 2 public consultation, and through experts, to determine which NTFP should be formally included in scope.
- Ask a set of consultation questions during the Draft 2 public consultation:
  - What are the priority NTFP products for which FSC certification is desired?
  - Are there any indicators that need to be further adapted to ensure the NTFP are produced in responsibly managed forests?
  - For any of the NTFP listed above, is there insufficient information available to determine sustainable harvest levels (per Criterion 5.2)?
  - Are any of the NTFP listed above, or other NTFP, threatened by typical forest management activities?

Best Available Information & Traditional Knowledge

Consultation with Native American Indigenous Peoples conducted by FSC US since the Draft 1 consultation suggests that portions of the standard with a singular focus on “science” or science-related literature or information as sources of information for decision-making or justifications represent a concern for some Native American Indigenous Peoples. It is perceived by some as disrespectful of the extensive knowledge and understanding that these Indigenous Peoples hold regarding forest ecology and management.

While the definition of “Best Available Information” implicitly includes traditional knowledge, due to the reference to “experts”, it is not an explicit component.

*SDG Actions Taken:*

- Revise the definition of best available information to explicitly recognize traditional knowledge.
- Also adapt the definition to recognize that peer-reviewed scientific literature, traditional knowledge and experts should be the primary sources of information, with other sources filling in if these are not available.
- Remove “credible scientific analysis” from the glossary.
- Revise indicators that include explicit references to science, research and scientific literature to instead focus on best available information.

Criteria 1.1, 1.2 & 1.3 Indicator Alignment

While there were limited comments received regarding the indicators in these three Criteria, those that were received indicated some confusion about the intent of the indicators, potential duplication between the indicators, and some additional minor edits.

Review of the Criteria and indicators in question found that the Draft 1 efforts to adapt existing indicators for use with the new Criteria might not have been particularly successful. These three criteria are linked, but each has a very specific purposes which were confused by the Draft 1 indicators.

- C1.1 focuses on establishing the legal registration of the organization.
- C1.2 focuses on establishing the legal status of the management unit, including boundaries and clarifying where rights associated with those lands are held by others.
- C1.3 focuses on establishing the organization's legal right to implement management activities within the management unit.

#### *SDG Actions Taken:*

- Align indicators with the above core intents of the three Criteria. This was implemented through edits to some Draft 1 indicators, addition of a new indicator in Criterion 1.3, and new and adapted guidance statements.
- Additional edits also implemented in response to more specific comments

#### Criterion 1.6 & Dispute Resolution

Comments received regarding Criterion 1.6 were almost entirely from the Economic chamber. A number of them express general concern regarding the burden Criterion 1.6 would place on a certificate holder (particularly small and medium-sized), how it could be accomplished by a group manager, the possibility for any complaint to evolve in to disputes, potential abuse by those submitting complaints, the over prescriptive nature of the indicators in this criterion and Annex D, and the lack of record-keeping regarding complaints. This concern regarding burden is expressed particularly along with comments that indicate that the US has a well-established legal system to handle disputes. Additional concern is expressed in Economic comments regarding the potential impact of the dispute resolution framework on private land rights, and the potential to give authority to claimants to impact management and collect damages. Other Economic comments indicate that this Criterion is not needed as public complaints are already effectively addressed, without ever being elevated to anywhere close to requiring court action, and that State agencies have their own prescribed dispute resolution process managed with Attorney General's offices.

A peer reviewer contracted by FSC US noted that if Criterion 1.6 is intended to address the issue of disputes with workers from Criterion 2.6, then it also needs to include development of dispute resolution mechanisms through engagement with workers as required by Criterion 2.6.

The Draft 1 consultation included a question requesting examples for types of property destruction that should/should not lead to classification as a 'dispute of substantial magnitude'. Responses included considerations of repetition (one-time vs. multiple), permanency (can it be remedied/mitigated?), intentionality (mistake or accident vs. purposeful destruction), tangibility (physical vs. other property), defensibility (does it represent best practice or current science or not?).

The Draft 1 consultation included a question asking how many interests would need to be involved for a "dispute" to become a 'dispute of substantial magnitude'. Most respondents found this question difficult or distasteful, and some suggested completely removing the phrase, "significant number of interests." A number noted that a dispute of substantial magnitude could involve just one or two interests, depending on the issue. Another suggested focusing on the number of types of stakeholders (i.e., more than one). 3 interests was proposed by another. Further Economic comments reflected that not all interest are equal (legal rights holder vs. opinion), that the decision should be based on the merits of the dispute,

and that a stakeholder could stir up a lot of interests around something that should never be considered "a dispute of substantial magnitude"

The Draft 1 consultation included a question requesting examples for types of impacts to forest resources/values that should/should not lead to classification as a 'dispute of substantial magnitude'. Comments were similar to many above and included considerations of temporality (short-term vs long-term impacts), reversibility, violations of the standard (negative effects on high conservation values, major non-conformances), defensibility (supported by best management practices or accepted silvicultural practices), repetition, spatial extent, rarity of value affected, irreversibility, extent of impact (i.e., broad public resources affected, community health and safety), and/or monetary impact. One comment indicated that the magnitude of the impact should not be tied to the "kind" of impact.

#### *SDG Actions Taken:*

- Maintain indicators with expectations that certificate holders will address disputes and try to keep them out of the court system. Criteria 2.6 and 4.6 include language regarding dispute resolution, therefore it needs to be addressed in indicators. Also maintain the distinction between complaints and disputes.
- Maintain Criterion 1.6 as a common set of indicators to address dispute resolution expectations throughout the standard. However, limit the scope of the Criterion to disputes that are brought to the Organization, and add an indicator to Criterion 2.6 with the expectation that the Organization will contract with businesses that have their own dispute resolution process for disputes raised by the contractor's employees.
- Align Criterion 1.6 with the reference to Criterion 1.6 that occurs in Criterion 3.2, which is focused on resolving disputes related to violations of rights held by Native American Indigenous Peoples. But do not introduce further limits on the kinds of disputes that need to be addressed through the indicators of Criterion 1.6, beyond the limits already established in Indicator 1.6.1.
- Clarify that when "good faith" is exhausted, "The Organization's dispute resolution responsibility ends."
- Align with Criteria 2.6 and 4.6 by specifying that if the dispute has been raised by employees or local communities, then the system needs to be adapted through engagement with those bringing the dispute.
- Maintain the existing approach for family forest management units.
- For the uses of "significant" related to the types of property destruction and the types of impacts to forest resources/values that would lead to a dispute of substantial magnitude, provide additional guidance in Annex D that focuses on the kinds of attributes that a auditor should consider when evaluating whether a dispute rises to this level.
- For the use of "significant related to the number of interests that would lead to a dispute of substantial magnitude, provide guidance in Annex D that this is about the number of different types of stakeholders, and there would need to be a breadth of stakeholder types raising a dispute, such as stakeholders representing all three of FSC's chambers (i.e., economic, environmental, social).
- Additional edits also implemented in response to more specific comments



### Criterion 4.5 & Community and Social Impacts

Numerous Economic chamber comments expressed concern regarding the scope and anticipated difficulty/effort required for conformance (i.e., onerous, burdensome and operationally infeasible) with the indicators of Criterion 4.5, and the importance of better clarifying the threshold for "significant" negative impacts. One comment notes that engagement prior to operations can cause delays in necessary and time-sensitive activities - if these operations are not protected, economic harm may result in non-conformance with other components of the standard. Others question how much authority individuals outside of the management unit should be given over activities on the management unit. Another that state and local controls already exist for this and additional should not be required. A final comment notes that a comprehensive assessment of social and environmental impacts to all local communities is not feasible and that typical legal activities needed to conform with the standard should not require mitigation or avoidance.

Economic suggestion that avoidance or mitigation not be required for forest management actions resulting from and implemented in compliance with management plans that were developed through a formal consultation processes with stakeholders and tribes - should not require avoidance at all, and only require mitigation if unexpected impact occurs and then only within the scope of forest practices rules and collaboration with other state agencies (e.g., Dept. of Ecology). Another Economic comment that the indicators are generally confusing, with recommendation to clarify expected steps (i.e., 1. identify impacts on (bulleted list of items) 2. develop and implement measure to avoid and mitigate (bulleted list of items)).

Specifically for Indicator 4.5.2, there was an additional concern that some of the potential impacts are beyond the control of the certificate holder, and a suggestion to remove the specific items (1 and 2) and just leave it measures are implemented to avoid significant economic impact.

The SDG asked a consultation question requesting examples for the kinds of negative social and environmental impacts of management activities that should and should not require avoidance and mitigation measures. One comment noted that most CH are already subject to legal requirements under federal and state laws and regulations to avoid, minimize, and mitigate negative social and environmental impacts, and therefore this indicator should only apply to consideration of impacts beyond these legal thresholds. Others suggested considering NEPA regulations to help determine a level of significance with associated guidance, or using "demonstratable" instead of "significant". A number of comments that responded directly to the questions regarding activities that should/should not require mitigation or avoidance focused on the scale of impact, considering spatial impact, percentage of the community's population affected and the temporal scales (i.e., temporary/short-lived vs. permanent/long-lasting/irreversible). A similar question was asked regarding economic impacts and the general responses were very similar to those for the questions related to Indicator 4.5.1.

#### *SDG Actions Taken:*

- Revise the indicators in Criterion 4.5 to focus on engagement with local communities, identification of potential community-level impacts that are of concern to the community, and then identifying strategies to address those concerns.
- Provide guidance to help with considerations regarding what would be a "significant" negative impact on the community.

### Criterion 5.2, Criterion 7.4 & Sustained Yield Harvest Levels

The SDG asked two consultation question regarding the timeframe for sustained yield harvest levels (Criterion 5.2) and the timeframe for management plan revisions (Criterion 7.4). The Criterion 5.2

consultation question asked for examples for when averaging annual harvest levels over rolling periods that are longer than the generally-expected 10-year timeframe would make sense. The Criterion 7.4 consultation question asked for rationale that would justify, for ecological reasons, longer planning periods. Note that in Draft 1, Criterion 7.4 provides an exception to the management plan revision timeframe for up to 15 years if statutorily required, and this would also apply to sustained yield harvest levels as these two timeframes are linked in Criterion 5.2.

Almost all Economic chamber comments supported providing greater flexibility for Criterion 5.2, but there were a small number of economic and one environmental responses indicating that the current 10 year period is good. One additional environmental comment supported longer time periods, but primarily for family forests. Some examples for longer sustained yield harvest level rolling periods focused on restoration of particular forest types, others were based on size of the management unit, others considered response to disturbances and climate change considerations

While the majority of responses to the Criterion 7.4 question were, "No," there were a number of Economic chamber comments supportive of longer plan revision cycles. The limited examples for when longer cycles might be appropriate were in similar categories as the Criterion 5.2 examples.

#### *SDG Actions Taken:*

- No change. The examples provided for the Criterion 5.2 would generally not be fully addressed through increasing the timeframe by several years. However, they likely can be addressed through the flexibility provided in Indicator 5.2.4.

#### Criterion 5.3 & Externalities

Economic chamber comments indicate significant concern regarding this indicator, that it will be costly or impossible to implement, that it is burdensome without adding any value, that it will be extremely difficult for group managers to implement, that it needs to be more specific or include significantly more guidance (including for timescale of considerations), that the appropriate scale for consideration of externalities is at the macro-level (i.e., high-level management planning), that it seems redundant of the social, economic and environmental impacts considered throughout the standard, etc. An Environmental chamber comment also noted significant overlap with Criterion 4.5.

The virtual 2021 General Assembly included consideration of a Motion to remove Criterion 5.3 from the Principles and Criteria as many countries have struggled to adapt it for their NFSS. However, the motion was voted down, and therefore the US NFSS will need to have indicators that address the intent of the Criterion.

Comments regarding Indicator 7.2.19 again noted the difficulty of dealing with externalities, as well as the overlap with Indicator 7.2.12 (incorporation of social value considerations in the management plan).

#### *SDG Actions Taken:*

- Adapt the Criterion 5.3 indicators to focus on the core intent expressed in the International Generic Indicators – being aware of and prepared for the financial risks related to externalities. This concept is closely linked with the Criterion 5.5 indicators (i.e., the Organization needs to understand their potential financial risks and have strategies in place to address these risks so that they have the capacity to implement their management plan/conform with the standard). This approach also reduces duplication with expectations around identification and mitigation of social and environmental impacts elsewhere in the standard.

## Principle 6 & Family Forests

Social chamber comment that even with the existing family forest indicators, Principle 6 will be too complex, scientific and daunting for most family forest owners....this includes associated annexes. Overall it is viewed as considerably more challenging than Principle 6 in the existing standard, and likely prohibitive for most family forest. One Economic chamber respondent agrees in that it is overly complex and labor intensive given the low intensity management of family forests and the technical resources accessible to them, but two other Economic respondents are generally supportive of the family forest indicators in Principle 6. Numerous Economic comments at the Principle-level suggest both that the Principle overall is too complex and also that changes made for Draft 1 represent a big improvement.

One Economic comment specifically recommends additional streamlining and scoping to reflect private landowner rights within the U.S. and scope/scale of family forest lands, noting that FSC could base family forest decision on risk identified within a particular region (per the FSC US Controlled Wood National Risk Assessment) - with additional base and supplemental indicators low-risk to mirror the conclusions of the National Risk Assessment (when indicating low risk).

Additional Economic comments that as with tribal information, there are variable levels of information and accessibility of information from agencies in different states, and this should be considered when evaluating FFs, as it makes the task of conformance very different by state- through no fault of the certificate holder.

### *SDG Actions Taken:*

- Revise base Indicator 6.3.1 (mitigating negative impacts of management activities) for all management units.
- Add a Family Forest Indicator for base Indicator 6.6.4 (invasive species strategy).
- For Criterion 6.5, designate Indicators 6.7.3, 6.7.4, and 6.7.8 as not applicable, add guidance for 6.5.6 and add family forest-specific guidance in Annex G (Representative Sample Areas) and Annex H (Conservation Areas Network).
- Do not use the National Risk Assessment as an indicator of risk at this time. Currently, the normative framework only allows considerations of risk related to scale and intensity of management for National Forest Stewardship Standards. However, FSC US is beginning to prepare for implementation of the revised Risk-Based Approaches procedure and risk-related elements in the Forest Management Evaluations standard revision (which will hopefully allow consideration of other aspects of risk).

## Indicator 6.3.2, Criterion 10.11 & Whole Tree Removal

Draft 1 included an indicator specific to whole tree removals. However, the SDG was not completely sure it was needed, And, therefore, asked two consultation questions. The first regarding whether the indicator added value to the standard, or is duplicative of other indicators, and the second regarding whether there were edits that would increase clarity of the indicator.

The majority of Economic chamber responses indicated that the proposed indicator did not add value. Rationale for this perspective was wide ranging, including that it would limit normal silvicultural practices, add costs, and would add little value given the rest of the expectations in the standard. Positive Economic responses were not as detailed, but indicate that the indicator is not duplicative, adds clarity, and while there is some overlap with other indicators, the overlap is not complete. Some also indicate need for additional detail, including what kind of ecological objectives are justified and how

to handle situations where whole tree removal is required for restoration efforts. Economic chamber responses provided an extensive set of suggested improvements to the indicator.

Environmental comments support inclusion of the indicator (yes it adds value), but additionally focus on concern regarding the inclusion of the clause, "unless it is being used to achieve ecological management objectives" which is perceived to potentially be abused and be rationalized to mean almost anything. These comments suggest that any whole tree harvest that is genuinely driven by forest ecosystem restoration or conservation objectives will already be feasible within the Indicator's constraints. Additional Environmental comments indicate that this issue is of particular concern in the context of plantations. A final Environmental comment focuses on the exception described in the Draft 1 indicator, item (c) ("is not planned to occur again in the subsequent rotation") - that it is not actionable or discernible within the time-frame of certification decisions. Environmental chamber responses suggested some edits for clarity, and also a suggestion to replace the indicator with the clause in the existing standard that is focused on whole tree harvesting.

#### *SDG Actions Taken:*

- Do not include an indicator specific to whole tree removals in Principle 6. Instead, add the concept to Indicator 10.11.4 as a list item (similar to the approach in the existing standard).
- Add a definition for the term to the glossary, based on the applicability language from the Draft 1 indicator.

#### Criterion 6.5, Major Disturbance Planning & Post-Event Management Response

The SDG asked a consultation question regarding whether climate change had been appropriately addressed in Draft 1. Among many other comments, responses suggested additional indicators and/or considerations for: additional flexibility for changing stocking densities; climate change impacts on dry forests; using forest management to reduce the risk of catastrophic wildfires; and post-catastrophic disturbance considerations.

The SDG also asked a consultation question focused on whether Draft 1 provided adequate flexibility and safeguards for major disturbance planning and post-event management response. Many respondents indicated that yes, the standard is sufficient for this issue. One indicated that the concept was too complex, and another suggested that this issue is critical and should be re-visited and reviewed in the standard more frequently than the standard review cycle. Several respondents (including one environmental chamber member), suggested that the standard is sufficient on this issue, with the exception of fire risk mitigation and addressing fuel load issues.

A number of respondents indicated that the standard is specifically not adequate to address salvage harvesting after disturbances – some indicated a need for more flexibility for salvage harvesting, while others just generally would like the standard to be more explicit about what is expected for planning in preparation for major disturbances and what is allowed for response after they happen. Conversely, at least one environmental chamber respondent requested additional limitations on salvage harvesting.

A number of respondents linked the increasing prevalence of major disturbances to climate change, and one Environmental comment emphasized the need to separate the standard's approach to historic disturbance from its approach to disturbance as a result of climate change, as they are fundamentally different.

#### *SDG Actions Taken:*

- Do not differentiate between historic and climate change-related disturbances. The science is still coming into focus regarding the ability to attribute disturbances in part or completely to

climate change. For the most part, there is still overlap between historical and anthropogenic-influenced disturbance, and trying to separate them would be difficult.

- No changes specifically to address climate change-associated considerations for stocking densities or using forest management to reduce the risk of catastrophic wildfires, as Criterion 5.2 is believed to adequately provide the flexibility needed
- Add new guidance language to the “Guidance for all regions” box associated with Indicator 6.6.5, to address live tree and dead tree retention following catastrophic events.
- No additional changes specifically for family forests or plantations (to reflect risk), or for Federal lands

#### Indicator 6.6.5, Harvest Openings & Retention

The Indicator 6.6.5 base indicator and regional requirements (for even-aged management) use a number of undefined terms, such as “harvest opening,” “opening,” “logging unit” and “timber producing area” as well as the defined term, “harvest unit” and this has caused some confusion. Comments received during the Draft 1 consultation indicate confusion regarding the relationship between harvest opening and harvest unit – are they the same, or does one occur within the other. Of specific concern is the last sentence of the guidance for Supplement 1 to Indicator 6.6.5 and the reference to “individual harvest openings with no retention.” The term “opening” is only used in a very small number of other locations in the standard.

#### *SDG Actions Taken:*

- Maintain the current definitions for “harvest unit” and “management unit” and to add a definition for “harvest opening.” In the glossary, clarify that these are hierarchical terms, i.e., harvest openings occur within harvest units, and harvest units occur within management units.
- Use these defined terms in place of other terms that are used in the standard to convey a similar concept (Opening, Block, Logging Unit, Patch), as appropriate.

#### Old Growth – Indicator 6.8.2, Definition & Annex K

The SDG asked a consultation question which requested examples of situations where certified forests have matured into late seral stage forest that could potentially be defined as old growth, and could result in difficulty continuing certification considering conformance with indicator 6.8.2. Responses with examples were limited to the situation with lowland conifers in Minnesota. An Environmental Chamber response indicates a desire to not see the overall concept of Old Growth weakened, but instead to have any allowed exceptions very carefully and narrowly described. However, this comment also suggested that any decisions on this front should not consider whether the status of a forest as old growth or not is a “barrier” to certification.

SDG exploration of the example in Minnesota evolved into a consideration of how to handle situations where the management decisions of a certificate holder have resulted in old growth of a particular forest type no longer being under-represented in the landscape of the management unit, and a desire to find a way to reward certificate holders in this kind of situation.

During discussions of the above, the SDG noticed that while the first clause of the “old growth” definition was well representative of the way the SDG was using the concept (i.e., “(1) The oldest seral stage in which a plant community is capable of existing on a site, given the frequency of natural

disturbance events”), the second clause was not (i.e., “or (2) a very old example of a stand dominated by long-lived early or mid-seral species”).

Finally, numerous comments from the Draft 1 consultation indicate that the old growth definition and a reference to pre-European remnants in Annex K (Section 4.a.ii) are inconsistent in how they represent old growth.

#### *SDG Actions Taken:*

- Add a new indicator immediately following Indicator 6.8.2, which provides a very limited opportunity for harvest within the area identified in the Draft 1 consultation, where the old growth is now widely represented in the landscape. The new indicator is limited in applicability to northern white cedar and black spruce forests in upper-Midwest states. Annex K was also edited to reflect this change.
- Implement minor edits in the definitions of Type 1 and Type 2 Old growth and in Annex K to resolve the perceived inconsistency.
- Remove the second clause of the old growth definition.
- The SDG commits to continuing the conversation around late-successional forest, old forest, old growth forest, primary forest, etc., even after the revised standard is completed.

#### Old Growth & Federal Lands

The SDG asked a consultation question regarding whether 20 acres is a scale that is feasible for identifying and protecting Type 2 Old Growth. Economic chamber comments were mixed on the question of what scale is feasible. One indicated that 20 acres is feasible but that smaller areas would not have the structures and processes to be defined as old growth. Another indicated that 20 acres is not feasible, and the final Economic response suggested aligning mapping to the scale normally used on the property (which may be a finer scale), but that the need to protect should not be based on an arbitrary mapping standard. Environmental chamber comments consistently indicate that 20 acres is feasible in commenters' areas of experience, and most indicate that finer would also be feasible and important due to the small patches of old growth that remain and that might be missed at the 20 acre resolution. One Environmental comment indicates, however, that a finer scale may be difficult on large federal holdings, particularly in the western US.

One Economic comment noted that smaller areas will lack the fundamental structures and processes necessary to function as Type 2 old growth (due to increasing edge-effects). Another suggested refocusing on larger ecosystem objectives - with an assumption that most Type 2 old growth that exists is likely already protected, - and questions the purpose for maintaining small areas and whether they actually provide the functions desired, and by doing so are resources taken away from other ecosystem priorities. A final response indicated a preference for a 50 acre threshold.

An Environmental comment recommends shifting the minimum threshold for identification of Type 2 old growth on federal lands to 3 acres. This comment also requests an additional supplementary requirement to require that "Any individual trees that remain from stands that would have been Type 1 or Type 2 old growth, but do not meet the acreage threshold are considered legacy trees and are managed per Indicator 6.6.3." The rationale for this secondary suggestion is that federal lands have a demonstrated track record of failing to identify and protect old growth and 6.8.2 as it stands would not protect those areas that occur which are smaller than 20 or 3 acres, respectively for Type 1 or Type 2 old growth.

Additional comments were received regarding old growth and Federal Land Supplement to Indicator 6.8.2. The only Economic chamber comment suggests that this supplementary requirement does not add substantial value to base indicators 6.8.1 and 6.8.2. An Environmental chamber comment (representing many stakeholders) indicates that the supplementary requirement and guidance are unacceptable. This comment suggests that as written, the expectation would be to only protect old growth if it is identified as being likely to occur, not everywhere it occurs (i.e., in conflict with the base indicator). It indicates that the language introduces too much subjectivity and chance, particularly given poor track records of old growth protection on federal lands and dependency on forest inventories and other data sets that are incomplete and insufficient for this purpose. Instead this comment proposes deleting the guidance and replacing the supplementary requirement with alternative text.

*NOTE: An additional topic regarding “Federal Lands” generally is addressed with the Priority Issues above.*

#### *SDG Actions Taken:*

- Maintain the same minimum threshold for Type 2 old growth for all management units – do not provide a different threshold for federal lands.
- Do not add a requirement for protection of “any individual trees that remain...” If it is difficult to identify Type 2 old growth that is less than 20 acres, it would be virtually impossible to determine at the scale proposed, and would likely create confusion and fuzzy expectations.
- The SDG believes that old growth would be protected by base Indicator 6.8.2 anywhere it occurs, and that the Draft 1 supplementary requirement would be an additional expectation on top of the base indicator. However, the SDG decided to replace this supplement with an adapted version of the Environmental commenter’s alternative text.

#### Criterion 6.9 (Conversion), Criterion 6.10 (Certification of plantations), Criterion 10.1 (Regeneration following harvest), Degraded Forests, Restoration Plantations & Non-Forest

A comment received in regards to Indicator 10.1.2 led to a review of the Criterion 6.9, Criterion 6.10 and Criterion 10.1 indicators and guidance as they pertain to conversion, plantations, degraded forests, restoration plantations and non-forest. The comment noted that Indicator 10.1.2 requires that degraded semi-natural stands must be regenerated to “more natural conditions” and that this requirement appears to conflict with guidance under C6.9 which states that, per Indicator 6.9.1, “restoration plantations” established on degraded, semi-natural forests are not considered conversion, and therefore presumably allowable. The comment continued to question whether some severely degraded forests could be classified as “non-forest” and therefore allow establishment of plantations on these areas.

The review concluded that while (a) Criterion 6.9 prohibits (with limited exceptions) the conversion of natural and semi-natural forest to plantation or to non-forest on certified lands, in addition to prohibiting conversion of plantation to non-forest if the plantation was created in a way that it directly replaced natural or semi-natural forest, and (b) Criterion 6.10 prohibits the certification of plantations that were established after 1994 if they directly replaced natural or semi-natural forest, neither (a) nor (b) directly address the potential for severely degraded ecosystems that do not meet the definitions of natural forest, semi-natural forest or plantation, but do meet the definition of forest.

This review also assessed the extensive guidance included with Criteria 6.9 and 6.10, which was carried over from the existing standard with few edits, and whether the concepts presented could be communicated more simply. Included in this guidance is the concept of “restoration plantations” which

are not considered plantations as defined by FSC, but are intermediary steps in a longer-term restoration process.

#### *SDG Actions Taken:*

- Replace the existing definition of conversion in the glossary with a recognition that FSC prohibits conversion of forests except in very limited circumstances and point to Criterion 6.9 for the specific aspects of what is prohibited and allowed.
- Remove language regarding restoration plantations from both C6.9 and C6.10, but adapt Indicator 10.1.2 to clarify that it is acceptable to have short-term shifts away from more natural conditions, as long as the intent is to move in the longer-term to more natural conditions.
- Do not define “non-forest” and remove the examples of “non-forest” from the guidance, but clarify that it represents anything that does not meet the definition of “forest”. However, retain recognition that for the purposes of the standard, areas that are legally zoned in a way that will likely result in loss of forest conditions are to be considered “non-forest.”
- Add guidance to Criterion 6.9 that if a forest that does not meet the definition of natural forest or semi-natural forest is converted to plantation or to non-forest the Criterion does not apply.
- Add guidance to Criterion 6.10 to clarify where plantations may be established and certified and not be in conflict with the Criterion (i.e., in forests that do not meet the definition of natural forest or semi-natural forest or in non-forest areas, as long as the non-forest condition is not the result of a direct conversion from natural forest or semi-natural forest after 1994).
- Additional edits also implemented in response to more specific comments

#### Principle 10 Family Forest Indicators

In Draft 1, Principle 10 (Implementing Management Activities) did not include any “low risk,” “not applicable” or other alternative family forest indicators. The only family forest-specific content is Family Forest Guidance for Indicator 10.7.5.

Comments indicate that conformance with Principle 10 will be difficult for family forest management units and recognize a general need for more family forest-specific indicators in this principle, with specific focus on genetically-modified organism use in Criterion 10.4, fertilizer use in Criterion 10.6 & biological control agent use in Criterion 10.8), and recommendations for alternate family forest indicators that address the intent of the base indicator and/or Criterion, but omit requirements for written documentation (including silvicultural prescriptions, etc.).

#### *SDG Actions Taken:*

- Add an alternate family forest indicator for Indicator 10.2.1 (species chosen for regeneration).
- Add family forest-specific guidance for: Indicator 10.3.3 (controlling adverse impacts from use of non-native species); Indicator 10.7.1 (integrated pest management); Indicator 10.7.2 (Environmental and Social Risk Assessments); Indicator 10.7.4 (documenting pesticide use) and Indicator 10.11.1 (implementation plans for significant management activities).
- Designate as “not applicable”: Indicator 10.2.2 (non-native species for regeneration as part of climate change adaptation); Indicator 10.9.2 (increasing resilience of ecosystems to catastrophic natural disturbances); and Indicator 10.11.2 (forest product optimization and diversification).



- Designate as “low risk”: Indicator 10.6.1 (fertilizer use); Indicator 10.8.1 (use of biological control agents); Indicator 10.8.2 (following international protocols when using biological control agents); and Indicator 10.9.1 (mitigating impacts of natural hazards).

### Criterion 10.2, Criterion 10.3 & Non-native Species for Regeneration

Economic chamber comments express concern regarding the limitations in Draft 1 on the use of non-native species to only climate change or pest vulnerability concerns, thereby making the draft more restrictive than the current standard. Additional comments indicate that the difference between Criterion 10.2 and Criterion 10.3 is not clear, that the two Criteria may be contradictory, and it is not clear when the indicators of each Criterion would apply.

The current standard indicates that native species are "normally" used, but allows for regeneration using non-native species if justified. Non-natives are not explicitly excluded from the scope of Criterion 10.2 (regeneration). However, the Draft 1 combination of 10.2.1 (species chosen for regeneration are native species) and 10.2.2 (an exception to allow non-native species for climate change adaptation) would likely prohibit the use of non-natives for restoration (i.e., when used as a short-term cover while allowing other species to establish) or as part of other ecological objectives that will ultimately result in more natural conditions.

There were a number of Environmental chamber comments requesting that Indicator 10.2.2 clarify that the use of non-native species for regeneration associated with climate change adaptation be restricted to only North American species and that use of this indicator be “limited”, but also one comment indicated concern about what this indicator and the North American restriction means for Norway spruce. Environmental comments indicate concern regarding the scale of potential impact resulting from use of this indicator and the potential for entire Management Units to be converted to non-native species as a result.

A peer review contracted by FSC US indicated that an element of Criterion 10.2 was not addressed in the indicators (i.e., the use of species that are well-adapted to the management objectives).

#### *SDG Actions Taken:*

- Expand 10.2.1 to include more common and acceptable uses of non-natives, address the missing element identified by the peer reviewer, and also adapt to address the potential conflict with Indicator 10.2.2.
- Ask for input regarding whether there are other situations that should be included as exceptions in 10.2.1 or 10.2.2 (see associated consultation question)
- Clarify that the scope of Indicator 10.2.2 is limited to species of North American origin.
- Clarify in guidance at the Criterion level that Criterion 10.3 applies if non-natives are used per Indicator 10.2.1 or Indicator 10.2.2.
- Recognize that it would not be possible for an entire management unit to convert to non-native species and remain in conformance with all indicators of the standard, and therefore that additional guidance or indicator language is not needed to address this.
- Additional edits also implemented in response to more specific comments

## Criterion 10.6 & Fertilizer Use

Economic chamber comments request additional consideration for use of fertilizers in various situations, including: a) the use of fertilizer within management units for improvement of erosion and sedimentation control issues and on food plots where prolific plant growth is needed to stabilize soils or provide nutrient benefits (i.e., lime); and b) the use of fertilizers for reclamation of roads and landing sites (needed due to the compaction of soils and exposure of mineral soils that have less fertile qualities). One Economic comment suggests that (b) amounts to a categorical prohibition on the use of fertilizers and it extends beyond the scope of the Criterion (i.e., "equally beneficial" is the bar that must be cleared).

Environmental chamber comments request that use of fertilizer be limited to situations where it can be demonstrated that the fertilizer will be MORE beneficial than other non-chemical management, not just equally beneficial. Additional Environmental recommendation to return to existing standard's language in place of items (b) and (c) - i.e., "Data and/or scientific literature suggest that the response to fertilization is economically and ecologically justified." This is because comparing to silvicultural systems that do not require fertilizers could include systems with poor silvicultural practices.

### *SDG Actions Taken:*

- Expand the scope of item (a) to include other situations when fertilizers are used for ecologically beneficial outcomes
- In items (b) and (c), edit to replace "silvicultural systems" with "management strategies", a defined term, specify that the comparison for items (b) and (c) are for strategies with similar outcomes (so that the comparison is not with systems that include poor silvicultural practices), and align with the Criterion so that the comparison is for equal or greater benefits.
- Revise guidance to reflect that fertilizers are expected to be minimized or avoided in non-plantations, and add guidance to emphasize the use of best available information (which itself emphasizes research and scientific literature) for any justifications.
- Additional edits also implemented for clarity

## Criterion 10.7 & Pesticide Use

While there are few comments regarding C10.7 from the Phase 1 consultation, there are concerns regarding the overall construct with a state expectation for eventual phase-out of chemical pesticide use, detail of some indicators, and the general burden on certificate holders, particularly family forest management units. There is confusion about the use of both "pesticide" and "chemical pesticide" and whether these are intentionally differentiated. An Economic chamber comment recommends to not require both Environmental and Social Risk Assessments (ESRA) and site-specific plans. Another Economic comment suggests lowering the ESRA expectations specifically for non-HHP chemical pesticides. Economic and Social chamber comments suggest that Criterion 10.7 as a whole is likely too difficult/complex for family forests, and propose including additional family forest indicators, guidance or other considerations to simply and streamline the requirements for family forests.

A peer review contracted by FSC US noted additional inconsistencies with the FSC Pesticides Policy and International Generic Indicators.

Additionally, the SDG considered whether there was value to be gained by working to better align the Criterion 10.7 indicators with the most recent draft version of the International Generic Indicators for Highly Hazardous Pesticides which also include some revisions for the primary International Generic Indicators in Criterion 10.7. Regardless of what is done in this revision process, the US NFSS Criterion

10.7 indicators will need to be revised during the next US NFSS revision cycle (in approximately 5 years, unless an earlier revision is required by the FSC International Board of Directors) to align with the new International Generic Indicators for Criterion 10.7 that are expected to be approved later this year.

*SDG Actions Taken:*

- Focus on alignment with the currently approved Criterion 10.7 International Generic Indicators.
- Reduce duplication between the indicators and the Pesticides Policy by focusing on conformance with the Pesticides Policy instead of bringing details from the policy into the standard.
- Reduce duplication between Criterion 10.7 indicators.
- Eliminate duplication with Criterion 10.11, which also includes an expectation for development of prescriptions/implementation plans for significant site-disturbing management activities, including application of pesticides.
- Add additional guidance for family forest management units.
- As part of its implementation strategy FSC US will work to collect and share Environmental and Social Risk Assessments that have been developed by certificate holders and successfully audited, so that they may be adapted by other certificate holders.
- Additional edits also implemented in response to more specific comments

## Annex A: Draft 1 (Phase 1) Comments on the Base Indicators & Annexes

### Comment Endorsements:

Sarah Billig, Northern California Certificate Holders\* comments endorsed by: Galen Smith/Niel Fischer, Collins Companies; Gary C. Gyneanson, Green Diamond Resource Company; Sarah Billig, Humbolt Redwood Company; Sarah Billig Mendocino Redwood Company; Holly Newberger, The Conservation Fund; Linwood Gill, Usal Redwood Forest Company; Ryan Hilbum, WM Beaty and Associates

Dogwood Alliance\*\* comments endorsed by: Catherine Grant, Canopy; Tom Wheeler, Environmental Protection Information Center ; Gemma Tillack, Rainforest Action Network; Caroline Pufalt, Sierra Club;

Rick Horton, MN Forest Industries\*\*\* comments endorsed by: Rebecca Bamard, Sappi North America, Inc.

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**Q1: Have workers’ rights, safety and well-being been appropriately addressed in the Draft 1 revised standard?**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)): Yes. Contractors are by law and definition independent, and it is not reasonable for the certificate holder to enforce some employment related policies as need to comply with the revision.

Dana Doran, Professional Logging Contractors of Maine (Economic-member, Social NGO): Yes. But why are the fair wages (fair contracts) paid to contractors excluded from 2.4? This seems to be a bigger issue than the wages of employees for mostly large, corporate, landowning or land managing certificate holders. This has always been an easy Criteria to meet for large FM companies- Its time to look at the contracts paid to contractors and whether those contractors have enough money to pay employees a fair wage and provide benefits that are almost guaranteed when working for a certificate holder.

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)): Yes. After thinking about this more, I want to make the following points to address the rationale for the workers forum: 1) the question regarding enforcing or ensuring labor laws are followed (health, safety, and well-being for migrant workers) appears to be more of an auditing standard question then a FM standard issue. As an example, our CBs go to 5-10 active work sites (most of which include migrant, non-English speaking labor) and interview not just the lead on site but individual employees regarding these issues, as well as view the on-site conditions (PPE, etc). 2) Most of the contractors FMs hire are local in nature - I don't see any evidence cited that this is actually an issue.

Aprille Cook, The Westervelt Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)): Yes, workers’ rights, safety and well-being have been addressed. The indicators are aligned well with state and federal labor laws and are being followed accordingly by organizations for their employees. What is concerning is the standards are requiring companies to go beyond where they are currently authorized to go with independent contractors. This could result in significant legal implications in the US. We strongly recommend in the US the standard to provide reasonable assurance that all applicable laws for workers’ rights are being adequately satisfied. Contractors and sub-contractors are held to these same labor laws with their employees.

Kara Wires, NEPCon (Economic-member, Certification Body):  
yes with comments and edits included for P2

Greg Bernu, Carlton County Minnesota (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):  
yes

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
YES

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):  
Yes

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
workers rights have been addressed but the standard has made a major change in requiring the organization to be responsible for "all workers". The vast majority of FM certificate holders sell standing timber to various buyers (logging companies, sawmills, log brokers, etc.) and it is the buyers who control the workers and are associated labor laws and workers rights. These are purchase and sale agreements as opposed to service/contracting agreements and are often to entities that are not FSC certified. These changes will make it very difficult for small to medium sized certificate holders to be in compliance.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):  
Workers rights and safety were adequately addressed in the current standard (FM Standard V1.1)

Nathan Heibel, Koochiching County (Social-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):  
We do not believe so. We suggest removing "contractors and subcontractors" from the definition of a forest worker as they are not direct employees of the organization. Also, as it relates to "contractors and subcontractors", loggers and logging companies are issued a permit to harvest timber on the public lands we manage and are not necessarily a direct contractor. Are there any legal ramifications do this as stated in the draft revised standard?

Ryan Hilburn, Red River Forests LLC (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
We believe the current FSC-US Forest Management Standard (V1.0) provides a strong framework for ensuring forest workers have safe and fair working conditions. We note the concern raised on the engagement portal that, "While it is FSC's understanding that Certificate Holders are following all relevant laws, there is concern about contractors and subcontractors working on FSC-certified Management Units, especially when it comes to health, safety, and wellbeing of their employees." In our collective experience, audit teams visit 5-10 active contracting sites per audit, speaking with lead contractors as well as contract employees in confidential conversations to confirm payment of wages and fair and safe treatment. This method has resulted in identification of potential safety issues and facilitated better contract management by certificate holders. The engagement portal goes on to state, "There is also a concern that the extensive use of contractors and subcontractors may represent a loss of economic opportunities for the local communities adjacent to or surrounding the FSC certified Management Units". On the timberlands represented in this letter, with limited exceptions nearly all contractors and contract employees are local. For one of the undersigned companies, for example, the value of local goods and services purchased in 2019 was \$37 million. Exceptions include tree planting crews (there are limited local planting contractors) and logging contractors with specialized equipment (such as cut-to-length operations). In both of these examples the contractor's employees are covered by workers compensation insurance as well as federal and state workplace health and safety requirements and wage and hour requirements. We understand and agree with the intention presented here and would like further confirmation that it is an ongoing problem.

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
The US has numerous laws which protect workers rights and Safety. Additional requirements in the standard are

not needed around these already established areas.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
The standard goes too far; further than an organization can legally go as it pertains to maintaining an arm's length relationship with its contractors. Organizations are at risk of violating the contractor/employee relationship test if they comply with the indicators as written. We cannot get that intimately involved in how a contractor manages their employees. Labor laws, especially migrant labor/temporary guest worker laws, within the US are sufficient to control the risks that the standard is attempting to address.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):  
The new definition of worker is problematic for state agencies and runs counter to established state law and internal policies. Potentially, the definition could be reworded to note the difference between contract employees and entities that sign a purchase/operations contract. Even then, this isn't how state employment works -- the entire list in the revision are not and can not be covered by internal policies. If the definition stands as-is, this could disallow continued certification by state agencies. E.g. The draft Guidance in Indicator 2.5.1 requires the agency to retain up to date training records for all workers. This is not possible as the bulk of employed persons working within the management unit are hired and contracted by non Agency employers. We sell our timber at auction and grant those timber rights to a purchaser who has sole rights to hire, train, maintain employee records and fulfill the harvest contract.

Randy Coots, Preferred by Nature (Economic-member, Certification Body):  
The majority of this principle is just a reiteration of existing US Laws.

Jorge Scarpa, Consultor independiente (Environmental-nonmember, Consultant):  
Si.

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
RMS supports efforts to promote diversity, equity and inclusion. We support all efforts to improve employee and contractor safety, and training necessary to do their jobs safely and correctly. Having said that, in the United States, there is a fine yet tangible legal distinction about what employers can and can not do relative to contractor requirements. We urge the FSC US Standard Revision be mindful of the legal differences that exist in the US relative to keeping employees and contractors separate

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):  
No. This is over the top and will add significant work and cost at best. At worst, this is incompatible with federal and state laws and will lead to increase non-conformities during audits, drop in certificate holders, lack of growth and ultimate failure of the system. In some cases this is redundant with OSHA and in other cases it removes/ignores the individual responsibility for accountability, safe behavior, etc. Within a U.S. context it is not appropriate or possible from a legal standpoint to require FM certificate holders to influence, oversee or dictate contractor - employee aspects such as pay/compensation, etc. The indicators are written vaguely (which may have been intentional and may be OK) but indicators that are not objective and ask a CH to prove that something hasn't happened adds additional burden and is not realistic. The standard should assume innocence unless proven "guilty," not the opposite.

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):  
No, the expanded definition of worker to include all workers including employees of contractors and sub-contractors and to treat them basically the same as the certified organization's employees in terms of requirements for safety programs and Worker's Compensation a problem.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
No opinion- I did not have time to review this issue.

amanda naismith, new forests (Economic-member, Investor or Donor):  
No - the definition of workers needs significant revision.

Andrew Carlo, F&W Forestry (Economic-nonmember, Certificate Holder (FM)):  
No

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
It appears so

Kyle Meister, SCS Global Services (Economic-member, Certification Body):  
Indicator 2.1.3(IGI 2.1.3)The Organization\*ensures that there is no discrimination\*in employment and occupation\* - "employment and occupation" is italicized and there is no definition for it in the standard. This could lead to confusion since "employee" is defined. It has been commonly understood that contracting and employment are different. National laws related to parental leave are weak, and there is great variation among state parental leave laws. There are significant differences between how each state treats parental leave- with some providing no paternity leave and others providing 1-2 months.

Christopher McDonnell, Rayonier Advanced Materials (Economic-member, Certificate Holder (CoC)):  
In general, yes.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
I think the revised standard is over-reaching as it moves beyond the US laws and seeks and protections for workers of contractors and subcontractors of the organization. The burden to conform with new requirements may ultimately land with the workers that these new measures seek to protect (i.e., insurance, etc.). There are implied references to ILO conventions that are not ratified in the U.S., which creates concerns for potential conflicts in terms of legal requirements. There are additional references to ILO Code that may conflict with US Legal Code (e.g., OSHA Safety Rules). There are also implications for production of records to demonstrate conformance that are often confidential and protected by law. The criterion and indicators (C&Is) for dispute resolution process throughout the standard need additional work to streamline and reduce redundancy, with suggestion to use Annex D for details rather than C&Is.

Ross Congo, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
I think that workers rights are being adequately covered in the revised standard.

Celia Headley, Northwest Forest Worker center (Social-member, Social NGO , Community member):  
I have given extensive comment on Principle 2 indicators in my role on the SDG, Most of my comments here will be the similar. This being the first FM standard to include protections for contracted labor, which includes guest and other vulnerable workers, there are many concerns that will emerge and are not adequately addressed by this draft. The formation of the forum is a good first step to identifying these and what means are necessary to insure and audit compliance. However, beyond the forum, there will need to be ongoing commitment on all levels of FSC from staff and board leadership to certificate holders to auditors to achieve this

Paul Vanderford, Sustainable Northwest (Social-member, Social NGO):  
I agree with the problem statement and our goals. We need to assure compliance with our worker safety goals even for contract workers. Particularly for contract workers who are not citizens of the US. We should anticipate push back from CHs who struggle to find credible ways to demonstrate conformance or believe contractor workforce is outside of their scope. Providing a clear pathway for how CHs can demonstrate meaningful conformance is the trick. I hope we focus on this point.

Gordon Gamble, Wagner Forest Management Ltd. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
For the most part but do have an issue with dispute resolution process noted in the next question.

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):  
(1) All forest workers deserve safe and fair working conditions. We believe the current FSC-US Forest Management Standard (V1.0) provides a strong framework for ensuring forest workers have safe and fair working conditions. We note the concern raised on the engagement portal that, "While it is FSC's understanding that Certificate Holders are following all relevant laws, there is concern about contractors and subcontractors working on FSC-certified Management Units, especially when it comes to health, safety, and wellbeing of their



employees.” In our collective experience, audit teams visit 5-10 active contracting sites per audit, speaking with lead contractors as well as contract employees in confidential conversations to confirm payment of wages and fair and safe treatment. This method has resulted in identification of potential safety issues and facilitated better contract management by certificate holders. The engagement portal goes on to state, “There is also a concern that the extensive use of contractors and subcontractors may represent a loss of economic opportunities for the local communities adjacent to or surrounding the FSC certified Management Units”. On the timberlands represented in this letter, with limited exceptions nearly all contractors and contract employees are local. For one of the undersigned companies, for example, the value of local goods and services purchased in 2019 was \$37 million. Exceptions include tree planting crews (there are limited local planting contractors) and logging contractors with specialized equipment (such as cut-to-length operations). In both of these examples the contractor’s employees are covered by workers compensation insurance as well as federal and state workplace health and safety requirements and wage and hour requirements. We understand and agree with the intention presented here and would like further confirmation that it is an ongoing problem. It is of utmost importance to include a certificate holder in the workers forum to ensure these facts are well-represented and to better understand the problem indicated.

**Q2: Will the changes result in indicators that are feasible for certified organizations?**

Dana Doran, Professional Logging Contractors of Maine (Economic-member, Social NGO):

Yes. But you are not fixing the social outcomes of the communities. This is a FSC pillar right? Has FSC looked into the economic environment of the communities dependent on FSC forests? Forest Products are commodities and companies are competing on global level. Companies cannot compete with the low wages from some other countries. The place to squeeze has been the contractors i.e. local community businesses.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):

YES

Galen Smith/ Niel Fischer, Collins Companies (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

This is covered in more detail in the letter we participated in, entered by Sarah Billig, but we are concerned about impacts these changes would have on sole proprietors. This is something that the Forest Workers Forum should take a hard look at to see if there are better and more nuanced ways of addressing the SDG’s concerns.

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

These changes result in indicators that are not feasible for certified organizations. Particularly indicator 2.3.2 requiring the development, maintenance, and implementation of a safety program for workers. Also the requirement of demonstrating safe work habits may require that certified organizations cross the employer/employee line by needing to monitor work habits, injuries, etc. of contractors and their employees thereby placing the certified organization in the role of the employer.

Nathan Heibel, Koochiching County (Social-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

These changes as presented here are potentially not feasible for certified organizations such as ours. Some of these proposed changes may put the burden of policing various federal and state laws onto the certificate holder when we now rely on federal/state agencies and departments to ensure compliance with many of these laws and we count on them to ensure that within the U.S., they hold those in violation accountable for infractions. If these changes are implemented as is, this will put one more task and more cost onto the certificate holder when we already need to do more with less in this day and age.

Ross Congo, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

The changes are feasible to implement and prove.

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

The change in definition of workers to include contractors and subcontractors may add requirements that conflict

with Michigan state laws.

Randy Coats, Preferred by Nature (Economic-member, Certification Body):  
Some yes and some no.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Some of the changes are feasible, align with existing US policy, but additional emphasis on compliance with US laws and regulations is needed to align criteria and indicators (e.g., C2.3). An economic analysis of the impact of requiring workers' compensation or fair compensation to all workers is suggested to fully understand cost and potential burden to organizations or workers. Indicators for gender equality need to consider additional measures of employment as basis for compensation (e.g., performance).

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
Several suggested revisions are not feasible for certified organizations. While we support most of the training and safety requirements, the training requirements for all workers, including seasonal workers around ILO and UNDRIP, seem to have limited if any value added. The right place to address conformance is with the certified organization, and contractual language for contractors that requires adherence to US law. We also find the indicator suggesting certified organizations are responsible for housing for contract workers and seasonal workers as going beyond the bounds of an employee/contractor relationship and suggest this indicator be revised to align accordingly. Finally, the indicator that suggests contractors use seasonal workers and outside workers to take employment opportunities from local communities does not reflect the reality that local community members will not take some jobs, such as hand planting of trees, and the use of seasonal labor is the only viable option. The revised standard should reflect this reality.

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government, Certificate Holder (FM)):  
PA BOF is concerned that as written this implies the certificate holder could be responsible to account for long-term loss of income in the event of serious accidents to independent contractors operating on state forest should they not otherwise have workers compensation insurance provided through their employer. PA has both a sole proprietor exemption for workers compensation which is commonly utilized in the logging sector; there is also a significant and growing subset of loggers also without workers compensation coverage due to religious exemption. Neither of these legal loopholes in the state workers compensation laws are likely to change. As a state government organization, PA BOF is limited in some respects by state laws and regulations. Inevitably the notion of using certificate holders to leverage workers compensation among contractors will result in costs being passed on to loggers. These costs are significant in our state. Incorporating this requirement raises the real possibility certificate holders will be disadvantaged by fewer bids on sale offerings and/or the inability to secure contractors to perform sustainable forest management work, as most harvesting opportunities in the state occur on non-certified lands.

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):  
No. Expansion to all workers increases responsibility and liability for CH. Emphasis on local labor may impact CH to use temporary / seasonal contractors for tree planting, bud capping, and other silvicultural field work for tasks that many local workers are not interested in performing and it will certainly result in increased costs for forest management.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM), Investor or Donor):  
No, they are currently not workable within the context of US Employment law.

Aprille Cook, The Westervelt Company (Economic-nonmember, Certificate Holder (FM), Certificate Holder (CoC)):  
No, the standard is putting a responsibility on the certified organization that is legally counter to what is allowed under US laws regarding independent contractor relationships. The standard is requiring certified organizations have a much broader and deeper interaction with the employees of vendors than such organizations are currently legally allowed without creating legal risks for the organization. Further, there is information that is required to be obtained that the certifying organization does not have the legal right to obtain without directly employing the workers. If the workers are independent contractors or working for an independent contractor, the certifying

organization does not have the right to interfere with the employer-employee relationship of other parties

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

No, it will make it very difficult. The FSC standard is not the right place to address the issue of inadequate enforcement of US labor laws

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

No, as described above. Also, in regards to the concern that the use of contractors and subcontractors may represent a loss of economic opportunities for the local communities adjacent to or surrounding FSC certified Management Units, the concern is unfounded. It has been well documented that the type of labor provided by these contractors is work that US citizens in any local community are unwilling to perform.

Greg Bernu, Carlton County Minnesota (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

no

Andrew Carlo, F&W Forestry (Economic-nonmember, Certificate Holder (FM)):

No

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

Mostly. The issue relating to workman's compensation is untenable when single proprietors exist. There is no reason for them to purchase workman's comp insurance for themselves and it only adds cost to their operation.

Christopher McDonell, Rayonier Advanced Materials (Economic-member, Certificate Holder (CoC)):

Indicator 2.2.3 is challenging as the use of the word "system" is infers greater complexity that what is required. An indicator written as follows would achieve the same result more simply : "Active participation of people of all gender identities in all levels of employment and decision-making is encouraged and supported."

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

If the definition stands as-is, this could disallow continued certification by state agencies.

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

If the changes are maintained they will just provide additional auditing requirements.

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):

I think they are feasible.

Gordon Gamble, Wagner Forest Management Ltd. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

For the most part but have issue with a portion of Criteria 2.6 –With regards to disputes between workers and their employers- The intent box mentions instances where disputes between a contractor and subcontractor may occur and the Organization (not the employer) still needs to engage and help resolve differences. I believe this is in conflict with IRS rules regarding employer-employee relationship as outlined in IRS publication 15-A under Behavioral Control. Indicator 4.2.1 speaks to ensuring the local community rights are respected. Logic would imply the same approach to local contractors and managing their business including settling their disputes with employees or subcontractors without interference. The forced inclusion of the Organization in this example of dispute resolution in the US is inappropriate and should be exempted in the intent/ guidance box.

Paul Vanderford, Sustainable Northwest (Social-member, Social NGO):

Feasibility will depend on what CBs allow and what we provide as guidance. I do not believe the guidance in the existing draft is clear enough. Many companies will be frustrated unless we thread the needle on this issue.

amanda naismith, new forests (Economic-member, Investor or Donor):

Expanding the definition of "Workers" to include workers who are not direct employees of the certified organization creates an unrealistic model for forest managers and contractors to operate. Legally, landowners are

advised to maintain an arms-length relationship with contractors, to avoid conflict related to liability and insurance. It is important that the standard focus on what is in the reasonable control of the forest manager. The workers of contractors fall outside this scope. Furthermore, the forest manager does not have the right or ability to control the policies and procedures of contractors. In addition, it is commonplace for contractors to work for multiple forest managers at one time, which introduces complexities for any forest manager seeking to demonstrate conformance of contractor activities. Having multiple forest managers ask contractors to prove their conformance with the current FSC indicators will be onerous and unsustainable for these businesses, particularly for small contractors. We encourage the workers forum to include participants from the contracting sector and ensure that the indicators are sustainable, appropriate and pragmatically able to be implemented for the forest managers and the contractors.

Jorge Scarpa, Consultor independiente (Environmental-nonmember, Consultant):  
Es lo esperable.

Kara Wires, NEPCon (Economic-member, Certification Body):  
depends on the edits and additional guidance and what next version will look like. many of these are new requirements and will need clarification and possible training

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
Contractors are by law and definition independent, and it is not reasonable for the certificate holder to enforce some employment related policies as need to comply with the revision. While it is reasonable to expect certificate holders to be socially responsible it is our opinion that the changes concerning contractors, loggers for example, have gone to far in that requirement. This requirement may become a barrier to new and continued enrollments in some areas of the US.

Celia Headley, Northwest Forest Worker center (Social-member, Social NGO , Community member):  
As there is no evidence that certified organizations have previously taken responsibility to insure or verify workers' rights, safety and well-being it will take an added effort that I am sure many would rather not have to undertake. FSC leadership will need to provide assistance and resources to help with this effort. This type of aid has been delivered to certified organizations, members, and stakeholders when other changes have been enacted (e.g. Controlled wood risk mitigation or National Forest certification). What is not feasible for FSC is to reject the need to address the lack of conformance verification with labor laws and their own standard's indicators.

**Q3: Do you have suggestions for ways to verify conformance of certified organizations with worker indicators, especially as they apply to contractors, subcontractors and employees of these contractors?**  
Dana Doran, Professional Logging Contractors of Maine (Economic-member, Social NGO):

Yes. The introduction of third party certified Master Logger programs. By having the certificate holders be able to use the Master Logger certification as a means of conformance with all applicable standards would be a break through. It would help the CH and the Master Loggers gain recognition. Please review the Smartlogging standard. Everything that concerns FSC on how to insure contractor compliance is in the Smartlogging standard. Specific to 2.5.1- Please include logger certification programs in the development of this guidance. Logger certification like Smartlogging and Master Logger can verify that training, supervision, and proper treatment of workers is being met. This would help untie the legal definitions in P2 between contractors and CH's, but still provide FSC the verification

Kara Wires, NEPCon (Economic-member, Certification Body):  
yes, a think a lot of the new requirements (gender and wages in particular) could benefit from having more direction in the Indicators for CHs to develop procedures and policies so there is something more concrete to audit and verify conformance to. see additional comments for P2

Nathan Heibel, Koochiching County (Social-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):  
Whatever can be done to limit the amount of extra time and expense needed to verify compliance by the certificate holder to these requirements. Are there currently any federal/state databases that exist through the Department of Labor, OSHA, etc. that could be utilized here?

Celia Headley, Northwest Forest Worker center (Social-member, Social NGO , Community member):  
This is a very complicated issue and hopefully, the forum will be able to formulate workable solutions. Following are a list of some preliminary suggestions : 1. Partnerships with labor agencies and organizations( State and national DOL, OSHA, etc.) to help educate CH's and auditors on labor laws, provisions and protections, especially for guest workers. 2. Enforcement of contracts that spell out all contractor responsibilities towards workers. Having on the ground personnel verify working conditions, etc. as well as ecological outcomes. For example, there is most often an inspector who oversees that the work is done to a certain standard and in compliance to contract specifications. This individual could be trained on labor standards and verify that compliance as well. Along these same lines, FSC could help coordinate regional labor inspectors to work with organizations to come out when contract work is being done. 3. Certified payroll to insure compliance with prevailing wage determination and deter wage thief. 4. As much of Forestry services is an underclass industry where work is often awarded below the real costs of doing business and a majority of workers confront some form of abuse a front end approach needs to be considered as well. Land managers could determine a reasonable estimate of the costs including compliance with all laws and indicators, reasonable production rates, and other costs including worker transportation and lodging, safety equipment, training, workers compensation, overhead, etc. Land managers could then regard bids below this estimate as unlikely to be able to pass certification indicators. 5. Worker interviews are an option, but frankly are not always effective. Beyond language barriers, many workers would be extremely reluctant to disclose any concerns due to the very real threat of not only losing their current job, but being blackballed from the entire industry. 6. Another front end approach would be to develop some sort of contractor certification, not only for loggers, but for all contracted work done on certified lands. At the very least, FSC members and partners could facilitate lists of contractors known to have high standards for workers. There could also be a compilation of bad actors, with known legal and other violations. However, since many businesses that exploit workers just change their company name or ownership on paper when found in violation or debarred it can be difficult to keep up with who is who.

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):  
The requirements should focus on contractor's and their employees being properly trained for safety in particular. These systems exist in many states and Certified organizations are able to check if a contractor and their employees are trained.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
The records required or implied to demonstrate conformance are especially sensitive, particularly as you move from contractor to subcontractors to their respective employees. This could be related to health and safety, compensation, grievances, etc. The confidential nature of certain records needs to be addressed in the standard. Interviews with contractors and subcontractors have been heavily relied upon, without issue, to demonstrate conformance historically.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
The organization should only be responsible for workers under their direct control meaning workers of companies that the organization is paying for services.

Gordon Gamble, Wagner Forest Management Ltd. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
The only way I can see is through audit interviews or during the stakeholder comment process.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
The only reasonable method is via assuring that contract language includes the requirements.

Ross Congo, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
The certificate holder can demonstrate or point to the practices of subcontractors and their policies if applicable or what training practices are in place. In many cases this issue and section is being overthought and does not need complexity added for the US context.

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
Stakeholder feedback, including feedback from employees, workers, and contractors; certified organization policies and procedures; safety performance of employees and contractors; contractual language that all applicable US and state laws are followed; training records and programs; efforts to promote diversity, equality and inclusion; annual ESG reports (if available)

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):  
PA BOF is concerned that this will require us to compensate contractors as if they are employees, or we will have to require insurance to work on the management unit. These are untenable positions for us. As a state government organization, PA BOF is limited in some respects by state laws and regulations, civil service and union rules, and departmental policies.

Greg Bernu, Carlton County Minnesota (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):  
none

Randy Coots, Preferred by Nature (Economic-member, Certification Body):  
No suggestions here, just a comment that some of the indicators are very close to crossing the line of anti-trust laws. Other indicators appear to be implementing a "quota system".

Aprille Cook, The Westervelt Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
In the US most of the items addressed in the revised standard are legal requirements already. Have a certifying organization acknowledge and confirm it is abiding by all applicable laws and regulations would be sufficient.

Paul Vanderford, Sustainable Northwest (Social-member, Social NGO):  
I suggest we work backwards by looking at how violators of these rules would show up vs placing the burden of proof on a CH to proactively demonstrate something has not occurred through written systems and commitments. We can review what databases track gender violations etc. Can we require an auditor check databases and come from a place of assumed conformance unless there is evidence of violation? If evidence is found in the form of substantiated complaints the auditor would then address the non-conformance. This approach would reinforce the laws and systems in place in the US for filing complaints and verify the processes hadn't failed anyone (worker or employer) when a complaint has formally been made.

Kyle Meister, SCS Global Services (Economic-member, Certification Body):  
Field inspections and checking logger qualifications (e.g., licensing, membership into logger organisations, etc.) have been effective in finding evidence of conformance and nonconformance. Most states have a pro-logger website or licensed logger website in which qualifications can be verified. Most states have licensing requirements for pesticide application, so those also can be checked. As long as one trained person is overseeing the job, there are few issues. Safety violations detected during audits are often dealt with in pro-logger training courses or SFI ICs.

Andrew Carlo, F&W Forestry (Economic-nonmember, Certificate Holder (FM)):  
Expanding the class of "Workers" to include workers who are not direct employees of the certified organization may pose conflicts to the contractor relationship with forest workers. In many cases, landowners and managers in a contractor relationship are advised to maintain an arms-length relationship with the contractor, to avoid the appearance of direct instruction and supervision (which may be interpreted as "employment" in situations related to liability and insurance). Conflicts in this area could open forest landowners and foresters to liability claims for matters outside their control. Some landowners could perceive that the risk of liability outweighs the benefits from FSC. With regard to Workers Compensation Insurance (2.6.1): some contractors in some states, by choice and legally, exempt certain workers (owners and partners, for example) from Workers Comp policies. It is unrealistic to expect a certified landowner or manager to investigate and question legal choices (with substantial economic consequences for the contractor) made by logging and other contractors, especially when they operate in an "arms-length relationship". An alternative approach may be to include in the new Standard a requirement that the certified organization provides notice to all contractors of legal requirements regarding forest workers, and

contracts for services require compliance with all laws and regulations.

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

Ensure that CBs are interviewing contract labor during the site audit; as well as on-site visits to assess conformance with health and safety regulations. We typically do not know which site we are going to until the day of or day before - this has been common practice during our audits and has helped us to manage our contractors in a better way. I think this may be less of an issue than perceived - at least in certified timberlands but not sure how other audits go.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

Contractors and their employees are bound to certified organizations by contracts; they are not employees of the certified organization. Certified organizations can show conformance with labor, health, safety, and non-discrimination laws by documenting that their contracts contain a "follow all laws" clause. This is as far as it can go. For example: if there is an employee-required training that isn't required by law, we can not require that of contractors.

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government, Certificate Holder (FM)):

Compliance with applicable state laws including applicable collective bargaining agreements, MIOSHA requirements, and worker's compensation laws would demonstrate conformance.

amanda naismith, new forests (Economic-member, Investor or Donor):

As stated above, the definition of worker should not include the contract workers or subcontractors. In this sense, certified organizations should have in place systems to verify conformance with direct employees. Some potential areas to consider are the reality that many contractors/subcontractors work for multiple organisations, how each certified organization could verify contractor conformance, and the feedback required from contractors to complete this requirement. In addition, rather than focusing on verification of conformance in the extended value chain, the standard should focus on verification of issues within direct control. Certified organizations should be encouraged to promote and positively influence conformance only in ways that do not compromise their liability.

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM), Certificate Holder (CoC)):

All that is needed is to show that Forest worker are abiding by Local, State and Federal laws for "workers' rights, safety and well-being"

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):

2.1: Limit to direct workers - not all workers. 2.1.2: This will be impossible to audit, as auditors will not have access or be granted access without subpoenas to these records. 2.1.4: Make sure through interpretation/guidance that a CH can be found to be "respecting" freedom of association and right to collective bargaining without actually being directly involved in negotiating with unions and contractors. Need to be cognizant of what can be supported in a U.S. legal construct. C2.3: Basic premise and expectation is OK but need to make sure that this is audited and implemented in a way that is appropriate with US laws and does not supersede the role of the contractor to ensure safe operating conditions for their employees. Will likely be huge variance in implementation and auditing. C2.5: Depending on how this is implemented and audited this could be a never ending task. CH are responsible for requiring training but should not need to have to provide the training. 2.6.1: This is a deal breaker and not appropriate from a U.S. legal context. Many contractors and subcontractors are sole-proprietors and workers compensation is not required legally in many states. Even if workers compensation is in place, it may not cover the owner. Limit to direct employees of the CH.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM), Investor or Donor):

1. This NSFF is supposed to be applicable to the US. FSC needs to remove references to ILO Conventions that the US has not ratified and ensure that the language used in definitions does not conflict with US Employment Law. 2. US companies cannot comply with some of the requirements listed under Annex E: Training for workers. US companies cannot ensure performance of a contractor's employees regarding labor rights, sexual harassment, assessing FSC criteria, or properly handling pesticides without violating US Employment Laws, particularly contractor/contractee relationships. Companies can train a supervisor or add certain requirements to a contract, but companies cannot directly train and supervise a contractor's employees. 3. The ILO COP states that

employers are responsible for the safety of contractor's employees. US companies do not legally have that kind of oversight. There are numerous requirements in ILO COP that run afoul of US Employment Law. Incorporating the COP into the standard is not auditable due to conflicts with Principle 1.

**Q4: Have Free, Prior and Informed Consent, and the rights of Native American Groups and Local Communities been appropriately addressed in the Draft 1 revised standard?**

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):

Yes, it has addressed those issues.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):

Yes, however, the US did not ratify ILO Convention 169 nor UNDRIP. FSC needs to be sure there are no conflicts with Principle 1 with these changes.

amanda naismith, new forests (Economic-member, Investor or Donor):

Yes, as these revisions include both contested rights and areas they do not hold rights.

Greg Bernu, Carlton County Minnesota (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

yes

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Yes

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):

yes

Kara Wires, NEPCon (Economic-member, Certification Body):

yes

Bill Wilkinson, Individual Member (Social-member, Other):

Yes

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

Yes

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

US law and Treaties already cover this in the US

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

There is still ambiguity related to state government certificate holders. Some states may be impacted by relationships with tribal governments with unresolved treaty rights or rights which are actively being negotiated through litigation or decree.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

There are significant concerns with the revised language in Principle 3 surrounding Free, Prior, and Informed Consent. Requiring consent prior to implementation of a management action, especially when that action is within the scope outlined in the management plan that was created with public/tribal involvement, is effectively ceding site-level decision-making to external stakeholders and is not in conformance with state law or our trust mandate. If the language stays as-is, and we continue certification, we will demonstrate conformance to Principle 3 through our existing management planning process, our state environmental policy act review process, and our tribal outreach and collaboration processes.

Rick Horton, MN Forest Industries\*\*\* (Economic-nonmember, Environmental NGO):

The Free, Prior and Informed Consent (FPIC) requirements of the FSC Standard have the potential to result in the wholesale withdrawal from the FSC Forest Management Program in the US. In the past FSC focused more on



ensuring that Certificate Holders provided information and opportunities for input, and then appropriately responded to and incorporated elements on input provided from individuals that demonstrated an understanding of the issue. This process shared the burden and accountability by expecting that stakeholders take the time to be informed and respond. If they didn't respond it didn't reflect upon the Certificate Holder. But this is evolving into a process with more emphasis on the "free" and "Prior" aspect and less on the "informed". Under this process the Certificate Holder must go to extreme lengths to secure a response, even to the point of making it forced (which violates the "free" aspect of the Standard). This will be untenable as it is unreasonable for Certificate Holder to wait indefinitely hoping to receive consent from a stakeholder who isn't interested in engaging in the process. Through FPIC FSC is conferring rights to indigenous people far beyond those conveyed to them in treaties with the US Government, and in doing so is violating private landowner rights, one of the basic tenets of the American system of landownership, by giving a third party the ability to dictate forest management on their lands. This requirement would also force state and county governments to place the rights of one subset of Americans over the desires of the remainder of the public. Further yet, this directive seeks to override the existing laws and policies governing management of public lands. For example, the State of Minnesota manages hundreds of thousands of acres of certified forest that were set aside in the state constitution to generate revenue for the state's public schools. Not managing them as a result of FPIC requirements, or managing in a manner that reduces their economic return to the trust, would be a violation of the state constitution. Another example is county management of tax forfeited lands to generate tax abatement income for county residents. Lastly, this requirement would force Certificate Holders to insert themselves into long-standing treaty disputes between the US Government and various tribes. The bulk of what is now Minnesota was signed over to the U.S. government by Sioux and Ojibwe tribes in a series of a dozen treaties over about three decades in the mid-1800s. Tribes ceded the land in exchange for payments, reservations and certain retained rights. Among those was typically the right to hunt, fish and gather on the ceded lands. Each of the dozen land cession treaties is a little different and conferred different rights to the tribes. The 1837 and 1854 treaties with the Ojibwe gave tribe members the right to hunt and fish, but the 1855 treaty does not explicitly grant those rights. This is still a matter of contention with the tribe, who have challenged the issue. Some contend that the right to hunt, fish and gather also means the right to dictate how forest habitats are managed. The Leech Lake Band in particular was heavily impacted by early logging, and is therefore deeply concerned about modern forest management (<https://www.llojibwe.org/aboutUs/history.html>). We urge FSC to modify the requirement for FPIC within the US. Certificate Holders could still open lines of dialog with Indigenous Peoples regarding forest management activities and inform them of common activities, but FSC should in no way give them the right to halt or alter operations if they don't support them. That would be a violation of constitutional, federal and state laws surrounding private landowner rights and public policy. The FPIC additions to the Standard and in Annex F are very unclear and result in the following questions that need to be addressed if this indeed goes forward:

- Scope: Annex F lays out a 6 step process for FPIC that apparently is required for every state and federally recognized tribe. Tribes are often divided into self-governing Bands, which are governed by different treaties. This requirement suggests that Certificate Holders must individually go through this process with every recognized tribal entity in the state. It is also unclear who has the authority to provide "consent" – Tribal Councils, foresters, or if any individual can deny consent. Lastly, the effort is extremely redundant in that there are six FSC Forest Management Certificate Holders in Minnesota, most of which do not have the staff time and resources to perform these actions.
  - o Recommendation: Limit this action to only federally-recognized tribes, and keep it at the tribe level (not at the band level). This should NOT include self-identified groups, as that opens the door for requiring consultations with hunting groups, trail users (e.g., ATVs, snowmobiles, horses, hiking, hunting, biking), campers, etc. All of these have legal rights to recreate in the forest.
  - o Recommendation: Allow one Certificate Holder (e.g., the State of Minnesota) to perform Steps 1-6, and others (e.g., Counties) to be covered by that assessment and interaction.
- Scale: Annex F is excessively broad. Step 3 suggests that tribe must be informed of "management activities" without clear direction on which activities, and their timing, frequency, duration and scale. This could be interpreted as requiring Certificate Holders to contact the tribes every time they plan to plant trees, harvest trees, fix roads, perform burns, complete site prep, gather inventory data, etc. This level of coordination is completely untenable.
  - o Recommendation: Make it abundantly clear that it is sufficient to have a one-time meeting inviting all tribal representatives to detail all of the potential forest management planning and implementation processes enacted by the Certificate Holder, the impacts of them on ecosystem services, and how the tribes can participate in those processes.
- Authority: The Standard and Annex F as written suggest that Certificate Holders cannot perform management activities without the approval of Indigenous Peoples. That places FSC Standards in direct conflict with the laws of the United States of America.
  - o Recommendation: The FSC Standard should in no way eclipse constitutional, federal, state, or local laws, or treaties.
  - o Recommendation: FPIC should not allow tribes to

dictate forest management activities by withholding consent. Treaty-conveyed rights to hunt and fish should not be reinterpreted as a right to dictate forest management. o Recommendation: Private landowners must retain their rights to determine how to manage their own lands. o Recommendation: Make it abundantly clear who has the authority to grant, or not grant consent. Does one opposing view mean there is a lack of consent? Also make it abundantly clear that a lack of response implies consent. Key Questions For Public Consultation • Have Free, Prior and Informed Consent, and the rights of Native American Groups and Local Communities been appropriately addressed in the Draft 1 revised standard? No. FSC has not provided sufficient justification for granting Indigenous People rights and authorities in direct conflict with those conveyed by the US Government in legally-binding treaties and under US case law.

Jorge Scarpa, Consultor independiente (Environmental-nonmember, Consultant):  
Si

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):  
No. This is much too broad and far exceeds what is appropriate or feasible from a legal standpoint. FPIC needs to be limited to Federally-recognized tribes and legal rights that have been established and verified in Treaties. FSC has not provided sufficient justification for granting Indigenous People rights and authorities in direct conflict with those conveyed by the US Government in legally-binding treaties and under US case law. Please refer to the comment letter submitted by the Minnesota Forest Industries (MFI) on December 17, 2020. Pages 3-5. Sappi is a member of MFI and supports these comments and suggestions.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
No opinion- I did not have time to review this issue.

Christopher McDonell, Rayonier Advanced Materials (Economic-member, Certificate Holder (CoC)):  
no concerns identified at this time.

Klaus Geiger, NEPCon (Economic-member, Certification Body):  
Matters related to FPIC and Indigenous Peoples in the standard will create dysfunctional relationships as they are currently written. They focus heavily on complete satisfaction of the Indigenous Peoples while completely ignoring the management objectives of the CH.

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
Is "affirm rights to lands" clearly defined? If not, it needs to be. Not sure how this will play out operationally. No doubt if anyone has legal access or other any other privilege's to a piece of property we would address, however we have to draw the line somewhere. These are privately owned forests. I would challenge the developers of the standard to challenge their own paradigms and as themselves how they personally would address some wanting access to their home and property because the said person had "affirmed" his right to do so.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):  
Indicator 3.1.2: In the draft prepared by the WG, the second half of the Indicator, regarding engagement with Native American groups to confirm which rights are applicable to the management unit (MU), was a separate Indicator. Admittedly, that separate Indicator could have been more explicit, regarding how the rights to be identified through engagement are not limited to those identified by the Organization at the prior Indicator. However, as worded in the consultation draft, the merged Indicator is even more likely to be mis-interpreted as saying the "confirmation" of rights only pertains to rights previously identified by the Organization. This would be inappropriate and not meet the Criterion's clear expectation that applicable rights will be identified through engagement – including rights that may not have been previously known to the Organization.  
RECOMMENDATION: Edit the Indicator to read: "Per Annex F and through culturally appropriate engagement, the Organization identifies and documents.... per Indicator 3.1.1."

Paul Vanderford, Sustainable Northwest (Social-member, Social NGO):  
I default to input provided by federally recognized tribes and the comments they have provided. I understand rights are often not considered when land management is occurring on lands where treaty rights are impacted. I support the standard's focus on elevating the need to consult and gain consent where legal rights are in place.

This will underscore rights that are regularly violated.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

I believe the standard has gone too far on the issue of rights of Native American groups and local communities and has resulted in the reduction of the private property rights that have been acquired by the current landowner.

Dana Doran, Professional Logging Contractors of Maine (Economic-member, Social NGO):

I am not sure. I have heard, anecdotally, that tribal reps view the act of asking for assistance about lands that they feel were stolen from them is actually more hurtful than not being asked at all. It is complex. And we need to analyze what this revision is trying to accomplish. If the act of conforming is actually hurting our standing with tribes then we then we need to reexamine.

Edward Wright, Trust to Conserve Northeast Forestlands (No comments, Social NGO , Environmental NGO):

I am not sure. I have been told that

Kyle Meister, SCS Global Services (Economic-member, Certification Body):

How much comparison of FSC's definitions and guidance on FPIC to existing US legal framework has been done to prepare P3 and Annex F? Some of the items in FPIC are clearly the role of the US Federal Government in the government to government relationship. FPIC should not be used to substitute that.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

FPIC as it relates to legal and customary rights of recognized Native American groups and traditional peoples seems reasonable.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):

As acknowledged in the revision, most of the new requirements have little to no relevance in the U.S. FSC should do more to determine the relevant and specific applications of the revisions in the context of forest management within the U.S. It seems like there is significant time and resources within the draft standard applied to circumstances that are practically non-existent or rarely encountered.

**Q5: Will the changes result in indicators that are feasible for certified organizations?**

amanda naismith, new forests (Economic-member, Investor or Donor):

Yes, with the inclusion of maps and Native American contact lists like the ones maintained on the CAL FIRE website by their Archeology department these changes/expansions of inclusion appear feasible for certified organizations.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):

Yes I think so, however there may need to be some changes on the social values diagram on the Overview of Indigenous Peoples Rights. I will have others take a look at this.

Bill Wilkinson, Individual Member (Social-member, Other):

Yes

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):

We strongly support the overlying premise that much of Principle 3 applies to Indigenous Peoples who have legitimate and legal claims on a FMU. We agree and support the indicator that recognizes some Native American peoples have no desire to be contacted or enter into a formal "Free, Prior and Informed Consent" agreement is very important. We have a Native American tribe who is a neighbor that has no desire to enter into a formal agreement, preferring the approach of "if we need to address any issue with you we will let you know".

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

Unclear

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
This will be very onerous at the Group level

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
There will be little to no gain for the additional work involved to satisfy these new Criteria and Indicators.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
The standard as it relates to rights holders is feasible. However, indicator 3.2.1 includes "management activities that may affect resources and lands and territories in which they have an interest, but for which they do not hold rights." This is very problematic and not feasible as it is very open-ended and makes the CH subject to being negatively impacted by any and all claims. This has the potential to allow any party to shutdown or delay the CH's operations even though no legal rights exist.

Ross Congo, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
The current standard revision indicators are feasible.

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
TBD

Jorge Scarpa, Consultor independiente (Environmental-nonmember, Consultant):  
Si

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):  
No. Requiring consent prior to implementation of a management action, especially when that action is within the scope outlined in the management plan that was created with public/tribal involvement, is effectively ceding site-level decision-making to external stakeholders and is not in conformance with state law or our trust mandate. It is possible for multiple tribes to claim customary rights for the same area and not be in agreement with the same resource management objectives or activities, thus impossible to have consent. Tribes also reserve the right to not participate or comment on management activities.

Rick Horton, MN Forest Industries\*\*\* (Economic-nonmember, Environmental NGO):  
No. As noted above this new Standard has the very real possibility of forcing landowners entirely out of FSC certification program. That result would have dire consequences for CoC certified mills in Minnesota.

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):  
No. As noted above this new Standard has the very real possibility of forcing landowners entirely out of FSC certification program. That result would have dire consequences for CoC certified mills in Minnesota. Indicator 1.6.1: Why is a dispute resolution process required in the US when the Federal Arbitration Act covers this? It is not feasible to develop a separate process to settle matters out of court. Compliance with laws will suffice in addition to requiring implementation of the public complaints process. Indicator 3.1.2: It is not appropriate to include contested rights. These should be removed and a CH not expected to honor those until they have been determined by a court of law. Customary rights is too open-ended and needs to be better defined. What is meant by "recognize and uphold" in legal terms? Typically "honor" requires an affirmative action and goes beyond refraining from harming said rights. This needs to be clarified. CH should be responsible for not harming legally-established rights of federally-recognized Tribes. Indicator 3.2.1 is much too broad and not appropriate. Remove the expansion that includes any management activities on lands of "interest" but for which there are no legal rights. FPIC will be impossible to audit and prove and because it is always ongoing and iterative, CH will constantly be at-risk for non-conformities and/or expected to hold-up management indefinitely until "consent" is obtained, which may never be feasible or possible in certain circumstances. Lack of affirmative proof of consent in this new standard assumes that consent is being withheld when in fact the groups for whom consent is needed may simply be uninterested in responding or delaying consent may become a common practice to stop management of our forests. 3.5.1: In the guidance box, what is meant by "culturally and economically important materials"? 3.5.2: Needs to be limited to designated representatives for federally-recognized tribes. 3.6.1: Who will be determining what is included in the addition of intellectual property rights for "groups" of Native Americans? This will be problematic and needs to be limited to those rights already defined and attributed to federally-recognized tribes. 3.6.2: Impossible to navigate and implement, much less audit. Please refer to the comment

letter submitted by the Minnesota Forest Industries (MFI) on December 17, 2020. Pages 3-5. Sappi is a member of MFI and supports these comments and suggestions.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
No.

Klaus Geiger, NEPCon (Economic-member, Certification Body):  
No.

Greg Bernu, Carlton County Minnesota (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):  
no, will cause me to drop FSC

Kyle Meister, SCS Global Services (Economic-member, Certification Body):  
It is difficult to tell, but anything outside of government to government processes or established mechanisms to involve tribes and local representatives (e.g., GLIFWC) could lead to CHs dropping certification if agreements cannot be reached. What if the rightsholder is not satisfied with any government to government or voluntary process? This could in effect stall all certification where there are Native American rights.

Paul Vanderford, Sustainable Northwest (Social-member, Social NGO):  
I worry about capacity to engage on both the CH side (for smaller holders and companies with limited staff) and tribal community side. I believe FSC US needs to set up a way to monitor this and facilitate this if needed to avoid an over-abundance of consultation requests if they become a burden vs value to tribes. If requests are too frequent we may create a situation where CHs can't get a reply to the question of consent.

Kara Wires, NEPCon (Economic-member, Certification Body):  
I think this will be a large challenge initial and suggest FSC US consider Interim Indicators to give CHs time to transition to full conformance. In addition, more clarification is needed and additional guidance and resources provided. more details in P3 and P4 comments.

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
I think so. It's hard to completely understand what type of unintended consequences may occur without lots of testing though. Would recommend the SDG be prepared to make changes as needed if there are unexpected outcomes from this.

Dana Doran, Professional Logging Contractors of Maine (Economic-member, Social NGO):  
I am not sure. The term binding agreements is a scary term for some CH's.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):  
Depends on how they are audited. If a Native American tribe has an office with phones and email, then that should be an appropriate method to contact them. Who gets to decide if this is culturally appropriate?

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
As we understand it the FPIC process will on be required if the Native American Group holds established "legal or customary rights", therefore this requirement is reasonable. It is not reasonable to require the certificate holder to follow the guidance as provided in Annex F for Initial Outreach. If a group holds the rights mentioned above is it not reasonable to expect them to also be proactive in reaching out and responding?

**Q6: Is the guidance in Annex F sufficient for understanding and conforming with the associated requirements?**

Kara Wires, NEPCon (Economic-member, Certification Body):  
yes, with additional clarifications. Also, I suggest the flow chart that is part of the "Issue Overview" be added to Annex F.

Bill Wilkinson, Individual Member (Social-member, Other):  
Yes, well done

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
Yes, I like that it focuses on building relationships with rights holders but doesn't require 'binding written agreements' .

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
Yes but it is very complicated and will likely result in many certificate holders leaving the FSC standard.

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
Yes

Klaus Geiger, NEPCon (Economic-member, Certification Body):  
Understanding, yes. But it is not acceptable as written.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):  
Under Annex F: Culturally Appropriate Communication, the entire section under "Guidance for Addressing a Lack of Response from a Native American Group" should be removed. It is disrespectful and possibly harassment for a company to continue to engage in unwanted outreach for the sole purpose of checking a box on an audit. When a company reaches out to another group and they do not respond, that is the end of the outreach.

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
This is difficult to understand and will cause the reduction in existing FMU's and new recruiting of FMU's

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):  
The related Indicators read as if Annex F is not guidance, but a required engagement process -- this should be clarified throughout the Indicators and Annex. State agencies have tribal liaison and their own government-to-government and internal collaboration processes. Requiring extra/different methods to conform to the FSC FM standard is cumbersome at best, and may ultimately disallow continuation of certification.

Ross Congo, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
The guidance is sufficient.

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
The clarity around FPIC being required only if the certified organization's activities affects Native American legal or customary rights is a very important distinction. Also, the recognition some Native American tribes do not wish significant engagement with certified organizations and in those cases their desires to be left alone is appropriate

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):  
See above.

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):  
No. Many questions remain. How will FPIC be audited and satisfied in dynamic situations where management is ongoing and iterative? For instance, does lack of a complaint prove consent? Can you prove a positive by absence of a negative? Please refer to the comment letter submitted by the Minnesota Forest Industries (MFI) on December 17, 2020. Pages 3-5. Sappi is a member of MFI and supports these comments and suggestions.

Rick Horton, MN Forest Industries\*\*\* (Economic-nonmember, Environmental NGO):  
No. Many questions remain (see above).

amanda naismith, new forests (Economic-member, Investor or Donor):  
No, the guidance in Annex F explicitly addresses pertinent definitions and situations where consent is needed for management activities that may affect rights held by Native American groups, which assists in general

understanding but does not provide clear procedures for conforming with the associated requirements.

Kyle Meister, SCS Global Services (Economic-member, Certification Body):

It is really hard to tell without knowing if any field exercises have been completed. As for non-indigenous traditional communities, very few of them have collective ownership of land or resources outside of the US Southwest. Some of the Spanish/Mexican colonies had collective areas for grazing and watershed protection (I believe that there is one near Crested Butte, CO that could be reviewed as an example). Collective ownership among Gullah-Geechee is often the result of heirs property situations, and not due to a tradition of collective ownership per se.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

If a group holds the rights mentioned above is it not reasonable to expect them to also be proactive in reaching out and responding?

Paul Vanderford, Sustainable Northwest (Social-member, Social NGO):

I appreciate the guidance section. It is very helpful. I recommend additional guidance in relation to what merits conformance with this guidance: When FPIC\* has not been obtained, it is the responsibility of The Organization\* to demonstrate their best efforts to support a culturally appropriate\* engagement\* process with affected rights holders\* that is advancing in good faith\* with the intent of reaching an agreement regarding the proposed management activities\*

Jorge Scarpa, Consultor independiente (Environmental-nonmember, Consultant):

Es muy importante porque se basa en acuerdos escritos, lo cual genera mayor formalidad.

Dana Doran, Professional Logging Contractors of Maine (Economic-member, Social NGO):

Again, Are the tribal reps on board with this procedure.

**Q7: Have Representative Sample Areas been appropriately addressed in the Draft 1 revised standard?**

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):

Yes - the standard language is clear. No - the requirements are not appropriate. Please refer to the comment letter submitted by the Minnesota Forest Industries (MFI) on December 17, 2020. Pages 5-8. Sappi is a member of MFI and supports these comments and suggestions.

Greg Bernu, Carlton County Minnesota (Economic-nonmember, Government , Certificate Holder (FM) ,

Certificate Holder (CoC)):

yes

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):

YES

Kara Wires, NEPCon (Economic-member, Certification Body):

yes

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

Yes

Bill Wilkinson, Individual Member (Social-member, Other):

Yes

Galen Smith/ Niel Fischer, Collins Companies (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

This appears to largely be covered in elements of the language, but RSAs and HVCAs should be managed and not just set aside. All land in the FMU should be subject to management input and decision-making, within the context of the management plan and certification standards. In turn, those management practices should be audited and confirmed to be in alignment with the management elements and requirements FSC placed upon

RSAs and HVCAs.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):  
They are addressed, however, they have been redefined. I do not see the purpose in adding RSA to the management unit if they are already well represented at the regional level.

Caroline Pufalt, Sierra Club (Environmental-member, Environmental NGO):  
The value of Representative Sample areas outside the Management unit needs to be evaluated based on local species' needs and smaller level ecosystem connections. The MU may have a rarer community which would benefit from a close connected RS area which might otherwise be forgone if only landscape level RS are considered. Indicator 6.5.4 - guidance, second to last sentence, add " a necessary" to " unless it is part of...." so it reads "unless it is a necessary part of ....."

Ryan Hilburn, Red River Forests LLC (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
The international generic indicators provided sufficient guidance on "how much" needs to be set aside as Representative Sample Area – a guidance threshold of percentage or number of Representative Sample Areas does not make sense given the detailed guidance on which ecosystems to emphasize. A certificate holder cannot provide RSA areas on the FMU if they do not exist. The assessment of whether "enough" area has been assigned as RSA can be determined based on the requirements of Annex G. We recommend the Standard Development Group remove Figure 1.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
The current draft has elevated the definition and expectations for RSAs to an unreasonable level starting with defining them as ecosystems. Expectations for conservation of a forest type or community may be more appropriate. The scale of conservation implied by the definition is unrealistic for most private landowners in the U.S. The increased burden for organizations in landscapes with less protection is also unreasonable, particularly in regions of the U.S. dominated by private ownership that is not permanently protected.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
The changes are extremely onerous and expensive for certificate holders. It is likely to be a significant deterrent for landowners considering FSC certification in the future.

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):  
Strongly support the concept. Very hard to imagine doing something with true conservation impact on smaller tracts. It is very hard to understand and the links to data in the guidance only serve to make it more complicated. This will require lots of consultants and will be very hard to explain to landowners.

Jorge Scarpa, Consultor independiente (Environmental-nonmember, Consultant):  
Si

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
RSA requirements have been greatly expanded. The RSA section of the revised standard get us back to the repeated question, "How much is enough?" While understanding the importance of RSA's there are vast landscapes of RSA's already managed by State and Federal organizations.

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
RMS has concerns about the proposed changes to the Standard, and implications of these changes to operations. Two overarching questions: First, we understand 10% of any FMU should be designated as RSA as the baseline, but larger FMUs are expected to provide higher percentages. Yet, the Annex does not reflect what the expected percentage increase is. We request clarity. Second, if it is demonstrated at the landscape level, all RSAs are adequately represented, is the certifying organization required to have a 10% minimum on their certified lands?

Rick Horton, MN Forest Industries\*\*\* (Economic-nonmember, Environmental NGO):  
Representative Sample Areas The new requirement that that all Management Units have RSAs identified for maintenance or restoration of native ecosystems that occur or could occur within the Management Unit is a



significant burden upon Certificate Holders. Due to the history of the land, and the statutory and regulatory guidance surrounding public land ownership not all ownerships are able to create or maintain RSAs. Previously the FSC Standard took the landscape view and was satisfied if there were sufficient RSAs in the forest, regardless of ownership. We realize that in some cases forest owners intentionally did not include protected areas in their FSC Certificate, and that Annex G, paragraph 4 suggests that those lands can qualify. But in cases of School Trust lands or county management of tax forfeit lands they simply cannot deviate from their statutory obligations to manage for economic returns. • Recommendation: Remove the requirement that RSAs must be part of the Management Unit and return to the landscape-scale view that holds that as long as there are Representative Sample Areas within the landscape of the Management Unit, regardless of ownership, there is sufficient presence of common and rare native ecosystems. Key Questions For Public Consultation: Representative Sample Areas • Have Representative Sample Areas been appropriately addressed in the Draft 1 revised standard? Yes. The Standard is clear.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
No. Too much emphasis is being placed on the RSA requirements on the FMU

Jake Camp, Georgia Pacific - GP Cellulose GmbH (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
No. Issues arise with private landowners when a specified acreage is to be set aside for protection and restoration. Many of the Management Units in the Southeastern US have their primary goal/objective set as timber production. The management unit may have been purchased primarily because the amount of area in production was large versus areas in protected status. In many instances the landowner is already setting aside HCVP's on the property. There is not much difference in the new RSA definition and the HCV definition which also makes this confusing to the landowner. Rare and ecologically important areas need to be protected, but many management units simply do not have them. The RSA's will, in many instances, be taking land out of production and not adding much in return.

Klaus Geiger, NEPCon (Economic-member, Certification Body):  
No. FSC is overstepping its purpose and being too prescriptive, particularly with regards to 6.5.6.

Nathan Heibel, Koochiching County (Social-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):  
No, this new requirement may put some land managers in a difficult position.

Aprille Cook, The Westervelt Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
No, how RSAs have been addressed within Draft 1 have been overly exaggerated.

amanda naismith, new forests (Economic-member, Investor or Donor):  
No - please see responses below

Andrew Carlo, F&W Forestry (Economic-nonmember, Certificate Holder (FM)):  
No

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
No

Andrew Bacon, Michigan Nature Association (Environmental-nonmember, Environmental NGO):  
MNA supports the proposed language in Indicator 6.5.7, which provides for the protection of core forest areas located on public lands for the benefit of area-sensitive species.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
I believe the standard has gone too far on the issue of RSA's. RSA's in combination with HCVP and the new conservation area network have added layers of complexity and assessments that are excessive.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
I believe so. I do not have any major concerns- see some minor comments under P6 indicators relevant to RSAs.

Paul Vanderford, Sustainable Northwest (Social-member, Social NGO):  
I am not interested in commenting on representative sample areas. RSAs are a distraction from our focus on ensuring the primary area of management is achieving stewardship. RSA represent a concept of preservation vs recognizing a focus on achieving a credible level of conservation within the area regularly managed. I think it is a mistake to ask FM holders to both meet a baseline stewardship level (with protections for HCV, etc) AND create representative sample areas for natural forests. The only instance I see RSAs being appropriate are for plantations where the allowed management doesn't represent forest stewardship or significant conservation values.

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
As best as possible, I think the concept has been developed and better reflected in this document. I think I finally understand what the point of RSAs are and how they should be assessed.

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):  
a. The international generic indicators provided sufficient guidance on "how much" needs to be set aside as Representative Sample Area – a guidance threshold of percentage or number of Representative Sample Areas does not make sense given the detailed guidance on which ecosystems to emphasize. A certificate holder cannot provide RSA areas on the FMU if they do not exist. The assessment of whether "enough" area has been assigned as RSA can be determined based on the requirements of Annex G. We recommend the Standard Development Group remove Figure 1.

**Q8: Will the changes result in indicators that are feasible for certified organizations?**

Jake Camp, Georgia Pacific - GP Cellulose GmbH (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
It could possibly encourage landowners, especially large ones, to decertify their property because of the adverse economic impacts. It will also create a difficult path for smaller landowners who do not have the means to create or add additional protected areas. - It remains unseen how this will affect SLIMFs. It appears the FF indicators would be released at the same time so there would be a better understanding of how this change would affect our FM group certification.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
YES

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):  
Yes

Bill Wilkinson, Individual Member (Social-member, Other):  
Yes

Ebba Hansen, Boise White Paper (Economic-member, Certificate Holder (CoC)):  
We feel the changes will be difficult for some landowners to meet and will result in some leaving the FSC program.

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
This one is troubling. It is unrealistic and irresponsible for FSC US to potentially require us to manage RSA at the FMU level. Your rationale is also misguided as you imply that biodiversity can only be managed/protected/maintained in designated RSAs or High Conservation Value areas.

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
This makes sense at a Large landowner scale, but as a manager who has multiple small FMU's in our group certificate in the east it would be amicably by some FMU's owners but a game changer for others. This will likely

cause an reduction in FMU's

Nathan Heibel, Koochiching County (Social-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

These new proposed changes may lead to unfeasible changes to some certificate holders. The new requirement of needing RSAs within the management unit may conflict with some land managers goals and objectives as a trustee and the fiduciary responsibility that role carries for us as managers of the tax-forfeited trust lands. It is understood that RSAs can be managed, but potentially the management may be more passive over time. Also to comply with this requirement, new assessments may be needed at an added expense to the certificate holder. As an example, for the lands we administer this would require another 9,000 acres to be designated as RSA within the management unit.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):

The suggestions for determining extent of RSAs (Step 1) will be problematic for many landowners in regions of the U.S that are privately owned. The technical aspects of the Annex G, while understandable, are beyond the capacity of most organizations, forestland owners and local natural resource agencies to achieve. The process of RSA establishment provided in the revisions is an improvement but the shift in expectations and deliverables will present issues for many organizations ranging from technical capacity to expectations for conservation, restoration, protection, etc.

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):

The standards about RSAs should be more broadly defined so that organizations that are meeting the intent of the Principle, but not necessarily the process defined in Annex G, are not penalized.

Rick Horton, MN Forest Industries\*\*\* (Economic-nonmember, Environmental NGO):

The proposed changes to High Conservation Value Areas (HCVA), Representative Sample Areas (RSA) and Conservation Areas Network (CAN) combined represent yet another tightening of the screws by FSA upon forest landowners. This continual "death by a thousand cuts" has eroded confidence in FSC certification, made it difficult to retain Certificate Holders and nearly impossible to enroll new landowners into the program. While we strongly support sustainable forest management, we sense that certification entities are moving to make their authority to dictate plans, practices and monitoring procedures supersede both governmental regulations and company policies, to the detriment of both. FSC needs to recognize that forests in the US are in most cases fully functioning ecosystems that provide a wide array of social, ecological and environmental benefits. At some point the additional requirements of certification simply create additional workload and expense without adding any value. The FSC Standard fails to recognize that due to the history of the land and the statutory and regulatory guidance surrounding public land ownership, not all US forests are equal. Some ownerships have a higher degree of remnant natural conditions and can be managed for a wider array of values. Others have fewer remnant natural conditions, and their governance requires greater emphasis on the economic aspects of management. Certification standards should acknowledge each entity's contributions to landscape-scale sustainability, recognize each's limitations and strengths, and offer a range of conservation options that reflect the reality of their origins and governance requirements. • Will the changes result in indicators that are feasible for certified organizations? No. Some Certificate Holders will be unable to meet the new requirement that they have RSAs in the Management Unit due to policy or statutory constraints. Furthermore, identifying and managing the RSAs will impose increased workload and expense upon the Certificate Holder. Together these may lead to Certificate Holders to withdraw from the program.

Brendan Grady, SCS Global Services (Economic-member, Certification Body):

The expectation that RSAs are established on all management units is a significant change from the previous standard that will largely affect small and medium sized CHs. Currently, some CHs have not established RSAs on all management units if the RSA analysis indicates that they are adequately protected in the landscape and that the properties are not conducive to establishing RSAs.

Ryan Hilburn, Red River Forests LLC (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

The changes may prove to be unfeasible for certified organizations. As written the indicator requires a prescribed percentage of area be set aside as RSAs, however, a certificate holder may not have enough RSAs as described

in the indicator in their FMU. A certificate holder cannot provide RSA areas on the FMU if they do not exist.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):  
Probably not. They will not be feasible for Columbia Forest Products. The landowners we work with will not be interested in taking 10 percent of their forest out of production to manage for RSA and CAN.

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
Possibly. It is important that RSAs are present on the landscape, rather than just the responsibility/requirement of the certifying organization to maintain or restore. FMUs must be economically viable, and restoration of productive forest to RSA could produce unintended negative consequences. It should also be clear that forest management and harvesting can occur within RSAs if the end result is the ecological viability of the RSA or species within the RSA. It is important to provide clarity that Streamside Management Zones can be RSA and HCFV. Finally, the expectation that all FMUs have a minimum of 10% RSA will be challenging for group certification and family forest members of groups specifically.

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):  
No. Some Certificate Holders will be unable to meet the new requirement that they have RSAs in the Management Unit due to policy or statutory constraints. Furthermore, identifying and managing the RSAs will impose increased workload and expense upon the Certificate Holder. Together these may lead to Certificate Holders to withdraw from the program. The new requirement that that all Management Units have RSAs identified for maintenance or restoration of native ecosystems that occur or could occur within the Management Unit is a significant burden upon Certificate Holders. Due to the history of the land, and the statutory and regulatory guidance surrounding public land ownership not all ownerships are able to create or maintain RSAs. Previously the FSC Standard took the landscape view and was satisfied if there were sufficient RSAs in the forest, regardless of ownership. Please refer to the comment letter submitted by the Minnesota Forest Industries (MFI) on December 17, 2020. Pages 5-8. Sappi is a member of MFI and supports these comments and suggestions.

Kara Wires, NEPCon (Economic-member, Certification Body):  
no. seems similar to current standard except I have concerns about the feasibility to implement this on MUs as small as 50 hectares

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
No. Having to assess the landscape, identify under-represented native ecosystems and then restore them is a much higher bar than the current standard which requires only the protection of under-represented ecosystems if they occur on the MU. Also, not being able to consider off-MU native ecosystems as part of the analysis greatly adds to the burden that the CH must bear on the MU. Off-MU native ecosystems within the landscape that are permanently protected (on USFS for example) should qualify as an RSA for the MU.

Klaus Geiger, NEPCon (Economic-member, Certification Body):  
No.

Aprille Cook, The Westervelt Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
No, several of the indicators are not very feasible for the organization. For example, requiring organizations to restore ecosystems that do not have viable occurrences (6.5.2) in their management unit is an overstep by FSC. This could result in unnecessary and costly expenses for the organization as well as go against the overall management plan for the management unit. Also, the method in which a company calculates the % of land dedicated to RSAs is extreme. Based on figure 1. in Annex G our organization will be required to dedicate 5% or 22,000 acres of our land base to RSAs. Is this number based on results from scientific research showing a need? Also, clarification is needed about whether RSAs and CANs can be off property. In the Issue Overview document for RSAs, HCVAs, and CANs there is a statement that says "As with RSA, flexibility has been built into establishing the Network by allowing organizations to recognize conservation areas outside of the Management unit if the organization played or plays a role in safeguarding the area." In the draft there was no clear language addressing "flexibility" or "safeguarding the area" which gave the impression RSAs and CANs must all be on the organization's property.

Greg Bernu, Carlton County Minnesota (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):  
no

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
No

Andrew Carlo, F&W Forestry (Economic-nonmember, Certificate Holder (FM)):  
No

Kyle Meister, SCS Global Services (Economic-member, Certification Body):  
Meeting the 10% requirement for single "small" SLIMF certificates could be a challenge, though not many of those exist anymore. Most are part of a group certificate and could meet this at the group management level.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
It is not reasonable to expect the certificate holder to protect additional acres if there are thousands, even millions of acres of representative sample area protected in a given region. An example being the Adirondack's of New York. In this example managed ecosystems provide habitat not found on millions of protected acres.

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):  
I have concerns about how to apply management in the RSA construct. For example is the creation of ecologically need early successional habitat through harvesting something that is recognized or not?

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
I believe so, yes.

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
Hard to say. I think that the %/numerical guidance in Annex G should be dropped. As an auditor once told me, "We love auditing to specific numbers." I understand the desire to provide guidance - but I think it will quickly become normative and might not make sense for some FMs. Let the FM's and CBs figure this out based on the concept provided. Based on the concept provided - it really doesn't make sense to provide any sort of number or threshold frankly.

Jorge Scarpa, Consultor independiente (Environmental-nonmember, Consultant):  
En principio si.

amanda naismith, new forests (Economic-member, Investor or Donor):  
Creating RSAs for every ecotype in the FMU may be infeasible or impractical for smaller management areas (i.e. due to the cost barriers or other factors). Additionally, if every ecotype is included, some of the RSAs may be relatively small, which could mean there would be limited ecological benefit to these sites. Instead of managing to the requirements outlined, certified organisations should prioritize ecological value. The requirements as outlined may discourage participation in FSC if ecological value is not perceived to be the priority.

**\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):**  
**Changes will result in revisions to assessments that will need full-throated support from FSC-US.**

**Q9: Is the guidance in Annex G sufficient for understanding and conforming with the associated requirements?**

**Jake Camp, Georgia Pacific - GP Cellulose GmbH (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):**

**No. - What is considered protected? Would SMZs that we are managing for low impacts (no final harvest) now be considered an RSA? Where can the underrepresented rare ecosystems for the area under certification be found and ultimately identified on the ground? - It remains unclear how this standard may change for SLIMFs.**

Rick Horton, MN Forest Industries\*\*\* (Economic-nonmember, Environmental NGO):  
Yes. It is understandable, but it is unreasonable, impractical, and not credible.

Kara Wires, NEPCon (Economic-member, Certification Body):  
Yes,

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):  
Yes in that it is understandable. No in that it is unreasonable, impractical, and not credible. We realize that in some cases forest owners intentionally did not include protected areas in their FSC Certificate, and that Annex G, paragraph 4 suggests that those lands can qualify. But in cases of School Trust lands or county management of tax forfeit lands they simply cannot deviate from their statutory obligations to manage for economic returns. • Recommendation: Remove the requirement that RSAs must be part of the Management Unit and return to the landscape-scale view that holds that as long as there are Representative Sample Areas within the landscape of the Management Unit, regardless of ownership, there is sufficient presence of common and rare native ecosystems. Please refer to the comment letter submitted by the Minnesota Forest Industries (MFI) on December 17, 2020. Pages 5-8. Sappi is a member of MFI and supports these comments and suggestions.

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
Yes - but again, remove the %/threshold guidance.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
YES

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):  
Yes

Bill Wilkinson, Individual Member (Social-member, Other):  
Yes

Ryan Hilburn, Red River Forests LLC (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
We recommend the Standard Development Group remove Figure 1.

Klaus Geiger, NEPCon (Economic-member, Certification Body):  
Understanding, yes. But it is not acceptable as written.

Andrew Carlo, F&W Forestry (Economic-nonmember, Certificate Holder (FM)):  
This change may lead to hardships and barriers for participation in FSC, especially for owners of small forest management units (but greater than 50 HA) such as those falling into the “family forest” acreage. On many forests, it may be impractical to take managed and productive forestland out of production, to create Representative Sample Areas for each ecotype and each “potential” ecotype on the FMU. Additionally, evaluating what ecotypes might “potentially” occur in a forest (in a landscape with a history of management centuries long) could be a speculative process without much recourse to hard information. On small forests, such RSA’s would by

necessity be quite small themselves, and would therefore be of limited ecological value. In the US Northeast, where I work, it is common to have several ecotypes on one forest. Therefore multiple small and ecologically-questionable RSA's would need to be established. The questionable ecological benefit of such RSA's should be compared to the benefits provided by larger and legally protected RSA's on public or other conserved lands. In general, changes to the standard which result in barriers to participation in FSC should be considered carefully, and rejected if they discourage the participation of otherwise compliant forests, unnecessarily pushing landowners out of certification or towards other certification systems.

Gordon Gamble, Wagner Forest Management Ltd. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

The only clarification I seek is how far back can a certificate holder look to count transfers of property to a conservation organization? Since the original acquisition of the management unit? since it achieved certification?

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):

The indicators and guidance needs to be revised to align with realistic expectations for private forest management.

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):

The guidance is a good start. It is a very complicated 5 step process. The guidance should also provide model examples of how the guidance is applied across different scenarios. But beyond guidance, I recommend FSC US take a more active role in educating and training both CH and CBs around this new NFSS language. I think CHs will be angry at the new demands and those that stay in the system will tend to over compensate like as noted with HCVs.

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):

The guidance in Annex G is complex and uses language that is different than what the PA BOF currently uses for areas we believe to be equivalent to RSA. Organizations should be free to meet the intent of the principle in a manner that aligns with their own management system and not conform to the detailed processes of Annex G.

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

Somewhat.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):

Page 158, 4th Paragraph: The Board/PSC added this paragraph, allowing certain areas outside the certified management unit to be counted towards the Organization's requirements for RSAs within the management unit. (Note this is different than consideration of RSAs in the broader landscape, for purposes of determining how many RSAs are needed in the management unit in the first place.) While the Board/PSC presumably had some reasonable circumstances in mind, the language is very broad, and as written, is likely to create more problems than it solves. RECOMMENDATION: Revise the Annex to correct and prevent problems created by the new paragraph. These solutions need to: • Prevent double-counting of the areas outside the management unit. If the areas are counted as protected areas when doing assessments of the broader landscape, resulting in fewer RSAs being expected in the management unit, then those same areas should not also count towards the Organization's remaining requirements to protect RSAs in the management unit. • Exclude "conservation zones" outside the management from counting towards expectations for RSA protection within the management unit, when those conservation zones lack permanent protection. The existing US Standard and the rest of the draft revised Standard only considers areas outside management units in RSA analyses if those areas are permanently protected. This is important, since areas without such protection may not be in conservation status tomorrow. • Require the areas outside the management unit to be adjacent to the management unit, and within the same ecological "Section." Paragraph 4 sets no geographic bounds on the areas outside the management unit that may count towards the management unit's obligations. If areas outside the unit are to count towards ecological expectations for the management unit, they need to be closely related to the unit and the ecosystems within it. • Clearly require the areas outside the management unit to be same ecosystem types as those they are substituting for within the unit, and to be of equal or greater ecological value and condition. • Limit the size of management units that may count outside areas towards their RSA obligations. Paragraph 4 sets no size limits on the size of management units that may use its approach, meaning that very large management units could potentially see no RSAs being conserved. For larger industry forests, state public forests, and National Forests,

this could potentially mean that entire large landscapes will be lacking RSAs. • Only count areas outside the management unit towards the unit's RSA obligations if those outside areas were transferred into conservation status in recent years. Otherwise, lands transferred generations ago could count. As a result, Paragraph 4 would serve primarily as a loophole in the Standard's RSA provisions, rather than a recognition of conservation commitments made by the Organization, and an incentive for additional such commitments. Step 1 and Figure 1: The WG found compelling reasons to frame expectations for RSAs in terms of their area, i.e., as a percentage of management units' overall size. The area/percentage-based approach aligns with IGI Annex D's Instructions to Standards Developers and Criterion 6.5's requirement for the "size" of RSAs to be "proportionate" to a number of factors, including the scale of management units. The area/percentage-based approach also follows the understanding that, everything else being equal, a few large conservation areas will usually be of greater ecological value than numerous small areas. However, the Board/PSC added the option for Organizations to calculate the expectation for RSAs in terms of numbers of RSAs, regardless of their size. As a result, it will be possible for Organizations to identify a number of tiny token areas as RSAs, and to avoid Criterion 6.5's clear requirement for the size of RSAs to be proportionate to the scale and intensity of forest management operations, as required by Criterion 6.5. RECOMMENDATION: The option for Organizations to calculate their RSA obligations in terms of numbers of RSAs should either be deleted at Step 1 and Figure 1 – or the option to calculate RSA outcomes in terms of numbers of RSAs should be clearly and narrowly restricted to situations for which it is more appropriate or necessary. Step 4, 2nd Paragraph, Subparagraph "d:" The Board/PSC added this subparagraph, allowing RSAs to not be established for ecosystems that are very common in the landscape. While this appears to make sense in some situations, assuming it frees-up resources for greater conservation of ecosystems in greater need, there are also times it will not make sense. RECOMMENDATION: Edit the subparagraph, so it excludes to situations where it is not suitable. For example, ecosystems may be quite common but in partially or even highly degraded states across much of the landscape, e.g., as "semi-natural" forests. In such contexts, identifying and conserving examples of any relatively intact examples of those ecosystems will continue be important, including as biological refugia, scientific and management planning benchmarks, and perhaps even genetic reservoirs.

amanda naismith, new forests (Economic-member, Investor or Donor):

One point to consider in Annex G is the requirement for a landscape assessment, which may be too costly and act as a barrier to smaller organizations. Additional guidance on methodology may lessen the potential burden.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

No. In the first paragraph of the summary it states that the RSA has to be on the FMU. In the second paragraph it states that it does not.

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):

No, the graph is unclear and confusing. While it does show intent, the limits of that intent are undefined and thus left to auditors to decide what is enough.

Brendan Grady, SCS Global Services (Economic-member, Certification Body):

More flexibility should be given for situations to meet the RSA and Conservation Area Network requirements outside the management unit, such as for group certificates. For example the interpretation (INT-STD-01-001\_09) limits the ability to meet this requirement off the MU to units under 50ha. This should be expanded to at least the SLIMF size limit, if not expanded to include medium sized MUs. Otherwise this requirement may be a barrier for small landowners considering certification if it is perceived as imposing an immediate 10% reserve.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

It should be clarified in Annex G that this is an outline of a possible process to meet objectives and goals and not a literal requirement for conformance.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

It is very thorough, but results in an unrealistic RSA requirement that can lock up thousands of acres even when the ecosystem may be adequately represented on the landscape off-MU.

Greg Bernu, Carlton County Minnesota (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):



implementing this strategy will not be feasible for my FMU. I will drop FSC if implemented

Carolyn Loeb, NEPCo (Environmental-nonmember, Environmental NGO , Certification Body):

Generally, yes. One big comment: Step 1 as written now should be Step 3; that is, it is important to undertake the assessment of possible RSAs on and off of the FMU before determining what percent of the FMU should be put into RSAs. (Especially since the Annex states "While Figure 1 suggests a minimum extent of RSA\*, if additional areas qualify as RSA\* (above this minimum), The Organization\* is expected to assess those additional areas as RSA\*, within the context of Step 4.")

Aprille Cook, The Westervelt Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

For the most part Annex G explains the process well enough but again the amount required is excessive.

Jorge Scarpa, Consultor independiente (Environmental-nonmember, Consultant):

Ayuda en la metodología. Será perfectible con el paso del tiempo y la experiencia ganada por ambas partes, FSC y organizaciones.

Caroline Pufalt, Sierra Club (Environmental-member, Environmental NGO):

Annex G should better define what cost limitations are and what the time frame is for restoration.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):

Annex G is a horrible mess and needs more work to be something I can understand and attempt to implement.

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):

a. The international generic indicators provided sufficient guidance on "how much" needs to be set aside as Representative Sample Area – a guidance threshold of percentage or number of Representative Sample Areas does not make sense given the detailed guidance on which ecosystems to emphasize. A certificate holder cannot provide RSA areas on the FMU if they do not exist. The assessment of whether "enough" area has been assigned as RSA can be determined based on the requirements of Annex G. We recommend the Standard Development Group remove Figure 1.

**Q10: Have Conservation Areas Networks been appropriately addressed in the Draft 1 revised standard?**

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

Yes.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):

Yes, this is how we do it for the most part.

Kyle Meister, SCS Global Services (Economic-member, Certification Body):

Yes

Kara Wires, NEPCo (Economic-member, Certification Body):

yes

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

Yes

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

Yes

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):

With each revision of the standard, the guidance and annexes regarding the concept of the CAN become more complex and burdensome. PA BOF meets the intent of the principle without the prescriptive requirements of the revised standard.

Rick Horton, MN Forest Industries\*\*\* (Economic-nonmember, Environmental NGO):  
While we understand that the concept of Conservation Area Networks (CAN) is the result of new International Standards and Generic Indicators, and that the 10% CAN threshold is required by FSC-International and not negotiable. That said, CAN standards will require considerable analysis, mapping and documentation. We feel that this is yet another example of FSC placing mandates on Certificate Holders that will result in additional workload and expense that may make them consider withdrawing from the program. In most cases large landowners have sufficient lands in Riparian Management Zones, Legacy Patches, parks, research areas and other categories to make up the 10%, so long as lands that were withheld from the Certificate can count towards the total (similar to RSAs). However, small landowners may not have wetlands, and hence would be forced to physically reserve 10% of working forest from harvest. FAC-US needs to acknowledge and communicate that responsible forest management is completely compatible with conservation objectives and priorities. In many ways active forest management is necessary to create certain habitats that cannot be maintained in a world where natural disturbance processes like wildfire and diseases cannot be allowed to occur as they once did. Without human-induced disturbance habitat would be lost for thousands of species. Additional conservation objectives, plans, monitoring, etc. of "conservation impacts" are not warranted. Also acknowledge that timber itself is an ecosystem service that sustainably provides for human needs and creates good jobs in rural economies. It is therefore just as essential than other values of a forest. Lastly, maintaining forestland as working lands provides revenue streams for landowners to keep and re-invest in their property, which is itself a conservation objective with a successful outcome. The costs of certification are generated from timber harvest from working forests. Since there is no market for ecosystem services, removing productive forests from the timberland base makes it more likely the landowner will find other higher and better uses of the land. • Recommendation: Make it abundantly clear that many land classifications, uses, and reserves can qualify as part of the Conservation Areas Network, including those explicitly excluded from Certificates but owned and managed by the Certificate Holder. These should include Riparian Management Zones, Legacy Patches, parks, research areas, scientific natural areas, wildlife management areas, memorial forests and the like. • Recommendation: Allow more flexibility for small landowners to meet the CAN objective without taking lands out of management. • Recommendation: Place more emphasis on the role active management plays in replicating natural disturbance regimes and creating habitat for disturbance-dependent wildlife. • Recommendation: FSC-US could assist with CAN spatial analysis across woodbasket levels. • Recommendation: FSC-US could issue an interpretation that in states where BMPs include RMZs, legacy patches, etc. that the 10% CAN area requirement is assumed to be met. Key Questions For Public Consultation: Conservation Areas Network • Have Conservation Areas Networks been appropriately addressed in the Draft 1 revised standard? No. See above.

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
This adds another layer of complexity to Standard

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
The addition of CAN's is excessive when considered in the full context of the standard. When fully implemented the current standard restricts intensive forest management already. This will add expense in the form of consultation, monitoring, and documentation during a time when certificate holders already find it difficult to justify the expense of being FSC certified.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
Right now, the Conservation Areas Network seems almost like a stand-alone requirement (via Annex H) as it is barely referenced in the standard (6.5.5. seems to be the one place it really comes up). I have no objection to only auditing to one indicator for this requirement, but the indicator or Annex should provide more detailed guidance for about how to prioritize inclusion of lands in the CAN once the obvious 'suspects' (RSAs, HCVs, special cultural sites, etc.) are included if the 10% threshold has not yet been met.

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):  
No. Please refer to the comment letter submitted by the Minnesota Forest Industries (MFI) on December 17, 2020. Pages 5-9. Sappi is a member of MFI and supports these comments and suggestions.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)): No. It is possible that a forest does not have 10% of its area eligible for the network

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government): No. Conservation Areas Networks is a complex topic that is barely discussed within the Standard outside of Annex H.

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)): No.

Aprille Cook, The Westervelt Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)): No, more information is needed to better understand the Conservation Area Network.

Jorge Scarpa, Consultor independiente (Environmental-nonmember, Consultant): No las conozco en profundidad. Pienso que si.

Andrew Carlo, F&W Forestry (Economic-nonmember, Certificate Holder (FM)): No

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)): No

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)): It would be nice if similar concepts could be accommodated by a single indicator and Guidance document.

Paul Vanderford, Sustainable Northwest (Social-member, Social NGO): It is a mistake to treat the area operating under normal management separately from the areas we consider high value. If we are not comfortable with this we have failed to create a meaningful baseline.

Caroline Pufalt, Sierra Club (Environmental-member, Environmental NGO): Include a reference to the applicability of regional requirements to this assessment.

amanda naismith, new forests (Economic-member, Investor or Donor): Expanded guidance on how the area designated as part of the Conservation Areas Network will be assessed would be useful. Standardizing the methodology, to the extent possible, could lessen the possible variation/confusion for certified organisations. There is also some concern that organizations would manage "down" to the 10% area requirement (i.e. not include more area than 10% in the Network). It appears this would discourage maximizing sustainable land management.

Bill Wilkinson, Individual Member (Social-member, Other): Exhaustively

Ryan Hilburn, Red River Forests LLC (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)): Conservation Area Networks have been addressed appropriately in the revised standard. It is clear that the "Networks" can be made up of RSA's and HCV's as well as other areas provided that they make up 10% of the FMU. Please advise if this interpretation is correct.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor): CAN has been defined and addressed in the standard.

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)): c. The Conservation Area Network guidance is clear and feasible.

**Q11: Will the indicator be feasible for certified organizations?**

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):

Yes/no. However, it will again require additional workload and expense to document the lands in the CAN and maintain those records. And make concessions for small landowners. Please refer to the comment letter submitted by the Minnesota Forest Industries (MFI) on December 17, 2020. Pages 5-9. Sappi is a member of MFI and supports these comments and suggestions.

Rick Horton, MN Forest Industries\*\*\* (Economic-nonmember, Environmental NGO):

Yes/no. However, it will again require additional workload and expense to document the lands in the CAN and maintain those records. And make concessions for small landowners.

Kara Wires, NEPCon (Economic-member, Certification Body):

yes, I do have concerns about small MUs being required to track and report on this--will wait to see what is required in the SLIMF standard

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

Yes

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

Yes

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):

This new requirement appears feasible, with sufficient guidance included in Annex H.

Nathan Heibel, Koochiching County (Social-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

This is another additional step that certified organizations will need to complete with more costs associated with it. Including but not limited to analysis/assessments, potential loss of opportunity costs associated with lost revenue generation from the land. Depending on what may be included within the scope of a CAN within a management unit, this will likely cause more acres/area needed to be included as part of the CAN to meet the minimum 10% goal. This undoubtedly has other tradeoffs associated with it that may cause some certificate holders to reassess being certified.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

The feasibility will need to be evaluated on an individual FMU basis, however this new standard will certainly be a significant barrier to entry and continued enrollment for many landowners and an significant administrative and operational burden to all FMU's.

Gordon Gamble, Wagner Forest Management Ltd. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Remains to be seen as it will require a GIS project to determine. Is there a scientific basis for establishing it at a minimum of 10%?

Kyle Meister, SCS Global Services (Economic-member, Certification Body):

Probably for most, but not for single "small" SLIMF MUs. Group certificates of small forest MUs should be able to meet this at the group manager level.

Ryan Hilburn, Red River Forests LLC (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

Per the guidance provided, timber production in these areas is not to be the main goal but is not prohibited. This will make the indicator more feasible for organizations to comply with. It would be helpful to provide more guidance regarding what level of timber production is allowed in these areas.

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

Once again this will require more time spent around creating documentation to be audited. Small FMU's that are part of FSC cannot bear the brunt of things they do not have control over ("As biodiversity becomes more and more threatened due to land use changes and climate change, High Conservation Value Areas, Representative Sample Areas and other areas within the Conservation Areas Network will help to provide refugia for a broad

range of native species.")

Bill Wilkinson, Individual Member (Social-member, Other):  
Not sure

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):  
No. The landowners we work with will not be willing to remove 10 percent of their productive forests out of management. While large industrial ownerships such as the Nature Conservancy may be able to comply with removing land from timber production, the small holders will not be able to afford this.

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
No. The establishment of a Conservation Area Network is an unnecessary new requirement that adds minimal to no conservation value. All it appears to do is add more confusion to the already somewhat confusing requirements related to the management of RSA's and HCVF. It states that the network will "put together a completed picture of conservation-oriented objectives, comprised of various conservation zones and/or protected areas recognized and required by specific elements in other parts of the Standard." I simply feel like I can do that today on a well managed/ diverse group member s forests. I simply don't need a new concept in the standard (that will need to be managed and monitored for audit purposes) to help me conserve environmental or culture values for the long term. Those values are clearly addressed as is.

Aprille Cook, The Westervelt Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
No, the requirement of 10% of the management unit be part of the organization's CAN is excessive. This will require our organization to designate 44,000 acres and possibly managed differently resulting in revenue losses. Also, if we do not have 44,000 acres in CAN which could include RSAs or HCVs etc. we will have to establish additional areas to meet the minimum threshold (according to Annex H). This is very concerning and feels as if FSC is over reaching. It is my understanding the 10% requirement was agreed upon by the SDG and not based on scientific research. Again this is asking organizations to go above and beyond what is necessary because FSC requests it and not on scientific research showing a need for it.

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
No, the concept that 10% of the FMU, at a minimum, be maintained without direct human interference - management - does not appropriately reflect management is often required to retain the habitats and forest structures that are essential to many species and systems that are what the RSAs and HCVF are helping conserve

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):  
No, 10% is a deal breaker. Please remove from standard

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
No

Andrew Carlo, F&W Forestry (Economic-nonmember, Certificate Holder (FM)):  
No

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
Maybe

Jorge Scarpa, Consultor independiente (Environmental-nonmember, Consultant):  
Idem anterior.

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):  
I think this will be a challenge for group certificate holders who are working to add new tracts into their certificate each year versus those large landowners with a more static land base. And I note that the large land managers are the ones that will benefit from the previously established conservation zones. As these group CH grow their

certificate holders by only a few each year it is hard to imagine planning successful and impactful conservation areas at that scale and with the uncertainty of the geographical location and size of newly enrolled tracts. For example if a CH adds only 2 tracts totaling 200 acres and one tract is in one ecologic region and another is 200 miles away in a different region, what is the best way to make sure the CAN provides real benefit as compared to the potential burden on the landowners. I look forward to seeing the thinking on this in the future family forest indicators.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Given the HCV, RSA and RMZ requirements, the CAN is feasible.

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):  
c. The Conservation Area Network guidance is clear and feasible.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
As an ecologist, my opinion is that it will be feasible for non-SLIMFs but will likely have to be tweaked for SLIMFs, especially small SLIMFs.

amanda naismith, new forests (Economic-member, Investor or Donor):  
A 10% requirement for the Conservation Area Network may pose as a barrier to smaller management units due to the cost of implementation and the limitations imposed for productive management. An alternative that provides greater environmental benefit is to allow certified organisations who are unable to achieve the 10% requirement inside their management area the option of having 5% of the area in their FMU and 5% outside FMU - provided clear environmental and/or social benefit can be achieved.

**Q12: Is the guidance in Annex H sufficient for understanding and conforming with the associated requirements?**

Kara Wires, NEPCon (Economic-member, Certification Body):  
yes. vend diagram in Issue Overview could be added to this Annex for additional guidance

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Yes.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Yes.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
YES

Kyle Meister, SCS Global Services (Economic-member, Certification Body):  
Yes

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):  
Yes

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
Yes

Ryan Hilburn, Red River Forests LLC (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
The guidance appears sufficient.

Jorge Scarpa, Consultor independiente (Environmental-nonmember, Consultant):  
Parece suficiente.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):  
Paragraph 5: This paragraph appears to have been added by the Board/PSC to align with corresponding

language that was added to Annex G, at page 158, paragraph 4, regarding RSAs. If that language is retained in Annex G, then it may make sense to also recognize those off-management unit RSAs in Annex H. However, the wording of Annex H, paragraph 5, is not limited to areas outside the management unit recognized for purposes of RSAs, despite the fact that the other types of conservation areas that count towards CANs must, by their very nature, exist within management units. It would be inappropriate and inconsistent with the P&C for conservation of HCVs outside of management units, for example, to substitute for conservation of HCVs that exist within management units. The same goes for stream buffers, old growth, RTE species populations and habitats, rare ecological communities, areas of importance to Native Americans and local communities, and other areas recognized in Annex H. Also note that, as written, paragraph 5 of Annex G suffers from other problems noted with paragraph 4 of Annex G, including potentially violating FSC International best practice regarding the consideration of activities outside of management units during audits. RECOMMENDATION: Correct the scope of the new paragraph, so it is explicitly limited to situations involving RSAs.

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):

No. Table 1 in Annex H should include areas managed for public recreation, including hunting, where management decisions result in less than optimal fiber harvests in order to preserve visual buffers or habitat components that would otherwise be lacking. It should also provide a provision for Certificate Holders to submit other areas for consideration for inclusion into the CAN that may not be listed in Table 1. Please refer to the comment letter submitted by the Minnesota Forest Industries (MFI) on December 17, 2020. Pages 5-9. Sappi is a member of MFI and supports these comments and suggestions.

Rick Horton, MN Forest Industries\*\*\* (Economic-nonmember, Environmental NGO):

No. Table 1 in Annex H should include areas managed for public recreation, including hunting, where management decisions result in less than optimal fiber harvests in order to preserve visual buffers or habitat components that would otherwise be lacking. It should also provide a provision for Certificate Holders to submit other areas for consideration for inclusion into the CAN that may not be listed in Table 1.

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):

No

Bill Wilkinson, Individual Member (Social-member, Other):

It's very complicated when overlain on an already complicated system

Aprille Cook, The Westervelt Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

It would be helpful if the guidance in Annex H has more detail and examples of CAN inclusions.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

In general, the 10% requirement seems straightforward. But the bigger issue is this- what is the real fundamental purpose of the CAN? (Is it to ensure that some portions of the FMU age naturally? Or is it to ensure some type of connectivity network? Or is it to ensure long-term biological diversity in the forest at the landscape level?) As written, it feels a bit like an unorganized set of unrelated goals thrown into one catch-all basket. This issue with this is that if CHs cannot meet the CAN requirements via HCVs, RSAs and protected areas/sites, they may end up making somewhat arbitrary decisions about what is or is not CAN- when clarity about the reason(s) for the requirement would allow them to prioritize selecting remaining lands that truly best serve long term environmental and cultural goals that the CAN is trying to achieve. I'm not sure exactly what those goals are, though- so how can we expect CHs to make decisions about (secondary) prioritization for inclusion? If specific goals/objectives for the CAN can be better defined, it would also be helpful to include some type of decision tree in the Annex that shows what a CH might include in CAN- and what to consider if they run out of obvious options like RSAs, HCVs, historic and cultural sites, etc.

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):

Guidance is good, but I thin more examples and more training will be better for CHs. And in particular how do you plan for newly enrolled tracts in different ecological regions?

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):

c. The Conservation Area Network guidance is clear and feasible. Though there remain some questions related to how areas under Conservation Easement but still owned by the organization will be addressed.

Andrew Carlo, F&W Forestry (Economic-nonmember, Certificate Holder (FM)):

As with RSA's, as commented on above, the establishment of a 10% Conservation Areas Network may pose hardships and barriers for participation in FSC, especially for small management units. In some cases, the establishment of RSA's and CAN's amounting to 10% of the land base of a FMU could represent a diminishment of productivity of the forest by 10%. Such changes should be considered carefully to avoid the perception that the change is contrary to FSC participants' interests. While I consider this change to be inappropriate on any scale of forest, as it conflicts with the ability of the forest to be managed in an economically sustainable manner, if it remains in the new Standard, then I believe that limiting it to forests greater than 1000 HA would be less unreasonable, to avoid impacts on small FMU's, where the cost of FSC certification is already high.

amanda naismith, new forests (Economic-member, Investor or Donor):

Annex H is useful in that it outlines the areas to include, but more guidance may be helpful on verification of these areas.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):

Annex H does is sufficient for understanding the requirements. However, many of the CAN Inclusions are not applicable to forests in the south east. Landowners who choose to use the new NFSS will be limited to converting portions of their property into primarily ecosystem services. There are typically no rights held by local communities or Native Americans.

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):

Annex H appears to focus on Intact Forest Landscape Core Areas, which frankly, raises numerous operational concerns. If the intent is to assess FMUs for intact Core Areas, and maintain any identified, this is achievable. If the intent is a requirement every FMU have Intact Forest Core Areas, then it is not viable for many certified organizations and various FMUs. Also, we believe greater clarity should be developed for guidance that reflects active management is sometimes required to maintain/enhance habitat that is within Intact Forest Core Areas

**Q13: Have the regional requirements been appropriately addressed in the Draft 1 revised standard?**

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Yes and the change of the northern Appalachian boundary is very appropriate.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):

Yes

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):

Yes

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

Yes

Kara Wires, NEPCon (Economic-member, Certification Body):

There are a few gaps. 1. A downloadable map of these regions should be available on FSC US website. 2. there should be clear ecological descriptions of them included somewhere 3. there should be ability in the standard for a CH to justify that even if they are mapped in one region, the MU (or portion of the MU) should actually be in a different one. in order to take into account regional variation...this would especially be true if the MU is near the boundary of the region.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):

The regional requirements have mostly been properly addressed. However, the draft language at Indicators 6.6.6.d and 6.7.6 contains a flawed new approach that would seriously weaken the Standard's protections for aquatic resources and forest habitats. In addition, in an ideal world, Indicator 6.6.5 for the Rocky Mountain Region



would provide greater specificity. See below for more detail. Indicator 6.6.6.d: Changes to the draft Standard proposed by the Board/PSC would seriously weaken the Standard, including relative to the existing FSC US Standard, and should be corrected. As drafted by the WG, Indicator 6.6.6 allowed Organizations to develop alternate timber harvest opening size limits, for the purposes of restoration, where those limits would provide overall greater benefits relative to the existing regionally specific opening sizes listed at Indicator 6.6.5. This approach improved upon, but aligned with, similar language in the existing Standard. However, the Board/PSC amended bullet “d” of Indicator 6.6.6 to say that alternate opening size limits need only provide greater benefits relative to Indicator 6.6.5 without consideration of those existing regionally specific opening size limits. In other words, the alternate harvest sizes could be drastically larger than normally allowed, provided they are still deemed “consistent with natural disturbance regimes.” This is a very subjective and problematic threshold, and represents a serious weakening of the Standard. In regions such as the Pacific Coast, a huge range of opening sizes may be “consistent with natural disturbance regimes;” indeed, the forest products industry routinely claims that immense clearcuts with virtually no retention mimics natural disturbance. The Board/PSC’s changes are also unacceptably subjective and broad because Indicator 6.6.6 allows departures from the normal opening sizes for purposes of “restoration,” yet the Standard does not provide any concrete parameters on what forest management practices may be considered restoration, despite the increasing practice of some Organizations (e.g., the US Forest Service) broadly labelling timber harvests as “restoration.” Moreover, the Board/PSC’s changes do not require that retention levels within even-aged harvest openings also be consistent with natural disturbance patterns, which typically do not remove most live, dying, and dead trees. Rather, retention levels in clearcuts and other harvest openings could remain at the minimal level required in the regionally specific requirements for Indicator 6.6.5 – which were designed to work in concert with the regionally-specific opening size limits. Nor does the Standard require that the frequency of even-aged harvest mimic the natural frequency and intensity of stand-replacing disturbances. The change to Indicator 6.6.6 may also present a serious auditing challenge – how will consistent compliance be ensured when there is a huge amount of subjectivity and variation in outcomes that can be “consistent with natural disturbance regimes” (at least in some regions), and how will “greater or equal benefits” be measured relative to Indicator 6.6.5’s highly subjective benchmark, absent the more clear and specific regional requirements? RECOMMENDATION: The best solution would be to return bullet “d” of Indicator 6.6.6 to the more carefully written approach provided by the WG. Alternately, the entire Indicator should be replaced with the more restrictive approach in the existing Standard, i.e., Indicator 6.3.g.2, which only allowed “minor” departures from the 6.6.5 opening size limits “under very limited circumstances,” and also required the comparison of overall benefits to be relative to any regionally specific requirements. Indicator 6.7.6: Changes to the draft Standard proposed by the Board/PSC would seriously weaken the Standard, including relative to the existing FSC US Standard, and should be corrected. As drafted by the WG, Indicator 6.7.6 allowed Organizations to develop alternate buffer widths for streams, other water bodies, and riparian areas, in limited/minor circumstances, if the alternate widths will provide overall greater benefits relative to the regionally specific buffers specified for many regions at Indicator 6.7.5. This approach improved upon and aligned with similar language in the existing Standard. However, the Board/PSC amended Indicator 6.7.6 to say the alternate widths must only provide greater benefits relative to Indicator 6.7.5 without consideration of those regionally specific buffer widths. In other words, the alternate buffer widths could be drastically smaller than normally allowed, since absent the regionally specific information, the Standard provides no objective metrics for the alternate buffer widths. This will be especially problematic in locales where state BMPs for water quality are not sufficient for the protection and restoration of water quality, fish and other aquatic resources, since those BMPs will likely provide the only tangible backstop for the buffers, and auditors will be hard-pressed to provide alternate benchmarks. RECOMMENDATION: The best solution would be to return Indicator 6.6.6 to the more carefully written approach provided by the WG, which is an updated and refined version of the approach in the existing Standard, i.e., Indicator 6.5.e.2. Indicator 6.6.5, Rocky Mountain Region Supplement: RECOMMENDATION: Ideally, some Guidance or Indicator language would be provided to help Organizations and auditors determine what is meant by “ecologically appropriate,” as this is a well-intended but vague and subjective concept. Forest types that are naturally even-aged would be one obvious example of situations where even-aged silviculture is ecologically appropriate. Regional Supplement 5 for the Pacific Coast Region provides some examples that may also be relevant.

Lois Forde-Kohler, Procter & Gamble (Economic-member, Certificate Holder (CoC)):

The regional requirements delay resolution of non-uniform cut requirements by region of the US. There should be science based targets used to determine appropriate cut allowances in regions where this is not so today.

Klaus Geiger, NEPCon (Economic-member, Certification Body):

No. The regions are well defined on a map but it is a very crude approach. There needs to be either a much more detailed map especially where the boundary is not along a state line.

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):

No, we strongly endorse the proposal to move the Ouachita Subregion to the Southeast Region. If this move is made, we will believe the regional requirements are appropriately

amanda naismith, new forests (Economic-member, Investor or Donor):

No, please see response below.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

No opinion- I did not have time to review this issue.

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

NA

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):

NA

Galen Smith/ Niel Fischer, Collins Companies (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

It appears that about 98% of our Northern Pennsylvania FMU would shift from the Appalachian region into the Northeast Region. In our opinion, it probably would neither make certification nor forest operations significantly easier or harder; however, we would definitely see this new revision of the regions as a positive, and support it. Most of the guidelines specific to the Appalachian region seem to stem mostly from the central part of the region, so adopting an ecological boundary instead of a state boundary makes good sense. We would be interested in how FSC and CBs would treat FMUs that have minority acreage in the new Appalachian region, such as the 2% we would have there in USFS Ecoregion 221Fa.

Caroline Pufalt, Sierra Club (Environmental-member, Environmental NGO):

Indicator 6.6.5 - specific to Appalachian Region - keep the last requirement: "Harvest openings with no retention are limited to 10 acres." This is a minimum, important protection. Regional requirements like this are part of what make FSC a viable, environmentally sound system. Don't take this away. Indicator 6.6.7 in guidance section - replace "should " with " shall" to read Conservation measures shall be based on.... Indicator 6.6.6. (d) absolutely keep reference to applicability of supplemental regional requirements.! FSC needs to be serious about this.

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

I would like to see a more-science based approach here with literature cited/references guiding the #s - opening sizes and riparian buffers provided.

Randy Coots, Preferred by Nature (Economic-member, Certification Body):

I like that the previous annexes are now a part of the body of the standard. However, there are still aspects of the regional requirements that appear to be overly restrictive.

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):

I dont know

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

I can only comment to the Southeast Region. - No the Original regional requirements have changed. The original requirement were ("The guidelines describe below are not binding to the certification of forest management in the Southeastern United States. They have been retained in order to provide certification bodies and other stakeholders in forest certification with the spirit of the original, SE Regional Standard position on the use and size

of clear-cuts.").

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):

Good job on integration I have some qualms about the new flexibility for the Appalachian Region. I have always felt that the limits on the size on openings were primarily political, particularly in the Appalachian region where natural disturbance happens on such a small scale. The good news is the forests are resilient and the retention requirements are helpful. FSC will need new messaging on this as limits on clearcutting at least in the Appalachian Region was a key point in the old standard and it is just not the same with the new size limit set at 25 acres.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):

Absolutely not. The Regional Requirements need to be addressed rather than moved around in the standard.

Aprille Cook, The Westervelt Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

• No, The Southeastern Region had very little information compared to the other regions. I don't know if this is because not much will change between the old and new standards or if changes will arise in Draft 2. Please clarify.

**Q14: Will the changes result in indicators that are feasible for certified organizations?**

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):

Yes, in the south east and Appalachian regions. I cannot speak to the other regions.

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):

Yes, in fact moving the Ouachita Subregion to the Southeast Region will improve operational feasibility for certified organizations.

Caroline Pufalt, Sierra Club (Environmental-member, Environmental NGO):

yes, but, as is, not for the better.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Yes however the standard needs to address the use of various terms used to address even-aged management. Specifically harvest openings and openings are not a defined term and is used in multiple places in the standard. Harvest unit is a defined term and is also used in sections related to even-aged management. Typically an opening is something that is part of a larger stand or harvest unit but is used in the standard in a manner that seems indicate the intention to use the term harvest unit. I would request dropping the term "openings" and instead use the term "harvest unit" and associated definition in its place.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):

Yes

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

Yes

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

Will require field testing but yes I think so.

Kara Wires, NEPCon (Economic-member, Certification Body):

there are no changes as per Issue Overview except it is notable that one substantive change to regional requirements (to Appalachian) was made when it was decided to wait to make changes and address these until more work could be done. this was made with no clear justification or citation of best available information.

Randy Coats, Preferred by Nature (Economic-member, Certification Body):

The changes being placed into the body of the standard will hopefully clarify some issues.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):

No. The Regional Requirements need to be addressed, preferably eliminated in most cases. It is unreasonable to impose restrictions for harvest openings and SMZ criteria in many of these regions that are not justified by science and not aligned with forest management standards and applications in the region. For example, state water quality BMPs establish recommended SMZ protection and are the standard for water quality protection that are proven effective scientifically. These same standards are sufficient for certain regional FSC criteria. However certain regional requirements for SMZs are far beyond the criteria established by state BMPs and impose significant financial burden on landowners. The opening size restrictions are not feasible nor aligned with historic forest types and disturbance regimes.

Klaus Geiger, NEPCon (Economic-member, Certification Body):

No. It makes no room for exceptions to the requirements where these arbitrary boundaries do not fit reality on the ground.

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

No, this may be incompatible with forestry in the "Southeast Region"

amanda naismith, new forests (Economic-member, Investor or Donor):

No, as the the regional supplementary requirements are too prescriptive and do not lead to the best environmental and economic outcomes for the FMU. Please see responses for specific Indicators in other sections.

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

NA

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):

NA

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):

it depends how it plays out

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):

CHs will like the new flexibility. Environmental chamber might have problems.

Aprille Cook, The Westervelt Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

• Not sure. In the SE region the indicator noted that stands having even aged silviculture in pine and hardwood/pine stands can't have opening sizes higher than the limit for plantations. What are the limits for plantations?

**Q15: The current FSC US Forest Management Standard (Version 1) includes regionally specific requirements that focus on unique forest types found across nine regions including the Pacific Coast Region and Rocky Mountain Region. The Standard Development Group understands the need for requirements that support the unique needs of diverse forest types. The Standard Development Group is interested in better understanding situations where requirements designed for the Pacific Coast Region may be too restrictive for dry forest ecosystems. Would your organization or others you know of be interested in getting or supporting FSC certification within dry forest zones if the standard were more tailored to these forest ecosystems?**

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

Yes, I believe so.

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):

yes

Galen Smith/ Niel Fischer, Collins Companies (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

While we are not aware of other organizations considering FSC certification in the Pacific Northwest dry zone, as a certified forest manager in the region this does directly affect us. Adjusting the standard is an idea that has merit, mostly in the interest of aligning the standard to the ecological traits and features of the region.

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

We do not have timberlands in the dry zone of the Pacific Coast - so not a big issue for us.

Paul Vanderford, Sustainable Northwest (Social-member, Social NGO):

The Pacific Northwest Coastal standard limits ecologically appropriate management on dry forests in the face of climate change. Sustainable Northwest knows of one existing FSC certified landowner in the PNW who has said they will not get their dry forests certified under the Pacific Coast Standard. I know of another long time FSC companies with dry forests certified who envision the need and would appreciate the value afforded by standard language more appropriate for frequent disturbance forest types vs coastal wet forests.

Caroline Pufalt, Sierra Club (Environmental-member, Environmental NGO):

possibly yes, dry forest zones and types may exist and benefit from closer examination outside the PNW as well.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):

Perhaps our techniques may help others on the west coast. We could offer tours of our forest. Our Shifting Seasons Summit held in April may give good insight.

Klaus Geiger, NEPCon (Economic-member, Certification Body):

No. But the FSC standard should be applicable in all forest types, so it is advisable to make it adaptable to these ecosystems as well.

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):

No we have no expertise - but maybe the Pacific Forest Trust?

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

No

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):

No

Kara Wires, NEPCon (Economic-member, Certification Body):

NA

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):

NA

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

I'm supportive of the standard being open and accessible to all regions.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

If the FM standard were more tailored to dry forest ecosystems within the Pacific Coast Region – by splitting them out based on recognized ecological boundaries – certification of eastside forest lands would be more supportable.

Ryan Hilburn, Red River Forests LLC (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

As managers of large tracts of Eastside pine type we would be interested in FSC standards more tailored to dry forest zones.

**Q16: Do you see a need to adapt the standards for the Pacific Northwest dry zone? If so, how would you suggest the standard change to be more tailored to dry forest zone ecology?**

Paul Vanderford, Sustainable Northwest (Social-member, Social NGO):

Yes. We should do one of two things. 1) create a pilot that allows landowners under the PNW Coastal standard to voluntarily try the Rocky Mountain Standard. This would require no additional Standards committee work to create new language, allow us to explore the appropriateness of the rocky mountain language in a controlled and limited setting, it would give landowners options in the face of climate change, and allow the standards committee a chance to take field tours and see on the ground implementation of dry forest management under the Rocky Mountain Standard. This would be safe for our system, easy for implementation, and helpful for gathering on the ground information. 2) A second option would be to recognize the ENGO community likes the prescriptive language in the Pacific Coast regional requirements and doesn't want to see the standard become less prescriptive. This is seen by some as "weakening the standard" or allowing for less ecological management. This is a point of disagreement but a second option would be to create equally as prescriptive but dry forest appropriate regional language for the Pacific Northwest. The language would define what conditions must exist for a landscape to use the dry forest language and define what conditions must be met in the prescription to be conformant. Things like requirements for retention of 21" and larger trees that represent fire adapted species to be maintained at x trees/acre when they existing pre-harvest. Harvests to maintain or increase representation of fire adapted species. Explore appropriate basal areas appropriate for dry forests and define prescriptive minimums. Define what % retention is required for large multi-density thinning projects that include clearcuts as part of a mosaic. Restrict use to harvests that represent high-grading while requiring harvests increase or maintain representation of older age class trees across the management unit or similar area. These are just examples I share as I "think out loud." Dry forest management prescriptive language would need to be developed in this scenario. I offer this scenario in recognition that managers are requesting flexibility during a time of uncertainty. Creating or keeping prescriptive language is not my preference. I prefer changing the regional boundaries as my first choice, creating a pilot as my second, and creating new language as my third. The pilot feels like a good middle road that provides a solution immediately, allows us to gather additional data and make an informed decision down the line, and limits the amount of work required to create a scenario we can explore language appropriate for dry forest zone ecology.

Klaus Geiger, NEPCon (Economic-member, Certification Body):

Yes. The FSC standard should be applicable in all forest types, so it is advisable to make it adaptable to these ecosystems as well.

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

Yes. Riparian buffers should reflect an appropriate protection for streams given the ecology of streams and species occurring on the east side of the Cascades/Sierras.

Kara Wires, NEPCon (Economic-member, Certification Body):

Yes, I think this is necessary especially for 6.6.5 and adjacency. A subcommittee could be created and an Annex developed for addition later on. In the short term, perhaps 6.6.6 could be edited to make it easier for MUs in dry zone to have a variance. it is a very different ecoregion as per Cleland and others.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):

Yes, do a combination of climate change and forestry practices.

Bill Wilkinson, Individual Member (Social-member, Other):

What is the dry zone?

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

The wet side vs. dry side is well understand and should be adopted.

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):

NA

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):

NA

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
It seems like a good idea, but I have no specific suggestions, as I am not familiar with the ecology of dry forest zones.

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
I will defer to those already certified there for suggestions on Standard Revision

Randy Coots, Preferred by Nature (Economic-member, Certification Body):  
I am not familiar enough with this area or timber type to speak to it specifically. However, just the idea of adding it would support my comment below that the regional map should be eliminated or modified to timber types and not used along state borders.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
I am from the southeast, and do not have a good working knowledge of PNW dry zone silviculture and ecology.

Brendan Grady, SCS Global Services (Economic-member, Certification Body):  
Certificate holders in the drier forests contained within the Pacific Coast region (e.g. Eastern CA, OR, WA) have historically objected that the buffer zones, opening sizes, and other regional restrictions are geared more towards the wetter coastal forest systems (e.g. Redwood and Douglas-fir dominated). We would support there being more flexibility here, particularly for the RMZ and opening size requirements.

Galen Smith/ Niel Fischer, Collins Companies (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
As a manager of forestland in the Northern California and Southcentral Oregon dry zone regions, we would support and advocate for adapting the standards for the Pacific Northwest dry zone. This is not due to any specific difficulty with certification or auditing we have experienced, but more a desire to see the standard better fit the ecological and silvicultural needs of the landscape. Some examples include the naturally preferred spacing of trees in these drought-prone areas and the regional characteristics of water courses and fish habitats. We would suggest, instead of an actual change in the V2 standard, an interim option to audit appropriate and approved ecological regions under the Rocky Mountain standard, perhaps in advance of a formal change in V3. This would be similar to test audits done for FSC Canada allowing appropriate forests in the Boreal region to be audited under the Great Lakes standard. This would allow FSC, CBs, and CHs to study and determine cases where it makes sense to shift to Rocky Mountain versus Pacific Coast, in the interest of prioritizing forest management that promotes ecologically appropriate stand types and characteristics.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):  
A side note first: the foundational assumptions for both the CW NRA and the FM standards should be consistent and the "Pacific Coast Region" should be amended as part of both the CW NRA and FM standard revision process. It is clear in the map of FSC Regions (Annex B) that political boundaries were used to define regions in the western US instead of ecoregion or other environmental boundaries. If FSC certification is to be based on ecological metrics, it is absolutely necessary to adapt the forest management standards for the Pacific Northwest dry zone. The "Pacific Coast Region" is too coarse a designation. The "Pacific Coast Region," as FSC-US defines it (Annex B), is highly problematic both for ecological and operational reasons. FSC-US's Pacific Coast Region follows state lines. It would be more appropriate to establish boundaries in the west based on internationally agreed-upon ecological regions, such as those designated by the EPA. It appears that, for parts of the Southeast and Midwest, FSC-US has done exactly that; regions in those parts of the country seem to at least partly reflect Level II and Level III Ecoregions. However, within the three states that make up the "Pacific Coast Region," there are four Level I Ecoregions with discrete species compositions, management patterns, climates, and natural disturbance patterns. We are unaware of any ecological or administrative benefits to lumping these three states into one homogenous region for the purposes of risk analysis or forest management practices. Conclusions applied to the entire "Pacific Coast Region" do not accurately capture the spatial character of actual specified risks, which may only exist for a subset of the landscape. If the FM standard were more tailored to dry forest ecosystems within the Pacific Coast Region – by splitting them out based on recognized ecological boundaries – eastside FSC certification would be more supportable. Just separating east and west would be a major improvement, regardless of what the new subregions end up being called. However, it would be beneficial to address the differences in the dry forest types and whether further subdivision is warranted. Perhaps a technical

committee could help with those designations. Information to support splitting the Pacific Coast Region: • NatureServe 2009 Map of the Standardized Terrestrial Ecosystems of the Conterminous United States <https://www.natureserve.org/sites/default/files/publications/files/pp1768.pdf> NatureServe defines north central and NE WA forests as Rocky Mountain. The west/east divide is quite apparent. • NRCS Land Resource Regions in WA (Appendix in WA Soil Atlas) [https://www.nrcs.usda.gov/wps/portal/nrcs/detail/wa/soils/?cid=nrcs144p2\\_036336](https://www.nrcs.usda.gov/wps/portal/nrcs/detail/wa/soils/?cid=nrcs144p2_036336) Note that east-west Cascades are lumped but distinct from the far-east forests, which are lumped with Rocky Mountains. I don't necessarily agree that this is the best ecological division for above-ground ecosystems, but it does show that there is a distinct difference east and west. • Many species' habitats are clearly east OR west. • USFWS has distinct population management differences for many species based on eastside / westside WA populations (eastside wolves are delisted and on the westside they're endangered) <https://ecos.fws.gov/ecp0/profile/speciesProfile?slid=4488> • Washington State Wildlife Action Plan Appendix B: [https://wdfw.wa.gov/sites/default/files/publications/01742/15\\_AppendixB.pdf](https://wdfw.wa.gov/sites/default/files/publications/01742/15_AppendixB.pdf) Species to review range differences: Badger (Page B-8) clearly is only eastside; Pika (Page B-9) looks to be alpine east/west; Fisher (Page B-15) uses all but the extreme SE WA forests – note however, that there are only known/experimental/research populations in the Olympics and the NE forests; Grizzly bear (Page B-16) – both west and east; but note that USFWS differentiates North Cascades from the eastern population; Wolverine (Page B-29) – mainly high alpine if westside; mostly east; Flammulated owl (B-37) – only eastside forests; Great gray owl (B-39) – only eastside; Lewis's woodpecker (Page B-41) – uses only eastside forests; Northern spotted owl (Page B-44) – uses mainly westside forests, with some limited eastern slopes of the Cascades • The northern spotted owl is what the WA DNR State Trust Lands HCP is based on. There are 1.18M acres of westside forest managed under the HCP. On page 23/42 of this part of this document, here's what it says about eastside/westside forest ecology: The conservation strategy for spotted owls on the east slopes of the Cascades is built on the same principles as the strategy for the five westside planning units. Differences in the strategies arise from differences in forest ecology and spotted owl habitat ecology on the east and west sides of the Cascades. The outline of components is the same for both strategies, but the specifics in each component differ. (The rationale for both strategies follows the discussion of east-side habitat definitions and their basis.) The specifics for each component in the east-side strategy are described below. This strategy provides mitigation for the entire approximately 229,000 acres of DNR-managed lands covered by the HCP in the three east-side planning units. • WA DNR Natural Heritage Program has a "Guide to the Ecological Systems of Washington" that clearly shows very different ecosystems east and west. [https://www.dnr.wa.gov/publications/amp\\_nh\\_ecosystems\\_guide.pdf](https://www.dnr.wa.gov/publications/amp_nh_ecosystems_guide.pdf)

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):

: The Guidance Statement for Indicator 6.6.3 already provides alternate retention language for dry forests in the Region. The PC Region requirements at Indicator 6.6.5 (at pages 53 and 54) are one place where additional sub-regional variation might be appropriate. However, it would be more suitable to frame such content around dry forest types rather than a dry forest subregion, since dry forests also occur in Southwestern Oregon, relatively wet forests occur on some sites in Eastern Washington and Eastern Oregon, and forest types in California are also mixed. Any new content should be clear, objective, and specifically tailored for drier forests. The new content should not be handled by subjective, process-based approaches that will not provide auditors, stakeholders, and certificate holders with a clear understanding of what management practices are/aren't suitable for these forest types. It would also not make sense to move Eastern Washington and Eastern Oregon into the Rocky Mountain (RM) Region, as some have previously proposed, both because of the diversity of forest types in Eastern Washington and Oregon, and because this would seriously weaken other provisions in the Standard currently applicable to Eastern Washington and Oregon. Nor would it make sense to further expand the applicability of Indicator 6.6.6, as it is too subjective and process-based to be used more broadly than currently intended.

**Q17: The Ozark-Ouachita Region was originally established to identify an area that was perceived to be ecologically and topographically different from surrounding areas. However, some input suggests that the two subregions included within the region (the northern Ozark subregion and the southern Ouachita subregion) are ecologically and topographically different from each other and may be more similar to other regions than to each other. Which of the following options is the best approach for the Ozark-Ouachita Region?**

Sam Davis, Dogwood Alliance\*\* (Environmental-member, Social NGO , Environmental NGO):

Remain as it is with two subregions that have different requirements



Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
Remain as it is with two subregions that have different requirements

Bill Wilkinson, Individual Member (Social-member, Other):  
Remain as it is with two subregions that have different requirements

Caroline Pufalt, Sierra Club (Environmental-member, Environmental NGO):  
Remain as it is with two subregions that have different requirements

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
Merge the two subregions

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
Merge the Ouachita subregion with the Southeast Region but maintain the Ozark subregion as a separate FSC US Region

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
Merge the Ouachita subregion with the Southeast Region but maintain the Ozark subregion as a separate FSC US Region

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
Merge the northern portion with the Great Lakes Region and the southern portion with the Southeast Region (following Bailey 1994).

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Merge the northern portion with the Appalachian Region and the southern portion with the Southeast Region (following Cleland et al. 2007).

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Merge the northern portion with the Appalachian Region and the southern portion with the Southeast Region (following Cleland et al. 2007).

Brendan Grady, SCS Global Services (Economic-member, Certification Body):  
Merge the northern portion with the Appalachian Region and the southern portion with the Southeast Region (following Cleland et al. 2007).

Randy Coots, Preferred by Nature (Economic-member, Certification Body):  
Merge the northern portion with the Appalachian Region and the southern portion with the Southeast Region (following Cleland et al. 2007).

Kara Wires, NEPCon (Economic-member, Certification Body):  
Merge the northern portion with the Appalachian Region and the southern portion with the Southeast Region (following Cleland et al. 2007).

**Q18: Do you have any follow-up comments on the above Ozark-Ouachita Region question?**

Randy Coots, Preferred by Nature (Economic-member, Certification Body):  
This is perhaps the wrong place for this comment, but, it refers to all of the different timber types. I would strongly recommend removing the map with the different regions and work from a set of guidelines based upon the timber type being operated within. There are too many examples of different management restrictions based upon state boundaries. The above question being just one example of cross border timber types.

Bill Wilkinson, Individual Member (Social-member, Other):  
The Ozark folks I met with back in the early 2000s had a lot of concern with their evaluation of their own landscape being subverted by folks from outside the region. I can't tell if this is happening now. I suggest some of the original regional working group members be consulted and the concept of merging with other regions be

presented to them for their approval. Caveat: I am not qualified to evaluate the O-O ecosystem and would need to rely on regional O-O experts to make such decisions.

Caroline Pufalt, Sierra Club (Environmental-member, Environmental NGO):

The existing arrangement is clear and, unless altered, provides protection from abusive application of EAM for both subregions .

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):

Review of the current Ozark-Ouachita criteria seems to indicate an orientation towards long-rotation hardwood management regimes rather than even-aged pine silviculture that is predominant in the commercial timber management in the region and across the southeastern United States. Factors of forest productivity such as soils, climate, precipitation, and slope indicate similarities across Major Land Resource Areas (MLRAs) of the southern U.S. The soils and geology found within the Ouachita region have many similarities to MLRAs located in the southeast states, particularly GA and AL. Strong consideration should be given to proposals to merge Ouachita into the Southeast Region.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

No

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

I am not personally familiar with the Ozark-Ouachita Region, so my recommendation is to follow whatever delineations make the most sense from an ecological perspective on the ground. For the regions in question, as well as near/along other regional boundaries, it seems like it may be appropriate to let CHs justify why they should be in one region or another, based on the specifics of their FMU, when they fall near (specify a maximum distance, for example,

Kara Wires, NEPCon (Economic-member, Certification Body):

Cleland is reference in other locations of the standard so is most logical. In this current region, MUs often don't fit the description and are more similar to adjacent regions.

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):

By every measure, the Ouachita and Ozark Sub Regions are as different as night and day. The Ouachita Sub Region is very closely aligned ecologically and from a forest management operational standpoint with the Southeast. We strongly endorse and support the Ouachita Sub Region merging with the Southeast US Region

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

Based on our brief analysis, it appears the Ozark subregion does not maintain the same characteristics as the Great Lakes Region with respect to species types, forested landscape, and ecological biomes. We offer no opinion with regard to which is the best option for decoupling of Ozark-Ouachita or maintaining it as a subregion.

**Q19: Have high grading and other exploitative practices been appropriately addressed in the Draft 1 revised standard?**

Christopher McDonnell, Rayonier Advanced Materials (Economic-member, Certificate Holder (CoC)):

yes.

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):

Yes, this is a strong start .It will help overcome the "in the eye of the beholder" approach that often happened under the old standard.

Bill Wilkinson, Individual Member (Social-member, Other):

Yes, I think so. I only have one comment at present, see below:

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

Yes, but I think it is inaccurate to assume that all diameter limit cuts, clearcuts and selective harvests are exploitative. For example, Indicator 5.2.3 states "...Overstocked stands and stands that have been depleted or

rendered to be below productive potential...are returned to desired stocking levels and composition at the earliest practicable time..." This will likely be accomplished by some sort of selective harvest, clearcut or even possibly a well prescribed diameter limit cut.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Yes

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
Yes

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
Yes

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
yes

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
Yes

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):  
Yes

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):  
Yes

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
This is difficult to follow with numerous references back and forth within the standard referring to other sections.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):  
The text about "exploitative practices" (in the Guidance for 7.2.14) adds no value as these and other practices may be used to meet the social objectives specified elsewhere. It should be removed. There are other parts of the Standard that require consideration/action to improve or maintain the health and quality of the residual stand and the regeneration of potential future stands. Just because a selective harvest activity (e.g. pole sale) is financially driven, does not mean it is exploitative or not demonstrating long term forest sustainability. Labeling an activity as exploitative or wrong without allowing the Standard to describe and implement sustainability is inappropriate and complicating.

Caroline Pufalt, Sierra Club (Environmental-member, Environmental NGO):  
The definition on page 139 states: "Tree removal practice in which only the best quality, most valuable timber trees are removed....." High grading can be a real threat even if it doesn't meet this strict standard of "only" removing quality timber. Recommend that this be amended to read something like: a practice that removes primarily only the....." High grading can be damaging in degrees.

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):  
Potentially. Please refer to the comment letter submitted by the Minnesota Forest Industries (MFI) on December 17, 2020. Page 9. Sappi is a member of MFI and supports these comments and suggestions.

Kara Wires, NEPCon (Economic-member, Certification Body):  
No, I don't think the current standard or Draft 1 cover this topic explicitly enough. The additional guidance included in 7.2.14 are good. At a minimum, these should be added to the other Indicators that discuss silviculture and are referenced in the Issue Overview.

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
I think you overthinking this. In theory, this is not needed. High grading or any other form of "exploitative harvest"

are not considered principles/practices conducive with any form of sustainable forest management at any level, certified or not (because the practice only considers the economics and not other values such as environmental and/or cultural/social). The standard as is clearly requires group members to manage (including how they harvest) all values.

Dana Doran, Professional Logging Contractors of Maine (Economic-member, Social NGO):

I think this is a sticky situation. Auditors come from all over the country. Terminology is different in every state or region. Rationale is different. Can we be sure that auditors will get this right every-time? If not, then we could be in for trouble.

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

I do not see high grading as an issue given the entirety of the standard. It's unfortunate that some see this as an issue that needs to be specifically called out.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

I believe high grading has been appropriately addressed in the draft. As to other exploitative practices, there is nothing that comes to mind immediately as needed additional standard requirements, but I may be missing something.

Rick Horton, MN Forest Industries\*\*\* (Economic-nonmember, Environmental NGO):

FSC considers economic clear cuts and selective harvests as “exploitative harvests”. Caution should be used when labeling timber management practices without clear definitions. Clearcutting is a practice used to replicate the impacts of stand-replacing disturbance events like catastrophic wildfire. This type of harvest is necessary to regenerate early seral stage forests that require full sunlight and access to nutrients to thrive. Examples here include jack pine, aspen, and oak. It is also necessary to manage forests that are infested with insects or pathogens that can be passed from stand to stand across the landscape. Examples include black spruce (dwarf mistletoe), balsam fir (spruce budworm) and tamarack (eastern larch beetle). Selective harvests are often used to remove selected trees as part of the succession process, or those that are competing for light and nutrients with preferred high quality trees. This practice improves the stand condition and growth rate. Examples include northern hardwoods (removing older aspen and birch) and red pine (removing cull trees and codominant trees). • Recommendation: Use clear standard definitions of harvesting and management practices when describing exploitative practices that are not allowed under the Standard.

Randy Coots, Preferred by Nature (Economic-member, Certification Body):

Could you include diameter limit cutting in the high grading definition?

Gordon Gamble, Wagner Forest Management Ltd. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

As mentioned in the webinar, this can be somewhat subjective and highly dependent on the availability of low grade markets in some regions of the US. Focus on what is regenerating as opposed to the aesthetics of a harvest should alleviate some of these concerns. We regularly leave scattered wildlife trees that some uninformed public could determine as aesthetically inferior.

**Q20: Are the associated indicators feasible for certified organizations?**

Randy Coots, Preferred by Nature (Economic-member, Certification Body):

Yes. Is there something in monitoring that refers to high grading?

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):

Yes, they should be easy to meet with a good harvest.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):

Yes

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Yes

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
Yes

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Yes

Christopher McDonnell, Rayonier Advanced Materials (Economic-member, Certificate Holder (CoC)):  
yes

Kara Wires, NEPCon (Economic-member, Certification Body):  
yes

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):  
Yes

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):  
OK but need to avoid labeling appropriate silvicultural / management practices for species that require regeneration harvests (aka clearcuts) without clearly defining what is meant in the context of the FSC standard. Selective harvests are often used to remove selected trees as part of the succession process, or those that are competing for light and nutrients with preferred high quality trees. This practice improves the stand condition and growth rate. Examples include northern hardwoods (removing older aspen and birch) and red pine (removing cull trees and codominant trees). • Recommendation: Use clear standard definitions of harvesting and management practices when describing exploitative practices that are not allowed under the Standard. Please refer to the comment letter submitted by the Minnesota Forest Industries (MFI) on December 17, 2020. Page 9. Sappi is a member of MFI and supports these comments and suggestions.

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
Its simply not needed

Bill Wilkinson, Individual Member (Social-member, Other):  
In the Overview of this section provided by FSC US is the following statement: "Similar practices include diameter limit cutting, economic clear cuts, and selective harvests," I really do not like to see the term 'selective harvests' being used as a definition of high grading. The term selective harvests seems to be identical to single tree selection harvest. As a practicing forester I have built a career largely on the application of single tree selection silviculture. This is the most artful way of managing a forest stand and has paid off well for many people in Northern California, particularly in the redwood forest ecosystem. Like any other silviculture selection harvest can be mismanaged and I've certainly seen individual tree selection harvest be abused, on small private parcels maybe more so than any other. There are reasons for this, such as a landowner hanging onto a age class of their forest with the idea of harvesting it for a large lump sum net gain, i.e., sending the kids to college'. This is a hard choice for the forester in charge as the landowner's interest must come first. But as the Forest Stewards Guild primary principle states, the forester must disassociate if the proposed action is detrimental to good forestry being practiced on the site. In any case I am only strongly opposed to the statement quoted above as it implies that selective harvest is equivalent to high grading. Maybe one way out would be to put one of your many \*asterixes\* by that term and include a discussion of single tree selection silviculture that notes it can be applied well or poorly. While I'm commenting I also take issue with Andrew Goldberg's statement on the phone that evaluating high grading is in the eye of the beholder. Any stand can be highgraded or managed well and that's why we take inventories that include evaluations of phenotype, growth rates, projections of future harvest, natural regeneration, etc. The forester should be able to provide such data and defend their practice. As noted above sometimes other factors take precedence and if so the forester should explain their practice and how it conforms to FSC standards, or not.

Gordon Gamble, Wagner Forest Management Ltd. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

I think they are. An outcome based approach is proper.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
I believe so.

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
As stated above, difficult to follow within the standard, and will be problematic to be audited against. We already vet the Group members before we add to the group if their harvesting is compatible with sustainability and FSC principles.

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
7.2.15 seems to be work added with no tangible benefit, as this is adequately addressed at multiple points throughout the Standard

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
6.6.2 states at the "stand or site scale" not the management unit scale as indicated in this document review. At the management unit scale is likely not an issue, but at "stand or site" this requirement could be unreasonable. 10.11.1 also includes language that would require measures to protect "social values". "Social values" can mean a lot of things to different groups and is not defined in the glossary. We are concerned that this type of broad language could be used by stakeholders or auditors to put unreasonable and or unachievable burdens on the landowner/certificate holder.

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
6.6.2 is odd. If you take it to it's full expectation. What is natural? Is it natural given climate change? Is it what would be on the ground if humans (or at least non-indigenous humans) never touched the forest? I think 6.6.2 could be re-written to make more sense in a human-managed forest.

**Q21: Has climate change been appropriately addressed in the Draft 1 revised standard?**

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
Yes.

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):  
Yes, this is a very good start. Curious to see how large certificates meet this indicator. A little nervous to see the permission pathway for use of non-native species at this time.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):  
Yes, although the approach taken in Draft 1 is really the least that FSC can and should do, and in an ideal world, far greater steps would be taken, given the urgency and scale of the climate crisis.

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):  
Yes and no. It is inappropriate to mandate actions now that could be monetized in the future. It is better to offer activities as options, and offer flexible timelines for implementation. Need to make it clear that these are optional. Please refer to the comment letter submitted by the Minnesota Forest Industries (MFI) on December 17, 2020. Pages 1-3. Sappi is a member of MFI and supports these comments and suggestions.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
Yes

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
yes

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
yes

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):  
Yes

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Yes

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
Yes

Kara Wires, NEPCon (Economic-member, Certification Body):  
yes

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):  
Yes

Christopher McDonell, Rayonier Advanced Materials (Economic-member, Certificate Holder (CoC)):  
While climate change is a very important topic, the level of detail and requirements at the certificate holder level feels very weighty. The amount of BAI required will be repeated multiple times across the landscape, taking the focus away from practical, on the ground actions to monitor and adapt forest management practices for resiliency to climate change.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
The standard goes too far in it's requirements, an example being an assessment of "...potential future impacts of climate change and catastrophic natural disturbances."

Ryan Hilburn, Red River Forests LLC (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
The sprinkling of climate change requirements throughout the standard makes it difficult to assess in one place, therefore; we recommend that the requirement to assess potential future impacts of climate change (6.1.1.i) be removed and that addressing potential impacts of climate change be specifically addressed in the management plan (via best available information).

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
The draft makes good attempts at addressing climate change, but climate change considerations and impacts could be more thoroughly integrated into the standard. 6.1 Overall suggestion- Environmental values may change over time. Consider adding a requirement that the assessment be updated/revisited to include new information at least every 10 years (or on the same cycle as FMP revisions are required). While certain parts of the assessment (for example, historic conditions) are unlikely to need updating, climate change and changing conditions on the ground will likely require updates to lists of RT&E species/natural communities, forest cover types, impacts of management activities on forest health, what management would be appropriate in the MU given changing climatic conditions (for example, a longer mud season, less snow cover, and more volatile temperature changes during the winter in the northeast will affect how management can be done), etc. Updates to some, but not all, of these items are covered elsewhere in the current US FM Standard. I also think that 6.1.1.i is a good start for a climate change assessment requirement but it is too vague- can it be tightened up? In 9.3.2, the intent box states: "In this case, "restore" means to repair the damage done to environmental values that resulted from legal\* or illegal activities. However, The Organization\* is not necessarily obliged to restore those environmental values that have been affected by factors beyond the control of The Organization\*, for example by natural disasters, by climate change, or by the legally\* authorized activities of third parties, such as public infrastructure, mining, hunting, or settlement." - What about implementing protective/preventative measures? Surely the organization has some responsibility to shield such places from the full harmful impacts of climate change if they are able to do so? - In 10.1.2. Regional Supplements 1 & 2, what about underplanting of native species that are regionally present and expected to move onto the FMU with climate change for climate change mitigation?

Caroline Pufalt, Sierra Club (Environmental-member, Environmental NGO):  
thank you for including this topic. Managing and planning for climate impacts are essential for any plan, but so is the issue of carbon retention or carbon conservation. This is addressed also elsewhere in the standard, so it

should also be a part of this section, at minimum with reference to other parts of the standard. Any additional flexibility for non-native species should be limited to species native to geographically adjacent zones. Any such use shall be designed to mimic which might be expected, or is already occurring with species migration. Any such plan needs to be fully documented, transparent and should not be a guise for species replacement for other purposes.

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):  
PA BOF is supportive of the incorporation of climate change into the revised standard.

Rick Horton, MN Forest Industries\*\*\* (Economic-nonmember, Environmental NGO):

One large example of increased workload is the incorporation of climate change considerations into FSC Principles and Indicators which require knowledge of the “best available information”, written assessments, evaluation and monitoring. This additional workload is very costly to Certificate Holders, especially those with small staffs and budgets. Any requirements to initiate efforts to increase carbon storage or sequestration rates will interfere with potential and actual carbon markets. If a forest landowner takes climate mitigation actions before signing up for a carbon credit program it jeopardizes their ability to sell credits on those activities at a later date. To qualify for carbon offset credits entities must pass an “additionality test” to prove that what they plan to do is beyond their current standard practices. Also, some states are considering developing their own carbon offset markets. Public land agencies in those states may wish to hold off on entering a market until they can use their own. So actual implementation of actions to address climate change mitigation may be years off for them. Much of the science surrounding climate change mitigation suggests diversifying forests so that they are more resilient to future change. However, we have several concerns regarding how this can lead to noncompliance of other portions of the Standard or with agency direction. We feel that Certificate Holders need the flexibility to balance climate change objectives with other priorities related to other ecosystem services, wildlife habitat, recreation, timber production, and mill species requirements. In addition, not all forests are naturally diverse. Early successional forests (e.g., aspen, jack pine, red pine) often naturally regenerate into near monocultures after disturbance. There are wildlife species adapted to those conditions that cannot thrive without it (e.g., golden-winged warbler, Kirtland’s warbler). Intentionally diversifying them is not natural or desirable. It should be clear that diversity is found at the site AND the landscape scale. Having all conditions along the spectrum of potential successional stages represented on the landscape make an entire region resilient to changes in climatic conditions. Assisted migration (i.e., Facilitated Transition) has been touted as a means to help trees and genotypes move on the landscape faster than they could naturally. Studies of the impacts of climate change over the past 40 years do not support this activity (Hanberry and Hansen 2015). We are concerned that assisted migration is tantamount to introducing exotic species, which is not supported in the Standard. By definition an exotic species is one existing outside of its natural range. Lastly, some call for increasing carbon storage by increasing rotation ages. Not all forest types are suitable for this strategy. Many early successional tree species like aspen, jack pine, birch and balsam fir live short lives and suffer from increased mortality as the stand ages and transitions to the next successional stage. At that stage these stands are net carbon emitters due to the high level of mortality and decomposition. Maintaining the site to type requires performing final harvest and reforestation before conversion. Hanberry, B. B., and M. H. Hansen. 2015. Latitudinal range shifts of tree species in the United States across multi-decadal time scales. *Basic and Applied Ecology* 16:231–238. Key Questions For Public Consultation • Has climate change been appropriately addressed in the Draft 1 revised standard? No. It is inappropriate to mandate actions now that could be monetized in the future. It is better to offer activities as options, and offer flexible timelines for implementation.

Paul Vanderford, Sustainable Northwest (Social-member, Social NGO):

No. 1) We need to have a solution that allows appropriate dry forest management for forests in the Pacific Coastal regional standard area. 2) We also need to evaluate and provide flexibility for stocking densities as forest managers are recognizing their landscape is now more stressed with increased moisture competition. There will be instances where densities that were accepted and reasonable historically will no longer be on low growth sites. 3) While post fire harvest is often damaging high intensity fires are also creating situations where forests are out of their natural condition cycle and some management my help reduce future fire risk and help align forests and speed up recovery. Until now I believe pre vs post first expectations are the same in terms of principles and criteria. Are there situations where we would allow management outside our requirements for healthy (largely living) forest stewardship for management designed to speed up recovery and reduce risk to human communities



for uncharacteristic high intensity fire sites (largely dead trees in a damaged and unnatural condition)?

amanda naismith, new forests (Economic-member, Investor or Donor):  
No, please see responses below and in other Indicator-specific sections.

Aprille Cook, The Westervelt Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

• Yes, climate change has been appropriately addressed

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):

(6) Multiple indicators address climate change assessment and adaptation (Indicators 6.1.1 guidance and 7.2.4). We agree broadly that FSC certificate holders should be aligned with work to adapt in the face of climate change. Further, the sprinkling of climate change requirements throughout the standard makes it difficult to assess in one place, therefore; we recommend that the requirement to assess potential future impacts of climate change (6.1.1.i) be removed and that addressing potential impacts of climate change be specifically addressed in the management plan (via best available information).

**Q22: Will the changes result in indicators that are feasible for certified organizations?**

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):

Yes.

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

Yes but will require lots of additional work for certificate holders. Perhaps paring down requirement for a full bore assessment (which could be a time-consuming requirement) but leave 7.2.4 which requires management plan consider impacts of climate change on achieving objectives. This is far more feasible for all certificate holders.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Yes

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):

yes

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

Yes

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

Yes

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

This change will be costly to implement and likely be a barrier to entry or remaining certified for many landowners.

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

The way we have our group set up this would require rewriting our individual FMU Management plans. We are a large group. This will also be a "Hot Button" for many small SLIMF FMU's.

Ryan Hilburn, Red River Forests LLC (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

The changes will be difficult to comply with in their current condition as it is difficult to assess all that will be required throughout the different places in the standard. It would be made more feasible if all discussion of climate change and the associated requirements were located in one location.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

See my more specific comments about clarifying climate change-related indicators; but generally, I do think that planning and some mitigation strategies should be possible for certified organizations (and may also be in their

best short and long term management interest in some cases).

Kara Wires, NEPCon (Economic-member, Certification Body):  
see comment on parts of the standard. additional clarification and guidance needed

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):  
PA BOF feels the changes are feasible given work we have done or have underway with regard to climate change.

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
our greatest area of operational concern is around climate change strategies. Actively managed working forests and products from those forests offer great opportunity for both carbon adaptation strategies and climate mitigation. We request the revised standard not require multiple adaptation strategies, but recognize the current management plan may be the best adaptation strategy and it is already in place

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):  
No. The additional burden of studying and evaluating the Best Available Information, crafting climate change evaluations and assessments, implementing climate change adaptation strategies and performing effectiveness monitoring, coupled with all of the other changes in the Standard, will make the FSC Standard less manageable to Certificate Holders and increase the likelihood of them withdrawing from the program. Please refer to the comment letter submitted by the Minnesota Forest Industries (MFI) on December 17, 2020. Pages 1-3. Sappi is a member of MFI and supports these comments and suggestions.

Rick Horton, MN Forest Industries\*\*\* (Economic-nonmember, Environmental NGO):  
No. The additional burden of studying and evaluating the Best Available Information, crafting climate change evaluations and assessments, implementing climate change adaptation strategies and performing effectiveness monitoring, coupled with all of the other changes in the Standard, will make the FSC Standard less manageable to Certificate Holders and increase the likelihood of them withdrawing from the program.

amanda naismith, new forests (Economic-member, Investor or Donor):  
In Indicator 6.1.1, the cost of fully assessing climate impacts may be too great for smaller FMUs. Considering how cost may impact the desire for FSC-compliance may be useful. Additionally, in Indicator 6.2.1. added flexibility may be useful regarding how to address the ways in which climate change/extreme weather may impact management activities.

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
I believe so.

Paul Vanderford, Sustainable Northwest (Social-member, Social NGO):  
I appreciate the work being done to help small holders by evaluating what can be trimmed down to maintain rigor but reduce paperwork. I encourage us to take this in spirit and apply it more robustly to our whole standard for all CHs. It is not helpful to measure number of indicators as a useful measure increased or decreased rigor. Our reporting out to stakeholders with a metrix of number of indicators added and removed continue this view of number equalling something meaningful. More words in a sentence do not make the sentence better, just longer. Sometimes fewer words represent a more well thought out and written sentence. Refinement can be seen in this light as an improvement. We must view are standard in the same way. How do we make it easier and smaller as a sign of improvement vs weakening.

Christopher McDonell, Rayonier Advanced Materials (Economic-member, Certificate Holder (CoC)):  
Field testing the level of effort required (feasibility) of these requirements should be a priority prior to approval of the standard.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):  
Depends on how auditors evaluate company efforts.

Aprille Cook, The Westervelt Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

- There will be additional costs and hours designated to the new assessments and monitoring but it should be feasible

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):

(6) Multiple indicators address climate change assessment and adaptation (Indicators 6.1.1 guidance and 7.2.4). We agree broadly that FSC certificate holders should be aligned with work to adapt in the face of climate change. Further, the sprinkling of climate change requirements throughout the standard makes it difficult to assess in one place, therefore; we recommend that the requirement to assess potential future impacts of climate change (6.1.1.i) be removed and that addressing potential impacts of climate change be specifically addressed in the management plan (via best available information).

**Q23: Is the guidance in Annex L sufficient for understanding and conforming with the associated requirements?**

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

Yes I think so.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Yes

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):

Yes

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):

Yes

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

Yes

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):

Yes

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

Yes

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):

With the above comment incorporated, yes. Overall, we applaud FSC for promoting actively managed forests as a natural climate solution

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):

We believe that PA BOF can meet the climate change criteria; however, the guidance in Annex L is very complex and organizations should not be expected to follow this exact process for determining plans for climate change.

Ryan Hilburn, Red River Forests LLC (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

The guidance provided in Annex L is sufficient.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Perhaps, but the cost to implement will be high for any owner but particularly so for small ownership.

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):

Overall, I think the national office should take a more active role in training CH on the new standard. The guidance is helpful but complicated and would require lots of consultants. Also it will be very hard to explain to

landowners.

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):

No. It should be abundantly clear what degree of effort will be acceptable to FSC and auditors. As noted elsewhere, "Certificate Holders generally over identify High Conservation Values". This is not because they want more HCVs, but rather because FSC did not clearly spell out how much is enough, so the Certificate Holders erred on the side of caution. Please refer to the comment letter submitted by the Minnesota Forest Industries (MFI) on December 17, 2020. Pages 1-3. Sappi is a member of MFI and supports these comments and suggestions.

Rick Horton, MN Forest Industries\*\*\* (Economic-nonmember, Environmental NGO):

No. It should be abundantly clear what degree of effort will be acceptable to FSC and auditors. As noted elsewhere, "Certificate Holders generally over identify High Conservation Values". This is not because they want more HCVs, but rather because FSC did not clearly spell out how much is enough, so the Certificate Holders erred on the side of caution.

Carolyn Loeb, NEPCo (Environmental-nonmember, Environmental NGO , Certification Body):

I like the Adaptation Workbook Process outlined in Annex L, and generally, I think that the guidance in the Annex is sufficient for conforming with standard requirements. Consider the following edits to the sentence that appears multiple times in Annex L: "This process is intended to be informal but the FME shall attempt to answer the following questions to the best of their ability, given the scale and intensity of the FME's forest management activities and the associated risks posed by climate change. The process should access the listed types of information..." Auditors can then audit the process of asking such questions and the information reviewed by the FME, as well as the resulting modifications associated with forest management, monitoring, and planning generated by the process.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):

As currently written, Annex L is a great step in the right direction, but would benefit from further improvement, including in the following areas. Carbon Storage and Sequestration: The Annex does not appear to recognize the importance of carbon storage and sequestration, including as important ecosystem services that can help minimize the intensity of climate change over time, and thus impacts to natural forests and the need for their adaptation. Nor does the Annex appear to provide any practical guidance to Organizations to consider carbon storage and sequestration as part of their assessments at Principle 6 and elsewhere, when they do not intend to undertake more formal and rigorous carbon assessments for carbon offset credits, ecosystem services certification, or other purposes. Note the Annex references the assessments expected at Indicator 6.1.1, which include ecosystem services including carbon storage and sequestration. RECOMMENDATION: The Annex should be augmented to recognize the role of carbon storage and sequestration, including as a means of helping to minimize the effects of climate change over time and the need for adaptations. And ideally, the Annex would also point to practical guidance for Organizations seeking a basic approach to assessing storage and sequestration as an ecosystem service per Indicator 6.1.1. The external resources that are referenced and linked in the Annex should also be reviewed, and if needed, augmented with this perspective in mind. Silviculture Versus Other Forest Values: At times, the Annex seems written from an overly narrow silvicultural perspective, e.g., at the third paragraph in the section "Climate Change in Principle 7," and in the discussion of monitoring in the section "Climate Change in Principle 8." Climate changes are likely to affect a host of different forest resources and values, not just forests' productivity for timber. The Standard clearly requires Organizations to maintain environmental values, HCVs, and other values, and the resilience and capacity of wildlife species and ecosystems to adapt to changing climates will be crucial. RECOMMENDATION: Provide a more consistently comprehensive approach to the values that need to be considered in the context of climate change and adaptation, and to the measures needed to address resilience, adaptation, etc., including in key sections such as "Climate Change in Principle 8." The external resources that are referenced and linked in the Annex should also be reviewed, and if needed, augmented with this perspective in mind. Resilience: At times, the discussion of resilience appears to ignore crucial opportunities and strategies to maintain and enhance forests' natural reliance to climate change and other disturbances. Rather than being forgotten, such approaches should be the first stop for any adaptation strategy. For example, in the fourth paragraph under the section "Climate Change in Principle 10," the discussion of resilience is narrowly about altering forests, and not only ignores the strategy of natural forest resilience, but at times could work against it. RECOMMENDATION: More explicitly address and prioritize

opportunities and strategies of maintaining and enhancing forests' natural resilience to climate change and other disturbances, including in the section "Climate Change in Principle 10." The external resources that are referenced and linked in the Annex should also be reviewed, and if needed, augmented with this perspective in mind.

amanda naismith, new forests (Economic-member, Investor or Donor):  
Additional guidance on timescales (short, medium, and long-term) and climate scenarios (including that scenarios aligned with a 1.5C scenario is preferred) would be useful. The difference between physical and transitional risks may be beneficial to explain, as members should be encouraged to consider both types of risk in their assessments.

Aprille Cook, The Westervelt Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

- Annex L is very detailed but having examples of adaptation and mitigation plans would be helpful to people who have little or no experience in this field.

**Q24: Have High Conservation Values been appropriately addressed in the Draft 1 revised standard?  
Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):**

Yes. There were no issues with the old standard for HCVFs

Kara Wires, NEPCoN (Economic-member, Certification Body):  
yes, with edits

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
Yes, the clarification is helpful.

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):  
Yes, builds off old standard well. A little nervous about the explicit statements around over recognition of these HCVs in the past. From my perspective it has not been too burdensome and has resulted in better management. Also is a key part of the FSC brand.

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
yes, and the clarification that RSAs, HCVF and other conservation areas are not intended to be "set asides" and that they may indeed require active management to retain or enhance the characteristics and habitats that lead to RSA or HCVF designation

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
Yes however the combination of RSA's, HCV's, and CAN's adds significant expense to the certificate holder in the form of consultation, monitoring, and documentation.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Yes

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
Yes

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
Yes

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):  
Yes

Nathan Heibel, Koochiching County (Social-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

We believe so. We applaud the acknowledgement that HCV's are rare and as such, only areas that meet this highest level of significance will meet the threshold to be a HCV.

Rick Horton, MN Forest Industries\*\*\* (Economic-nonmember, Environmental NGO):

The transition away from High Conservation Value Forests (HCVF) towards High Conservation Values (HCV) places new focus on maintaining/enhancing HCVs wherever they occur rather than within officially designated HCVFs. This will have drastically different impacts when implemented, with more focus on the values themselves and the amount of area required to maintain or enhance that value. The change will result in increased rigor in management and monitoring requirements. The requirement to update analysis every 3 years (or prior if new information received through stakeholder consultation), combined with increased monitoring responsibilities and increased reliance on new research will result in a significant increase in workload and cost to Certificate Holders.

- Recommendation: Make every effort to modify the Standard where it causes increased workload and expense to Certificate Holders. Evaluate whether or not the proposed changes actually improve the forest condition. We are very concerned about guidance in Annex K, section 4.a.ii. as it pertains to Type 1 and Type 2 Old Growth Forest. Minnesota contains thousands of acres of lowland conifer (typically black spruce) forest that has seen minimal harvesting in modern times because of its slow rate of growth and inaccessibility. Some may deem it old growth, but it was harvested in the past. Due to the long time periods evidence of prior harvesting (either in records or in stumps) is no longer available. This timber is important to the forest products industry. Black spruce is also prone to dwarf mistletoe infestation, which can devastate the stand. Proper management requires clearcutting all stems in infested stands to eradicate the disease.
- Recommendation: Remove old natural origin lowland conifer forests from the definition of Type 1 and Type 2 Old Growth, or allow managers to cite reasonable expert opinion on whether or not lowland conifer forests were harvested a century ago.
- Are Ecological Provinces the appropriate scale for consideration of the regional significance of HCV1 and HCV2. Yes, this clarification of regional significance is one way for FSC to provide clarity and reduce complexity of the Standard. When Minnesota DNR developed their HCV framework they used Ecological Section or Subsection scales, resulting in hundreds of species and plant communities being designated as HCVs. The vast majority of those species and communities are protected in other Principles and should not have been considered as HCV's.

Key Questions For Public Consultation: High Conservation Value Areas

- Have High Conservation Values been appropriately addressed in the Draft 1 revised standard? No. The distinction between HCVF and HCV, and the anticipated changes in identification, management and monitoring requirements are unclear. Further, there is no recognition that not all ownerships will contain HCVs.

Ryan Hilburn, Red River Forests LLC (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

The narrowing of what constitutes High Conservation Values will significantly reduce the amount of areas that are currently identified throughout certificate holders FMUs. While this may be the intention of the revised standard, FSC must be prepared to help and defend certificate holders during the re-assessments.

Lois Forde-Kohler, Procter & Gamble (Economic-member, Certificate Holder (CoC)):

The current standard revision is not addressing the needs for SLIMF sized owners. This is important to help existing users of the FSC standard who depend on small holders. In this context, small holders are already setting aside HCV forests on their properties. There is not much of a difference between the new RSA and the HCV definition. This is confusing for small holders and many of them do not have rare areas to protect.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):

Overall, the Standard's approach to HCVs is quite good. However, the following improvements and corrections are needed: Principle 9, Intent Statement: The last paragraph says the HCV Framework "may" be used to assess HCVs, etc. This contradicts the Principle 9 Indicators requiring use of the Framework, and also does not meet FSC International policy expectations for the use of Frameworks. Some certificate holders' past failure to use existing FSC US guidance on HCVs evidences why clear statements about the use of the Framework are necessary. RECOMMENDATION: The last paragraph should either be revised to clearly require use of the Framework, or it should be deleted. Indicator 9.3.2: The draft indicator prepared by the WG stated that "activities that harm High Conservation Values cease immediately and actions are taken to restore and protect the High Conservation Values." As revised by the Board/PSC, the Indicator no longer requires any harmful activities to be stopped, despite common sense and the FSC International Generic Indicators' expectation that harmful activities

“cease immediately.” Instead, the Indicator now just calls for “mitigation” of such activities. This approach is highly inappropriate and likely to be ineffective for two reasons: First, it allows potentially serious and highly harmful activities to continue indefinitely. Second, its focus on “mitigation” unnecessarily and inappropriately introduces a subjective concept, may thus also be difficult to audit, and introduces the potential for Organizations to claim that other HCV occurrences may be substituted for the ones being harmed. Such “offsetting” approaches would be highly inappropriate in the context of HCVs, as they may result in a net loss of HCVs across the landscape and/or rely upon “new” HCV occurrences that inherently lack attributes of existing, naturally occurring ones. Moreover, neither Criterion 9.3 nor the existing FSC US Standard envision such “mitigation” approaches to HCV conservation, but clearly and unequivocally require all HCVs to be maintained or enhanced.

RECOMMENDATION: The Indicator should either be returned to the language prepared by the WG, or replaced by the language in the IGIs (i.e., IGI 9.3.5). Indicator 9.3.2, Intent Statement: As amended by the Board/PSC, the Intent language states that Organizations are only required to address harmful activities when they present a “threat of severe or irreversible damage” to HCVs. This would violate Criterion 9.3 and be weaker than the existing US Standard, which both require all HCVs to be maintained and/or enhanced in all situations. It also misconstrues and mischaracterizes the proper approach to the “precautionary approach,” by ignoring the IGIs’ Instruction to Standards Developers to recognize that any threats to HCVs are to be considered “threats of serious or irreversible damage,” when applying the precautionary approach to P9 Indicators.

RECOMMENDATION: The simplest and best solution would be to delete the phrase “that represent a threat of severe or irreversible damage” from the Intent Statement. Alternately, the phrase could be explicitly recognized as being part of the precautionary approach – and then coupled with an explicit recognition that all threats to HCVs are considered “severe or irreversible.” However, this latter approach would unnecessarily complicate and lengthen the Standard’s language. Indicator 9.4.2, Guidance Statement: The Board/PSC’s new guidance language regarding “good faith” efforts to consider monitoring information from stakeholders and rightsholders mostly appears reasonable and helpful. However, the emphasis on Indicator 5.5.1’s requirement for economic viability seems odd and problematic. Simply considering monitoring information from stakeholders and rightsholders is unlikely to involve much if any expense. And by flagging Indicator 5.5.1, readers may misunderstand the Guidance as suggesting that HCV conservation strategies need not be adjusted if monitoring shows them to be ineffective, but if more effective approaches are deemed too costly. This would be a serious misunderstanding of the P&C, which clearly require HCVs to be maintained and/or enhanced regardless of cost, and which at Criterion 9.4, clearly require adaptation of management strategies where necessary to “ensure effective protection.” Organizations of course have the leeway to seek cost-effective management strategies – but if they wish to be certified, they do not have the option to simply forgo effective strategies. RECOMMENDATION: Simply remove the reference to Indicator 5.5.1 from the Guidance. Indicator 9.4.3, Intent Statement: The statement that “management measures are adjusted to the extent allowable by law” appears to have been carried forward from the existing Standard. On reflection, it seems an unnecessary and potentially confusing statement to include. The Standard clearly requires legal compliance at Principle 1, and nothing in Principle 9 changes that. Indicator 1.3.2 of the draft revised Standard also already provides the mechanism for addressing conflicts between laws and compliance with the Standard. Meanwhile, the Intent Statement could be misinterpreted as suggesting the Standard does not require conservation of HCVs beyond legal minimums, which would misconstrue the P&C and be a serious concern, given that some important HCVs are not adequately legally protected, and given that one of the primary values of FSC certification is to identify and support forest management that is more consistently protective of environmental, social, and economic values, including by requiring management above and beyond legal minimums, where necessary. RECOMMENDATION: Delete the statement. If it is felt to be important to flag this topic in the Intent Statement, then add a cross-reference to Indicator 1.3.2.

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):

No. New focus on maintaining/enhancing HCVs wherever they occur (no longer limited to HCVs within officially-designated HCVFs) will have drastically different impacts when implemented. While the attempt and intent is recognized (more focus on the values themselves and a flexible application of the area needed to maintain/enhance the value itself), this will be very difficult to track, communicate to staff and the supply chain, and require constant assessments and monitoring. Further, there is no recognition that not all ownerships will contain HCVs. The intent to not raise the bar, but rather create consistency and “correct” scenarios where CH have over-applied and over-identified HCVFs is much appreciated and worth achieving. The new definition of “regional” is very helpful and appropriate and will help in providing consistent scope / scale for analysis and align CH across the FM and CoC standards. This is a very positive and helpful change. Please refer to the comment

letter submitted by the Minnesota Forest Industries (MFI) on December 17, 2020. Pages 5-7. Sappi is a member of MFI and supports these comments and suggestions.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
Mostly, yes- but there should be a requirement that the HCV assessment be reopened/updated every 10 years, including for new stakeholder consultation. I see this as a gap both in the current standard and in this draft.

amanda naismith, new forests (Economic-member, Investor or Donor):  
More guidance would be useful to standardize the auditing processes to ensure HCV area is calculated consistently across FMUs. FSC could also provide guidance on how certified organisations should address double counting of conservation areas (i.e. counting area for the Conservation Areas Network and RSA).

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
It is onerous to the point of being burdensome to the CH.

Andrew Bacon, Michigan Nature Association (Environmental-nonmember, Environmental NGO):  
It is important to note that lentic/wetland systems such as isolated wetlands, vernal pools, headwaters, karst, seeps and springs also can represent High Conservation Value areas by providing habitats for concentrations of biological diversity, including rare, threatened and endangered species and species that only occur in these habitats, and provide critical ecosystem services. We recommend that the Standards specifically recognize and include protection of these important aquatic and wetland habitats where applicable.

Caroline Pufalt, Sierra Club (Environmental-member, Environmental NGO):  
Indicator 9.3.2 - edits needed here to make sure any adverse action is halted and also mitigated, restored, etc. Even if the adverse action is part of a longer term plan, it needs to be halted as soon as negative impacts on HCV areas are suspected. C9.4, the organization should also monitor for any suspected adverse activities that are not part of its " management activities".

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
I appreciate the clarity provided...

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):  
b. We note that the draft High Conservation Value Area Framework will result in a drastic reduction of areas designated as High Conservation Value in Northern California. To successfully navigate required stakeholder outreach with the new High Conservation Value Area Framework. To successfully navigate required stakeholder outreach with the new High Conservation Value Area Framework, we request FSC-US publish simple and clear materials to send with stakeholder input requests that provide context for use with stakeholder outreach on revised assessments to meet the new standard. We also request that FSC-US be prepared to defend and support certificate holders during these re-assessments (including in any formal complaints filed). Further, we request that the exclusion of Riparian Management Zone areas from HCVF designation be reconsidered. For coastal timberlands RMZs represent a significant area of unique habitat that provide benefits well beyond steam protection, especially where the RMZ for certificate holders retention standards exceed those of FSC. As an example, Green Diamond has a RMZ network that represents 25% of the FMU with retention standards prescribed by a federal Habitat Conservation Plan. These RMZs are either unharvested or lightly harvested and are limited to one entry per rotation (average 55 years). Over the next 40 years the RMZs will represent nearly 100,000 acres of 100+ year old habitat. The RMZs currently provide nesting/roosting habitat for northern spotted owl and connectivity for travel corridors for coastal marten and Pacific fisher. As these RMZs mature they are expected to provide nesting opportunities for marbled murrelet.

Aprille Cook, The Westervelt Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
• Yes, HCVA have been addressed appropriately

**Q25: Will the changes result in indicators that are feasible for certified organizations?**

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):



Yes.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Yes

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
yes

Kara Wires, NEPCon (Economic-member, Certification Body):  
yes

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):  
Yes

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
The clarification on the attributes that rise to a HCVF is helpful.

Ryan Hilburn, Red River Forests LLC (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
The changes will result in a significant reduction in the amount of High Conservation Value areas. So much so that in the case of some certificate holders no areas may meet the criteria. FSC must be prepared to accept, help, and defend the certificate holders as they go about re-assessing their FMUs.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
See my notes about minor tweaks to some of the P9 indicators (including specificity around language for stakeholder engagement and third party impacts). In general, I do think the indicators are feasible.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
Not sure

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):  
No. The high costs of periodic updates, monitoring and keeping abreast of new research will add to the already burdensome requirements of FSC certification. Please refer to the comment letter submitted by the Minnesota Forest Industries (MFI) on December 17, 2020. Pages 5-7. Sappi is a member of MFI and supports these comments and suggestions.

Rick Horton, MN Forest Industries\*\*\* (Economic-nonmember, Environmental NGO):  
No. The high costs of periodic updates, monitoring and keeping abreast of new research will add to the already burdensome requirements of FSC certification.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
No, the requirement for engagement and continued consultation with affected and interested stakeholders will be very time consuming, non-value-adding, and potentially problematic.

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
No

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
It will be difficult and expensive to implement.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):  
If they continue to be audited the same as the last few years, then the HCVs are feasible.

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
However, in California, the results of this standard revision and clarity will be a dramatic reduction in HCV acres

on all certified timberlands. While I think that is ok recognizing that the concept is meant to be applied only to the "best of the best" acres; I expect this to result in a bevy of concern, complaint, anger, and formal complaints from interested parties. Especially those that have recently discovered the formal complaints system as a way to cause harm to certified companies. How does FSC plan to support certificate holders through this revision? There must be excellent communication AND BACKUP to support this change.

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):

b. We note that the draft High Conservation Value Area Framework will result in a drastic reduction of areas designated as High Conservation Value in Northern California. To successfully navigate required stakeholder outreach with the new High Conservation Value Area Framework. To successfully navigate required stakeholder outreach with the new High Conservation Value Area Framework, we request FSC-US publish simple and clear materials to send with stakeholder input requests that provide context for use with stakeholder outreach on revised assessments to meet the new standard. We also request that FSC-US be prepared to defend and support certificate holders during these re-assessments (including in any formal complaints filed). Further, we request that the exclusion of Riparian Management Zone areas from HCVA designation be reconsidered. For coastal timberlands RMZs represent a significant area of unique habitat that provide benefits well beyond stream protection, especially where the RMZ for certificate holders retention standards exceed those of FSC. As an example, Green Diamond has a RMZ network that represents 25% of the FMU with retention standards prescribed by a federal Habitat Conservation Plan. These RMZs are either unharvested or lightly harvested and are limited to one entry per rotation (average 55 years). Over the next 40 years the RMZs will represent nearly 100,000 acres of 100+ year old habitat. The RMZs currently provide nesting/roosting habitat for northern spotted owl and connectivity for travel corridors for coastal marten and Pacific fisher. As these RMZs mature they are expected to provide nesting opportunities for marbled murrelet.

amanda naismith, new forests (Economic-member, Investor or Donor):

Assessing the FMU for where intact forest landscapes existed as of January 2017 (Indicator 9.1.2 and engaging with experts during the monitoring program (Indicator 9.4.2) may be too costly for smaller FMUs. FSC could consider how often organisations are required to work with experts to minimize this burden.

Aprille Cook, The Westervelt Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

• The HCVA assessment required (9.1) is much more intensive than in the previous FM Standard and will result in added costs and man hours. Is this change in the assessment based on research results showing a decline in species diversity, or landscape level ecosystems etc. or is it because FSC wants it?

**Q26: Is the guidance in Annex K sufficient for understanding and conforming with the associated requirements?**

Kara Wires, NEPCon (Economic-member, Certification Body):

yes, with edits

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Yes but it is complex

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):

Yes

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Yes

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):

yes

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):

Yes

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Yes

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
yes

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):  
Yes

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):  
yes

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
Yes

Andrew Bacon, Michigan Nature Association (Environmental-nonmember, Environmental NGO):  
We would recommend including concentrated complexes of wetlands and vernal pools, large high diversity vernal pools, and vernal pools with multiple high concentrations of recognized indicator species in the guidance as examples of HCVs as these are unique landscape features which are important for species diversity in forests.

Ryan Hilburn, Red River Forests LLC (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
The guidance in Annex K is sufficient.

amanda naismith, new forests (Economic-member, Investor or Donor):  
The guidance for determining wetland and riparian areas (4d) is somewhat unclear and may lead to inconsistent HCV determinations. Additionally, the requirement to assess large landscape-level ecosystems (6a) may be a barrier to smaller organizations/FMUs. FSC could provide more clear/concise guidance for determining landscape boundaries to ease this challenge. More guidance on how to determine a critical ecosystem service (8a) would also be beneficial.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):  
Overall, the Annex is a valuable and balanced contribution to the Standard. However, a few important corrections and improvements are needed: Section 2.e, "Threshold for Regionally Significant:" Both the existing FSC US Standard and the draft revised Standard prepared by the WG pointed to ecological "Sections" as the default scale at which "regionally significant" is to be addressed. The Board/PSC shifted this scale to much larger ecological "Provinces," despite the harmful effect this could have on identification and protection of HCV 1 and HCV 2 occurrences. Many Provinces are immense, and thus will be a poor context for HCV assessments. Indeed, some Provinces extend far beyond the range at which some HCVs will ever exist. The "M261 Sierran Steppe... Province," for example, includes both Sierran and Coastal/foothill forests, and extends from the Mexico border into Southern Oregon. The diversity of different forest types and HCVs within this Province is huge, and most HCVs at one side of the Province will have little relationship to those at the other side. A similar situation exists with the "M242 Cascade Mixed Forest... Province," which covers both coastal and Cascade mountain forests though most of Oregon and all of Washington. No doubt similar situations exist with other larger Provinces. Assessing "significance" in the context of such over-sized areas will be difficult at best, and at worst will lead to HCVs being excluded from identification and protection, because potentially unrelated HCVs will be considered to also exist within the Province, or simply because the area covered by the management unit will be considered to be a relatively small portion of these immense areas. RECOMMENDATION: Return to the existing Standard's approach of defining regional significance in the context of ecological Sections. In the case of relatively small Sections, one simple solution would be to allow neighboring Sections to also be included in the analysis, especially if they are part of the same Province -- or to allow the use of other, comparable classification systems, as provided for in the existing Standard and the draft prepared by the WG. Section 4.a.ii Old Growth: The penultimate sentence of the Framework's description of old growth states that they are "always associated with pre-European remnant forests." RECOMMENDATION: This sentence should be deleted outright, as had begun to be recognized by some WG members' comments on the last draft of the Framework reviewed by the WG. The sentence is what remained of draft language originally proposed by a consultant, and which had otherwise been

removed as being highly flawed. The sentence is mis-aligned with the WG's proposed edits to the definition of old growth that addressed the same topic (see comments at the Glossary definition of Old Growth). It also does not align with the existing Standard's definition of old growth, nor does it align with existing FSC US guidance on HCVs and old growth. Most importantly, it could inappropriately exclude deserving old growth occurrences from being identified and conserved as HCV, and could also create confusion about when old growth is to be identified and protected per Principle 6. A pre-European threshold will exclude protection for old growth stands which developed naturally in absence of industrial logging or other commercial activity, but which may have been late successional forest or in other successional phases at the time of European settlement. Likewise, the threshold could exclude protection for any old growth in forests areas that may have become established as forests through purely natural ecological processes, such as shifts from grasslands or meadows to forest, subsequent to the pre-European threshold. Moreover, the pre-European threshold will be far more difficult to evaluate and implement in actual forests. Indeed, the threshold begs the question of what is meant by "remnant" and "pre-European." (Does "remnant" refer to current remnants of prior forests, to forests that were "remnants" prior to the presence of Europeans, or...? Does "pre-European" mean control of the management unit by persons of primarily European descent? Does it mean the presence of any persons of European descent anywhere in the United States or North America, even though the old growth in question might be located in a different part of the continent and have a largely unrelated history?) As per the Standard's definition of Type 1 old growth, the WG's proposed clarifications to the definition of Type 2 old growth, and the original definitions of Type 1 and 2 old growth in the old Pacific Coast Standard, the more appropriate threshold for Type 1 and 2 old growth is old growth and old growth remnants that existed prior to introduction of logging to the site in question. Section 4.a.iii, Primary Forests: Edits made by the Board/PSC to the description of primary forests need to be corrected, as they will lead to primary forests not being properly identified and conserved. In the existing FSC US materials and in the draft Framework prepared by the WG, the 3rd and 4th sentences of the description read: "Human impacts in such forest areas have normally been limited to low levels of hunting, fishing, and very limited, non-commercial harvesting of forest products. Type 1 Old Growth would also typically represent primary forest." These sentences have been replaced by the statement that "any evidence or documentation that forest management activities have occurred in an area, even if it is not readily visible, would exclude the area from being primary forest." This new statement fails to properly distinguish between activities (including historic Native American activities) that are consistent with the existence of primary forests, and those activities that degrade and destroy primary forests, e.g., industrial logging. Moreover, "any forest management activity" includes assessments, scientific research, conservation measures, or management planning – all of which are covered by the definition of "management activity." Thus the mere act of assessing a primary forest as HCV could disqualify it as HCV. Likewise, if an organization had merely planned to log a primary forest, this would disqualify it for protection as HCV even though it still remains intact and valuable as primary forest. RECOMMENDATION: The new statement should be deleted, and replaced by the language provided by the WG, which aligns with the existing Standard and proper understanding of primary forests. If the concern with the language from the WG and existing Standard is with regard to the second sentence that references the relationship with Type 1 old growth, then that second sentence per se could probably be omitted.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
Not sure

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):  
No. Given that "FSC believes Certificate Holders generally over identify High Conservation Values" under the previous Standard due to a lack of information, the 29 pages in Annex K provide the opposite. There is now too much information and it is even more difficult to determine how to integrate the often conflicting directions pertaining to HCV management. The intent to not raise the bar, but rather create consistency and "correct" scenarios where CH have over-applied and over-identified HCVFs is much appreciate and worth achieving. The new definition of "regional" is very helpful and appropriate and will help in providing consistent scope / scale for analysis and align CH across the FM and CoC standards. This is a very positive and helpful change. Please refer to the comment letter submitted by the Minnesota Forest Industries (MFI) on December 17, 2020. Pages 5-7. Sappi is a member of MFI and supports these comments and suggestions.

Rick Horton, MN Forest Industries\*\*\* (Economic-nonmember, Environmental NGO):  
No. Given that "FSC believes Certificate Holders generally over identify High Conservation Values" under the previous Standard due to a lack of information, the 29 pages in Annex K provide the opposite. There is now too much information and it is even more difficult to determine how to integrate the often conflicting directions

pertaining to HCV management.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

Mostly, yes. A few points that I also make under the specific indicators: - 3.b. Assessments should include whatever methodology was used to make decisions as to how areas were ultimately selected and delineated. - In primary forest, I would argue that human economic activities should be prohibited, excluding those associated with native peoples rights, since such forests are incredibly rare in the US. - 4.a.1 includes the text, "Areas that have been or continue to be disturbed by commercial or industrial activities\*, developed areas, and areas with infrastructure\* associated with the aforementioned activities and development, should not be included in IFLs\*." Is there a cut off date for this? For example, when a CH engages in significant industrial development in an IFL, which way does the IFL go- i.e., when does it lose IFL status, v. when does the CH have to mitigate impacts and restore the IFL? What about an IFL that was recently degraded but was degraded prior to entering certification and is possible to restore? Can it still be certified? - The standard mentions that high carbon forests would qualify for HCV 4 but there is little guidance about such forests for HCV 4 in 8.a.1: Can you add some?

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):

b. We note that the draft High Conservation Value Area Framework will result in a drastic reduction of areas designated as High Conservation Value in Northern California. To successfully navigate required stakeholder outreach with the new High Conservation Value Area Framework, we request FSC-US publish simple and clear materials to send with stakeholder input requests that provide context for use with stakeholder outreach on revised assessments to meet the new standard. We also request that FSC-US be prepared to defend and support certificate holders during these re-assessments (including in any formal complaints filed). Further, we request that the exclusion of Riparian Management Zone areas from HCVF designation be reconsidered. For coastal timberlands RMZs represent a significant area of unique habitat that provide benefits well beyond stream protection, especially where the RMZ for certificate holders retention standards exceed those of FSC. As an example, Green Diamond has a RMZ network that represents 25% of the FMU with retention standards prescribed by a federal Habitat Conservation Plan. These RMZs are either unharvested or lightly harvested and are limited to one entry per rotation (average 55 years). Over the next 40 years the RMZs will represent nearly 100,000 acres of 100+ year old habitat. The RMZs currently provide nesting/roosting habitat for northern spotted owl and connectivity for travel corridors for coastal marten and Pacific fisher. As these RMZs mature they are expected to provide nesting opportunities for marbled murrelet.

Aprille Cook, The Westervelt Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

• Annex K is very detailed and understandable but it would be good to have more examples to help organizations better define the different HCV types.

**Q27: Disputes of Substantial Magnitude: What kinds of property destruction should not lead to classification as a 'dispute of substantial magnitude'?**

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

We have never had an issue like this since our FMGroup was started. We do not enter properties into our group who have disputes with surrounding landowners, stakeholders etc. Standard should be Low risk for Medium and Small Landowners. Low risk for large landowners unless FMU is directly in charge of harvesting operations. The laws of the United States covers all of this...

Kara Wires, NEPCon (Economic-member, Certification Body):

This will depend on the Org and the local context, the CH should be required to define this in their system

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):

These series of questions are difficult to answer without some measure of context. Different organizations will have different thresholds. If an organization has reached the point where property destruction involved in a dispute qualifies as a "dispute of substantial magnitude" as defined, it will be readily apparent, in context. Also, state government organizations are bound to settled disputes according to state law and regulations and state and departmental policy, not rather according to FSC standards and annexes. This should be sufficient to meet

the intent of the principle.

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

There is not much space between minimal property destruction and felony destruction of property which the MI penal code defines as destruction or injury greater than \$1,000, i.e. it doesn't take much destruction to move from dispute resolution to litigation. From a legal sense, "significant" may be defined as "threat of immediate and irreparable harm to a resource or party". So by this definition, any type of destruction which has caused irreparable harm could be deemed significant.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):

The term "destruction" has an extremely wide latitude when you are addressing landowners. For them, substantial magnitude can mean anything. I have personally been involved with attorneys over problems that were limited to less than 1/2 an acre in magnitude.

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):

The simple fact that a dispute is of long duration should not be rationale for it being a dispute of credible magnitude. One individual can have an unfounded long term complaint that the certified organization addressed appropriately but not to the individual's satisfaction. Short version - you can not always satisfy everyone. Also, a contractor may have equipment vandalized, or a landowner may have local law enforcement look into trespass or illegal dumping. In these cases, an armed officer(s) would be on site, yet these in no way should be considered "disputes of significant magnitude"

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

The difficulty here is perspective. If you are the one whose property was damaged you will likely have a different perspective of substantial than if you are the one that did the damage.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

State agencies have their own prescribed dispute resolution process managed in collaboration with the Attorney General's office. The FSC FM standard does not supersede that process.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):

Perhaps this is left best to Organization and CB.

Robert Hrubes, Individual Member (Economic-member, ):

intangible such as intellectual property

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):

Incidental Trespass, failure to give notice or notice to start operations, failure to obtain approval for road or landing locations, damage to residual timber, noncompliance with slash requirements, violation of rutting guidelines, unauthorized activity within 50 feet of a wetland or stream or within 200 feet of any lake, erosion control measures not compliant,

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

I don't know the answer to this but I do know a handful of small organizations that will find ways to leverage this procedure to ensure their disputes become of "significant magnitude". While this is the exception to the rule of most interested parties, it does cause significant avoidable problems for certificate holders - especially in northern California. Is there a way to also identify and discuss "vexatious litigants" - those who continue to hammer the same issue with slightly different bents in order to leverage the system in truly bad faith?

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

I did not have time to review this principle, so have no comments to share. (See my comments elsewhere that would replace the use of the term "significant" with "demonstrable" or another term, as this might apply here as well.

Christopher McDonell, Rayonier Advanced Materials (Economic-member, Certificate Holder (CoC)):  
Damage to access control structures, property boundaries, signage.

Ryan Hilburn, Red River Forests LLC (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
As property destruction is not a well defined term in the standard it is difficult to assess what kinds of property destruction should not lead to classification of substantial magnitude.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
Any forestry practice supported by accepted BMP's and or silvicultural practices for the region in question.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
A one time, unintentional event that is rectified and not recurring should not rise to the level of substantial magnitude. For example, a neighbor is burning a trash pile that gets out and burns onto the MU.

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):  
(4) The Dispute Resolution Framework is a positive movement forward on clarity in expectations for all parties involved in FSC certification. Disputes that end with disagreement between complainant and certificate holder should be considered resolved if good faith process have been followed. Also, the presence of law enforcement on certified timberlands where all applicable laws are being followed does not necessarily imply a dispute of substantial magnitude and should be removed as an indicator of such.

**Q28: Disputes of Substantial Magnitude: What kinds of property destruction should lead to classification as a 'dispute of substantial magnitude'?**

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
Where the negative impact of management activities\* on local communities or on Native American\* groups' legal\* or customary rights\* is of such a scale that it cannot be reversed or mitigated

Klaus Geiger, NEPCon (Economic-member, Certification Body):  
Where impacted party's livelihood is damaged--perhaps irreparably--so as the benefit derived from these attributes is diminished or altered in undesirable ways

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
To be of "substantial magnitude" the destruction of the resource needs to be intentional, not supported by best practice and or current science and cannot be remediated immediately or over the course of time.

Robert Hrubes, Individual Member (Economic-member, ):  
Tangible forms of property per US legal definitions should qualify

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):  
State agencies have their own prescribed dispute resolution process managed in collaboration with the Attorney General's office. The FSC FM standard does not supersede that process.

Kara Wires, NEPCon (Economic-member, Certification Body):  
See above. Negative impacts as part of the definition is the most concerning. If a dispute is not resolved in a timely manner and involves multiple stakeholders and resources, it would be substantial.

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):  
See above

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
other than the comments above, FSC seems to have appropriately outlined disputes of substantial magnitude

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
I'm thinking this might need to be revised/re-written completely. Perhaps focusing on the good faith resolution element of the dispute process. Even if it is of significant magnitude, if the CBs and FMs and stakeholders have

negotiated in good faith and come to a result (even if it does not leave the stakeholder "happy" - we should avoid calling it out. Have a dispute resolution framework. Have a beginning, a middle, and an end. When stakeholders feel they have been treated unfairly they have options: 1) legal action; and 2) FSC complaint process. I don't think we need to add another level in this.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):  
I do not see a way to pin this down into an indicator. I have had a landowner accuse me of property destruction because we damaged rhododendron in the understory while harvesting timber. I saw this as irrelevant and stupid. The landowner thought it was substantial magnitude. Where does FSC want to land in that discussion?

Randy Coots, Preferred by Nature (Economic-member, Certification Body):  
gates, roads, landings, property line postings, dumping, starting a fire, trespass, timber theft, herb harvesting without permission,

Christopher McDonell, Rayonier Advanced Materials (Economic-member, Certificate Holder (CoC)):  
Destruction at a level where an insurance claim would be submitted and law enforcement personnel contacted.

Ryan Hilburn, Red River Forests LLC (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
As property destruction is not a well defined term in the standard it is difficult to assess what kinds of property destruction should lead to classification of substantial magnitude.

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):  
Arson, Property destruction in the amount greater than \$10,000

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
An intentional, or on-going and un-rectified series of events could rise to substantial magnitude. For example, timber theft, continued trash dumping, ongoing boundary line encroachment, unresolved and on-going trespass, etc.

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):  
(4) The Dispute Resolution Framework is a positive movement forward on clarity in expectations for all parties involved in FSC certification. Disputes that end with disagreement between complainant and certificate holder should be considered resolved if good faith process have been followed. Also, the presence of law enforcement on certified timberlands where all applicable laws are being followed does not necessarily imply a dispute of substantial magnitude and should be removed as an indicator of such.

**Q29: Disputes of Substantial Magnitude: How many interests would need to be involved for a 'dispute' to become a 'dispute of substantial magnitude'?**

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
This is irrelevant. Two interests can easily elevate a dispute to substantial magnitude.

Ryan Hilburn, Red River Forests LLC (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
The number of interests involved should not determine whether a dispute becomes one of "substantial magnitude" but rather it that determination should be made based on the merits of the dispute.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):  
State agencies have their own prescribed dispute resolution process managed in collaboration with the Attorney General's office. The FSC FM standard does not supersede that process.

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
Significant number of interests is a phrase that should be dropped. For true disputes of substantial magnitude, the number of interests that raise the issue is irrelevant. Conversely, a single individual can stir up a lot of interests around an issue that has no basis in fact and that should never be considered a dispute of substantial magnitude.



Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
See above

Christopher McDonell, Rayonier Advanced Materials (Economic-member, Certificate Holder (CoC)):  
One or more, if other criteria are met.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
Not all interest are equal. The interest of legal rights holders, a conservation easement for example, is more substantial than that of a hiker that is anti-logging. Our concern is to not put the landowner in an untenable position were they need to attempt to please all interests. The hiker may think that a perfectly executed clear cut is a "destructive" practice when in fact it is not.

Klaus Geiger, NEPCon (Economic-member, Certification Body):  
No minimum or maximum.

Kara Wires, NEPCon (Economic-member, Certification Body):  
more than one type of stakeholder.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
Many

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):  
It only takes 1 or 2 interests to create a lawsuit over the smallest details. I do not see a way to pin this down into a meaningful indicator.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Could be just one depending on the issue.

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):  
(4) The Dispute Resolution Framework is a positive movement forward on clarity in expectations for all parties involved in FSC certification. Disputes that end with disagreement between complainant and certificate holder should be considered resolved if good faith process have been followed. Also, the presence of law enforcement on certified timberlands where all applicable laws are being followed does not necessarily imply a dispute of substantial magnitude and should be removed as an indicator of such.

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):  
3

**Q30: Disputes of Substantial Magnitude: What kinds of impacts to forest resources/values should not result in a 'dispute' becoming a 'dispute of substantial magnitude'?**

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Those that are short-term in nature, are reversible, limited in area/scope and do not effect an HCV.

Robert Hrubes, Individual Member (Economic-member, ):  
This is a misguided question. The magnitude of the impact should not be tied to the "kind" of impact

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):  
State agencies have their own prescribed dispute resolution process managed in collaboration with the Attorney General's office. The FSC FM standard does not supersede that process.

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):  
See above

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
See above

Ryan Hilburn, Red River Forests LLC (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Impacts that occur from normal, lawful, forest management activities should not result in a dispute rising to the level of a "dispute of substantial magnitude".

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
Impacts supported by BMP's or accepted silvicultural practices or impacts are not intentional that can be mitigated immediately or over time.

Kara Wires, NEPCon (Economic-member, Certification Body):  
if it is outside the scope of the standard. if it is an isolated occurrence.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):  
Give it up. You are not going to be able to define this. An FSC standard cannot replace US law anyway. Defining these kind of legal concepts is beyond the scope of a forest management standard.

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
anything not falling under the two criteria outlined below

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):  
(4) The Dispute Resolution Framework is a positive movement forward on clarity in expectations for all parties involved in FSC certification. Disputes that end with disagreement between complainant and certificate holder should be considered resolved if good faith process have been followed. Also, the presence of law enforcement on certified timberlands where all applicable laws are being followed does not necessarily imply a dispute of substantial magnitude and should be removed as an indicator of such.

**Q31: Disputes of Substantial Magnitude: What kinds of impacts to forest resources/values should result in a 'dispute' becoming a 'dispute of substantial magnitude'?**

Kara Wires, NEPCon (Economic-member, Certification Body):  
violation of other parts of the standard (major NCRs)

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
those that are (1) illegal and that (2) have a substantial and irreversible environmental or social impact

Robert Hrubes, Individual Member (Economic-member, ):  
Suggest setting a monetary threshold. \$500

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):  
State agencies have their own prescribed dispute resolution process managed in collaboration with the Attorney General's office. The FSC FM standard does not supersede that process.

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
See above.

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):  
See above

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Negatively impacts an HCV, cannot be reversed or cured in the short-term (like cutting old-growth or a legacy tree), effects a large area, especially if it's a rare native ecosystem.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
Intentional disregard for the resource, BMP's, or accepted silvicultural practices or impacts that cannot be

mitigated immediately or over time.

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):  
Activities that result in immediate degradation of public water resources; compromise community health and safety; or threaten RTE populations.

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):

(4) The Dispute Resolution Framework is a positive movement forward on clarity in expectations for all parties involved in FSC certification. Disputes that end with disagreement between complainant and certificate holder should be considered resolved if good faith process have been followed. Also, the presence of law enforcement on certified timberlands where all applicable laws are being followed does not necessarily imply a dispute of substantial magnitude and should be removed as an indicator of such.

**Q32: Indicator 1.8.3: What kinds of changes in ownership and/or changes in management planning should not require notification of the Certification Body?**

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):  
This Indicator is overly burdensome. Changes in ownership are reflected in annual reporting of certified acreage to the Certifying Body. Likewise, changes in management planning should be reported at the time of the annual audit. This should suffice to meet the intent of the Principle. Therefore, our answer to this question as stated, is that no changes should be communicated within the 90-day period, rather they should be reported in conjunction with the audits.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
These changes are reported prior to the annual audit and subject to review during the audit, so we fail to see the need to report any changes in between audits.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Small acquisitions or dispositions of acres - perhaps less than 5% of the total MU size.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Short-term management plan changes, updates to property title, deed records, de minimis land sales, easements, etc.

Klaus Geiger, NEPCon (Economic-member, Certification Body):  
Reporting minor additions or excisions to the CB within 90 days seems a bit demanding especially for low tech CHs.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):  
OWNERSHIP • Notification of a change in certification acreage should only be required once every 5 years as part of the recertification audit. Interim notification of acreage change should have a threshold of < 1% of total certified land. • Changes in administrative boundaries and planning units should NOT require notification. • Land use regulation changes required by local, state, or federal government that impact certified land holdings should NOT require notification. MGMT Planning • Site level and operational planning that fits within the overall forest management plan goals and objectives should NOT require notification. Especially those in response to insects, disease, fire, windthrow or other natural disturbances. • Internal management process updates such as staff involved, timelines, etc. should NOT require notification. • Any major changes in management planning should only be required during the annual audits. These may include: o Major policy changes that affect management o Major budget cuts or staffing reductions that affect management o Significant increases or decreases in harvest level o Anything else previously agreed to that must be changed for other reasons.

Randy Coats, Preferred by Nature (Economic-member, Certification Body):  
none, any such change should require notification of the CB.

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):  
Keeping your control over a group composed of diverse and reluctant landowners can be hard. Maybe an explicit de minimus exception? This would be the opposite approach from that taken here ,but would remove discretion

and be in some ways an easier route to compliance.

Kara Wires, NEPCon (Economic-member, Certification Body):

I think this Indicator should be removed. It is not required in the IGLs and does not contribute to the Criterion.

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):

Changes in ownership should always require notification. Any action that is considered normal business or adaptive management should not trigger notification to the certifying body. These will come to light during the annual audit process if they have a material effect on the forest management plan.

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

- It is difficult to respond to this threshold question without better understanding the intent of the interim notification requirement – i.e., what potential issues or concerns is this intended to surface?
  - o Regarding changes in ownership, it is unclear why interim notification is needed beyond the changes in acreage that are reported as part of the 5-year recertification audit.
  - o Regarding changes in management planning, our preference would be to report major changes annually as part of the annual audit. We offer the following suggestions regarding the threshold of what changes should or should not require notification:
    - o Changes in Management Planning that SHOULD NOT require notification: § Site level management that fits within the organization's strategic forest management plan. § Adjustments to the operational plan or stand exam list that fit within the 10-year management plan goals and objectives. § Individual annual stand exam lists that are available to the public and stakeholders for input annually should not require special notification. § Small-scale additions to the stand exam lists to respond to insects, disease, fire, wind-throw or other natural disturbances. § Internal process updates and plan product updates such as the staff involved, roles, timelines, product development steps, or design choices should not require special notification.

**Q33: Indicator 1.8.3: What kinds of changes in ownership and/or changes in management planning should require notification of the Certification Body?**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

These changes are reported prior to the annual audit and subject to review during the audit, so we fail to see the need to report any changes in between audits.

Brendan Grady, SCS Global Services (Economic-member, Certification Body):

Suggest that significant changes in ownership be the change in a management unit of larger than 2471 acres (the SLIMF level).

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

OWNERSHIP • Notification of a change in certification acreage should only be required once every 5 years as part of the recertification audit. Interim notification of acreage change should have a threshold of < 1% of total certified land. • Changes in administrative boundaries and planning units should NOT require notification. • Land use regulation changes required by local, state, or federal government that impact certified land holdings should NOT require notification. MGMT Planning • Site level and operational planning that fits within the overall forest management plan goals and objectives should NOT require notification. Especially those in response to insects, disease, fire, windthrow or other natural disturbances. • Internal management process updates such as staff involved, timelines, etc. should NOT require notification. • Any major changes in management planning should only be required during the annual audits. These may include:

- o Major policy changes that affect management
- o Major budget cuts or staffing reductions that affect management
- o Significant increases or decreases in harvest level
- o Anything else previously agreed to that must be changed for other reasons.

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

- o Changes in Management Planning that SHOULD require notification
  - § Major policy changes that affect management (e.g. old growth policy).
  - § Major budget cuts or staffing reductions that impact the ability of the agency to fulfill its statutory obligations or meet forest plan objectives.
  - § Significant increases or decreases in sustainable harvest level

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):  
Legal ownership change and changes to land use to something besides forest management.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Legal name change, land sales (>1% of FMU), land acquisitions, changes to group members (+/-)

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Larger acquisitions or dispositions of acres - perhaps more than 5% of the total Mu size. Excisions. Changes in chemical use - especially the use of restricted pesticides that have not been previously used on the MU.

Kara Wires, NEPCon (Economic-member, Certification Body):  
I think this Indicator should be removed. It is not required in the IGIs and does not contribute to the Criterion.

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):  
I think there is a difference between a group certificate and a large land owner. For group certificate there certificate is composed of individual landowners of different size ownerships., Not sure, but indicator and guidance should be crystal clear to avoid confusion and unnecessary stress on CH. I think change affecting 10% of landowners or 10% of certified area would be significant and require 90 day notification. Otherwise CH can update annually. On the other hand a large landowner should probably report if they change ownership of a smaller percentage.

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
Changes in ownership should always require notification. Any action that is considered normal business or adaptive management should not trigger notification to the certifying body. These will come to light during the annual audit process if they have a material effect on the forest management plan.

Randy Coats, Preferred by Nature (Economic-member, Certification Body):  
All

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

1) acreage >1% of MU and 2) changes to strategic plans, policy and budget/staffing changes, and changes to sustainable harvest levels. Reporting should be required at a minimum annually, though every 5 years/during recertification is preferable. For large landowners (>50,000 ha), reporting within 90 days is onerous.

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
>1% of ownership in a year; >5% in a rolling ten year period. Changes in management planning that result in increase in ten year harvest rate equal to or greater than 10%. Just a brainstorm.

**Q34: Do you have any comments regarding Principle 1 that are not indicator-specific?**

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):  
US law should be sufficient. FSC-US needs to obtain legal counsel to help identify where the current legal structure sufficiently covers such items and then make the case to FSC-IC and remove the relevant IGIs to save CH and auditors redundant effort, cost, confusion, etc.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
The dispute resolution process is problematic. In particular, complaints can be filed with no requirement for basis. There is no requirement for the complaint to be substantive, factual or substantiated. This can be used as a mechanism to interrupt operations if it evolves into a dispute.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
The Dispute Resolution Criterion, Indicators, and Annex need additional work to streamline language with goal to minimize redundancy in the P,C, and Is and shift focus to the Annex for details. For example 1.6.1, 1.6.2, 1.6.3, 1.6.4 contemplates requirements for criteria 2.6, 3.2, and 4.6 and repeats much of the language in Annex D.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

The additional requirement of developing a formal dispute resolution process will likely be considered excessive by many. Landowners and managers must follow US laws regardless of their certification status and the US court system will be used to address those violations.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

State agencies have their own prescribed dispute resolution process managed in collaboration with the Attorney General's office.

Klaus Geiger, NEPCon (Economic-member, Certification Body):

Per C1.3 - What is meant by "fit" and that the rights fit? Per C1.4 - As written sounds like whether or not the FME develops and implements measures, they must also engage with regulatory agencies in order to conform to the criterion. I.e. that engaging regulatory agencies is mandatory but developing and implementing measures is not. Per C1.5 - Not sure why the applicability box is needed when the message therein seems redundant or should be included in the Criterion itself. This is a readability issue. Per C1.6 - Since P1 is all about legal compliance, but why not include ALL disputes in to ONE criterion? There are disputes that are clearly of a non-legal nature (e.g. noise complaint, disrupted viewshed, etc). Per C1.7 - Can publicize also simply mean make public, which is how indicator 1.7.1 is written? Many businesses may not see the benefit in advertising themselves.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):

Overall, aside from the problems and needed improvements and corrections noted in my comments below, the draft Indicators for Principle 1 are essential for ensuring compliance with P1 and its Criteria, and for addressing situations in the US that are not expressly covered by the P&C, and for addressing expectations for credible and effective forest certification in the US. It will be important to retain the Indicators' specificity and clarity regarding required actions and outcomes.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
No

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
no

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
No

Kara Wires, NEPCon (Economic-member, Certification Body):  
No

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
No

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

I am concerned around how much a "Group Certification" should be required to get into dispute resolutions. As a Group manager, I would just remove that FMU from the certification. Standard should be Low risk for Medium and Small Landowners.

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):

Do you have any comments regarding Principle 1 that are not indicator-specific? PA BOF handles disputes in accordance with Commonwealth executive protocols, regulations, and laws. The indicators in Principle 1 and processes in Annex D are overly prescriptive and burdensome. For example, most occurrences for PA BOF would fall into the category of complaints and not disputes. Logs are not kept of complaints, as the receipt, management, and resolution of complaints are part of the regular course of our business.

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):

(4) The Dispute Resolution Framework is a positive movement forward on clarity in expectations for all parties

involved in FSC certification. Disputes that end with disagreement between complainant and certificate holder should be considered resolved if good faith process have been followed. Also, the presence of law enforcement on certified timberlands where all applicable laws are being followed does not necessarily imply a dispute of substantial magnitude and should be removed as an indicator of such.

**Q35: Please share any additional comments you have regarding Indicator 1.1.1.**

Klaus Geiger, NEPCon (Economic-member, Certification Body):

Would be very interesting to have a crowd-sourced/moderated state-specific list of the registrations required hosted on the FSC website (see also guidance box of 1.3.1). Would be best if it were exhaustive.. Could be pooled (with consent, and it would be great if FSC helped facilitate this) from FME FMPs, uploaded either by FME or CB. Perhaps may be source of disputes for FMEs on what requirements apply to them, particularly on Tribal rights (e.g. in Lake States). Also--What scenarios could arise where legal registration is challenged, and do some innocent but infrequent BAU situations that could come in to conflict with this requirement? Maybe a minor complaint filed against a forester e.g. certified forester for implementation

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Not needed. You must be a legal entity to own land under US law already

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
none to share

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Kara Wires, NEPCon (Economic-member, Certification Body):

could add some guidance on what needs to be done for conformance. Really feel like it is redundant with 1.2.1 and should be removed.

**Q36: Please share any additional comments you have regarding Indicator 1.2.1.**

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

This is fine

Kara Wires, NEPCon (Economic-member, Certification Body):

Really feel like it is redundant with 1.2.1. 1.1.1 should be removed.

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
none to share

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q37: Please share any additional comments you have regarding Indicator 1.2.2.**

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

Wording in Guidance: change from "If the boundary cannot be established" to "If the boundary is in dispute"

Klaus Geiger, NEPCon (Economic-member, Certification Body):

Why list both boundaries of land ownership AND use rights? How close is a vicinity? I disagree that boundary disagreements should preclude management in the vicinity as long as activities are clearly outside of the disputed zone and can be demonstrated to not negatively impact the ownership or use-rights of the other.

Robert Hrubes, Individual Member (Economic-member, ):

this is rarely done so incorporating this in the standard is questionable; Questions if NTFP or recreation is a legal use right in the US suggests the list of use rights be reviewed by a lawyer versed in this aspect of US Law

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
This is fine

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
none to share

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q38: Please share any additional comments you have regarding Indicator 1.3.1.**

Klaus Geiger, NEPCon (Economic-member, Certification Body):

Would be very interesting to have a crowd-sourced/moderated state-specific list of the registrations required hosted on the FSC website (see also guidance box of 1.3.1). Would be best if it were exhaustive.. Could be pooled (with consent, and it would be great if FSC helped facilitate this) from FME FMPs, uploaded either by FME or CB. Perhaps may be source of disputes for FMEs on what requirements apply to them, particularly on Tribal rights (e.g. in Lake States)

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
This is fine

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
none to share

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):

Indicator 1.3.1: While the existing Standard's corresponding Indicator and the draft Indicator prepared by the Working Group (WG) both explicitly included state laws and regulations, reference to state laws has since been removed from Indicator 1.3.1. Recognition of the applicability of state laws is crucial, especially since they are among the most applicable laws for most certified forests in the US. Presumably, reference to state laws was removed from the Indicator, given that the glossary definition of "local laws" should be understood to include them. However, the definition of "local laws" may be rather inscrutable to some readers, and does not explicitly reference state laws. Moreover, readers in the United States are likely to assume that "local laws" means the laws of jurisdictions smaller than states (e.g., counties, parishes, etc.), and thus might only reference the glossary when concerned about such laws. Further, as noted in comments below, Annex C largely fails to recognize applicable state laws. RECOMMENDATION: Edit the Indicator to read: "...including national laws, state laws, and other local laws." While such an edit may technically involve some slight redundancy, this surely will be outweighed by the value of providing needed clarity. Indicator 1.3.1, Guidance Statement: The Indicators and Guidance for Criterion 1.3 do not reference the Annex C list of applicable laws. This is presumably just an editorial oversight. While the Guidance for Indicator 1.5.1 references the Annex, that is in the narrow context of laws regarding transportation and trade of forest products. RECOMMENDATION: Add Guidance language for Indicator 1.3.1 that points to Annex C as providing a "partial list" (or "examples") of applicable laws.

Robert Hrubes, Individual Member (Economic-member, ):

Guidance should include reference to CB requesting and considering number and severity and pattern of violations, complaints, investigations for the 5 yers prior to the certification assessment

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

Can FSC host a website-based list of federal and state laws? This seems cumbersome for CHs to have to add to their FMPs. (FMEs would still be responsible for local laws)



Kara Wires, NEPCon (Economic-member, Certification Body):  
Annex C should be referenced in the Guidance.

**0**

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

There are a number of contractual law elements that conflict with the "all workers" requirements in Principle 2.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

NOTE/Question: the changes contained in this revision, if enacted as-is, may comprise significant conflict. Is there a template or preferred form that the conflicts are documented?

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
none to share

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q40: Please share any additional comments you have regarding Indicator 1.3.3.**

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):  
Wording in Guidance: add ", or documentation that The Organization is tax-exempt."

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
This is fine

Robert Hrubes, Individual Member (Economic-member, ):  
replace "every attempt" with "all reasonable attempts"

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
none to share

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Klaus Geiger, NEPCon (Economic-member, Certification Body):  
My take on this indicator is that it was written for locations where electronic payment is not possible so paperwork and bureaucracy (including receipt of payment) move at a slower pace.

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):  
add to the end "or that the Organization is tax exempt"

**Q41: Please share any additional comments you have regarding Indicator 1.4.1.**

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
This is fine

Klaus Geiger, NEPCon (Economic-member, Certification Body):

The guidance box's inclusion of strategies "may" include is key—not every illegal/unauthorized incident (e.g. a hiker may accidentally wander [trespass] on to an active harvest) need be reported to the proper authorities.

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):

The certificate holder is not expected to play a law enforcement role. This is an important point for auditor's to understand

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
none to share

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Robert Hrubes, Individual Member (Economic-member, ):  
Guidance: Need to define "Strategies" in the glossary

**Q42: Please share any additional comments you have regarding Indicator 1.4.2.**

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
This is fine

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
none to share

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q43: Please share any additional comments you have regarding Indicator 1.5.1.**

Robert Hrubes, Individual Member (Economic-member, ):  
What about local laws? What international laws apply in the US that are not addressed by or correlated by federal laws?

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
Not needed. Certificate holders must follow established laws already

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
none to share

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Sam Davis, Dogwood Alliance\*\* (Environmental-member, Social NGO , Environmental NGO):  
I don't like that the final sentence was removed from 1.5.1 - CB should be kept appraised on any/all violations.

Klaus Geiger, NEPCon (Economic-member, Certification Body):  
For the sake of consistency I would suggest the standard do here as it does with C1.1/1.3.1, which is to require a list of all applicable trade laws/regulations etc. The guidance box says "may include" a list, but under 1.3.1 it is "should" include. Neither are mandatory, but how can we evaluate "should" as opposed to "may"? I think they should both be "shall".

**Q44: Please share any additional comments you have regarding Indicator 1.6.1.**

Scott MacDougall, J.D.Irving, Limited (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Why is a dispute resolution process required in the US? Doesn't the Federal Arbitration Act cover this? It is not feasible to develop a separate process to settle matters out of court that will likely never be used by most Certificate holders. I understand the requirement for countries that do not have adequate laws. FSC US could justify that this process is really not required in the US and defend US law to FSC International. This burden should not be placed on Certificate holders if it truly is not necessary. Today, 100 % of our public complaints are effectively dealt with using our Public Complaint Process and they have never been elevated anywhere close to requiring court action. We would never be required to use a Dispute Resolution Process. Indicators 1.6.1,2,3, and 4 should be dropped with full justification.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
seems excessive as the US has a well established legal system to handle disputes

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
none to share

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):  
I am requesting that FSC provide a sample template of a dispute resolution process that conforms with this indicator

Kara Wires, NEPCon (Economic-member, Certification Body):  
Dispute system should be documented. Indicator does not state this. Suggest edit to "A documented system is in place..."

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Complaints can be brought by anyone for any reason regardless of merit and can evolve into disputes. This makes the CH beholden to attack by persons or groups who do not agree with their management objectives or simply want to hold up operations and increase costs of the CH to interrupt operations.

Rebekah Luedtke, Wisconsin County Forests Association (Unknown-nonmember, Government):  
Comment: We question the inference in the indicators of stimulating a court process and appear to give power to outside interests to challenge and prevent management activities from occurring. Indicators include references of compensation to workers, communities and tribes has potential to pre-empt existing processes where damages/compensation are awarded by a court of jurisdiction. Is this a requirement over and above current public forum provided by local government rules? All indicators under C.1.6 are problematic in that they appear to weaken an organizations legal rights to conduct management on lands that are owned fee title. Recommendation: FSC should not attempt to require an outside process that gives authority to claimants to impact management and collect damages.

Klaus Geiger, NEPCon (Economic-member, Certification Body):  
Appears to contradict C1.6 by stating that "impacts of mgmt activities on affected communities/stakeholders/Native American groups" be resolved by the system established per 1.6.1, given that "impacts" do not need to be statutory or customary law in nature. Suggest revising criterion.

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):  
(4) The Dispute Resolution Framework is a positive movement forward on clarity in expectations for all parties involved in FSC certification. Disputes that end with disagreement between complainant and certificate holder should be considered resolved if good faith process have been followed. Also, the presence of law enforcement on certified timberlands where all applicable laws are being followed does not necessarily imply a dispute of substantial magnitude and should be removed as an indicator of such.

**Q45: Please share any additional comments you have regarding Indicator 1.6.2.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
What rises to "Substantial Magnitude". Operations should not need to cease when a hiker believes that the prescribed clear cut, for example, thinks the practice is "destructive."

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
seems excessive as the US has a well established legal system to handle disputes. There is no reason to have such a policy be publicly available because if there is a dispute the US legal system will be where it is handled.

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
none to share

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Robert Hrubes, Individual Member (Economic-member, ):  
include documented and readily available

Kara Wires, NEPCon (Economic-member, Certification Body):  
Also this should be documented...implied since it is meant to be publicly available but still suggest it is added "can be adapted through culturally appropriate engagement is documented, and this process...". In addition, guidance on who is consulted through this "engagement" would be good.

Klaus Geiger, NEPCon (Economic-member, Certification Body):  
Allowing the possibility of "adapting" the resolution process may give CHs too much leash for having a weak process and justifying shortcomings as being areas that can be adapted. Consultation Question on "substantial magnitude" definition. One suggested metric for determining if a dispute is of "substantial magnitude" could be: Impacted party's livelihood is irreparably damaged so as the benefit derived from these attributes is diminished or altered in undesirable ways

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):  
(4) The Dispute Resolution Framework is a positive movement forward on clarity in expectations for all parties involved in FSC certification. Disputes that end with disagreement between complainant and certificate holder should be considered resolved if good faith process have been followed. Also, the presence of law enforcement on certified timberlands where all applicable laws are being followed does not necessarily imply a dispute of substantial magnitude and should be removed as an indicator of such.

**Q46: Please share any additional comments you have regarding Indicator 1.6.3.**

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
The guidance on 1.6 and item 1.6.3 (c) should change. The guidance should state that if the parties cannot find a mutually agreeable solution, then the dispute the process is ended and x options exist. Then 1.6.(c) should request to list where parties could not find a mutually agreeable solution. The term unresolved disputes leaves the entire thing in the air like it's still open for question within the dispute resolution framework - which it's not. Rather, it has resolved at the level of the FM and the complainant and may therefore be resolved through other means or dropped. This is an important distinction to protect certificate holders from vexatious complainants.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Some of this requested information could be considered proprietary or confidential.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
outcomes of dispute resolution suggests access to potentially sensitive and confidential information and should be addressed accordingly

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
none to share

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
maintaining a record of disputes is fine but the bullet items are excessive and not needed.

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):  
(4) The Dispute Resolution Framework is a positive movement forward on clarity in expectations for all parties involved in FSC certification. Disputes that end with disagreement between complainant and certificate holder should be considered resolved if good faith process have been followed. Also, the presence of law enforcement on certified timberlands where all applicable laws are being followed does not necessarily imply a dispute of substantial magnitude and should be removed as an indicator of such.

**Q47: Please share any additional comments you have regarding Indicator 1.6.4.**

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Not needed. Disputes will be resolved in accordance with legal precedent and court orders

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
none to share

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):

(4) The Dispute Resolution Framework is a positive movement forward on clarity in expectations for all parties involved in FSC certification. Disputes that end with disagreement between complainant and certificate holder should be considered resolved if good faith process have been followed. Also, the presence of law enforcement on certified timberlands where all applicable laws are being followed does not necessarily imply a dispute of substantial magnitude and should be removed as an indicator of such.

**Q48: Please share any additional comments you have regarding Indicator 1.7.1.**

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):

Why is this needed for US certificate holders ? Is this a problem with US certificate holders? Why is a policy needed if there is an applicable law? Delete indicator from standard

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):

US law should be sufficient. FSC-US needs to obtain legal counsel to help identify where the current legal structure sufficiently covers such items and then make the case to FSC-IC and remove the relevant IGIs to save CH and auditors redundant effort, cost, confusion, etc.

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):  
PA BOF is governed by Commonwealth executive protocols, regulations, and laws regarding bribery and anti-corruption. This should be sufficient to satisfy the intent of the Principle.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

not needed as organizations must follow US laws on this matter

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
none to share

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Scott MacDougall, J.D.Irving, Limited (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

It will be difficult to share our internal policy regarding bribery and anti-corruption. This should be worded in a way that we can show people that ask about it. If this is the intent, wording should be adjusted to make it clear. US law should really be all that is required for this. I understand including it in the IGIs as some countries that don't have good laws need this indicator. FSC US could make a case to drop this indicator based on US law.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):  
I don't see any value in having a bribery and anti-corruption policy. These are already illegal in the US

Kara Wires, NEPCon (Economic-member, Certification Body):

Clarify if this policy is documented and ready to be shared upon request or is required to already be publicly posted.

**Q49: Please share any additional comments you have regarding Indicator 1.8.1.**

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):  
This is overly prescriptive. PA BOF demonstrates its commitment to the FSC standards by passing annual audits.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

This is fine but is kind of meaningless

Kara Wires, NEPCon (Economic-member, Certification Body):  
same as 1.7.1--is this different than available upon request?

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
none to share

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q50: Please share any additional comments you have regarding Indicator 1.8.2.**

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

This is fine

Robert Hrubes, Individual Member (Economic-member, ):

The FSC Policy for Association should be referenced here. Unacceptable activities on forest areas not included in the scope of an Org's certificate could have bearing on the viability of the certificate.

Kara Wires, NEPCon (Economic-member, Certification Body):

Remove this Indicator. It is not required in IGLs and adds no value--20-002 and other FSC policies are required so no Indicator needed. This policy is likely to be replaced/removed and this adds confusion. References to any FSC policy (besides pesticides) should be removed or limited.

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
none to share

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Klaus Geiger, NEPCon (Economic-member, Certification Body):

How much of the planned activities must be detailed? What if some of the activities are confidential?

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

1.8.2: This seems out of scope for what we are auditing; excisions are already required to be reported to CBs per the excision policy.

**Q51: Please share any additional comments you have regarding Indicator 1.8.3.**

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

This is fine

Kara Wires, NEPCon (Economic-member, Certification Body):

This Indicator should also be removed. Does not relate to the Criterion. Not needed or included in the IGLs. CH should be in regular communication about changes with cert holders and many changes need to be approved before they are made. Better for the CH and CB to have their own agreement. If this Indicator has to stay it would be better for it to say the Org needs to have procedures to notify CB of changes and this should be agreed upon.

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
none to share

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Klaus Geiger, NEPCon (Economic-member, Certification Body):  
How much is significant? TBD by CB, but really how much is significant? Reporting minor additions or excisions to the CB within 90 days seems a bit demanding especially for low tech CHs.

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Consultation Questions: The Standard Development Group is requesting assistance in establishing a threshold for use of the term, 'significant' in Indicator 1.8.3. 1) What kinds of changes in ownership and/or changes in management planning should not require notification of the Certification Body? Landowner Dies- passed on to family member 2) What kinds of changes in ownership and/or changes in management planning should require notification of the Certification Body?- Sale of property

**Q52: Are you aware of any additional laws, treaties and/or agreements that should be included in this Annex?**

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):  
The Annex currently is focused mostly on federal laws. However, most of the forests certified by FSC in the US are non-federal, where local and especially state laws and regulations are often especially relevant, both in their own right, and as implementing mechanisms for some federal laws (e.g., state BMPs that address CWA compliance). This situation needs a much more explicit and comprehensive approach than the existing easily-overlooked caveat in a paragraph about federal laws. RECOMMENDATION: While it would be impractical to list all applicable state and local laws, I recommend a prominent new section of the Annex be added, to highlight the central role of local and especially state laws, and to at least provide a comprehensive overview of the types of local and especially state laws that may be applicable, e.g., state forestry rules, state BMPs for water quality, state wildlife laws, state land use laws, state environmental assessment laws, state tax law, laws specifically governing management of state-owned forests, any laws governing chemical applications (if separate from the preceding), etc.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
No

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
no

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
No

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
no

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
No

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):  
No

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
No

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
No

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
No

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
I did not have time to review this Annex, so have no comments to share.

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):  
Federal Arbitration Act

Kara Wires, NEPCon (Economic-member, Certification Body):  
could be expanded to include state laws...or maybe there could be resources on FSC US website for these

**Q53: Do you have any further comments regarding Annex C?**

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):  
This is a great list. Unfortunately, at several thousand pages of documents, it's more than anyone can really know and apply.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
The reference to international agreements, conventions, codes, etc. throughout the standard is problematic, particular when these are not ratified, or US is not signatory, etc. There are potential conflicts between these and US laws and the FSC should closely evaluate before including in the Standard.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):  
RECOMMENDATION: The Annex needs be more explicitly framed as providing examples of applicable laws. Given size of the US and the scope of applicable laws, it's unlikely the Annex will ever be an exhaustive listing. The title should be revised to read: "Annex C: Examples of Applicable Laws...." RECOMMENDATION: Because the Annex will never be a complete listing of applicable laws, the definition of applicable laws should be copied to the beginning of the Annex, to remind readers of the scope of applicable laws, and how they include regulations, case law, etc., and not just higher-order legislation and treaties. Indeed, regulations, case law, etc., are often the most "applicable" part of applicable laws. RECOMMENDATION: While it would be impractical to list all applicable state and local laws, I recommend a prominent new section of the Annex be added, to highlight the central role of local and especially state laws, and to at least provide a comprehensive overview of the types of local and especially state laws that may be applicable, e.g., state forestry rules, state BMPs for water quality, state wildlife laws, state land use laws, state environmental assessment laws, state tax law, laws specifically governing management of state-owned forests, any laws governing chemical applications (if separate from the preceding), etc.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
no

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
No

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
no

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
No

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
NO



Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
No

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
No

Kara Wires, NEPCoN (Economic-member, Certification Body):  
if possible, it would be useful for these to be cross references to applicable Criteria.

**Q54: Is the guidance provided in Annex D understandable and feasible?**

Kara Wires, NEPCoN (Economic-member, Certification Body):  
yes, need some clarification including: How will this apply in the US for workers of subcontractors or purchasers of wood? (C2.6)

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
Yes but is overkill

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
Yes

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):  
Yes

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
To be clear - a dispute can only be considered of substantial magnitude if it relates to principles 1,3, and 4? If I have correctly interpreted that, then I think this is ok. The other problem with the definition of dispute is it includes a person's rights (defined) or interests - undefined. Get rid of the interests - lots of people have interests. What are we considering disputable here? Like I am upset that an FM has harvested a tree I liked (that's my interest) is that worthy of a complaint and all the energy being put forth here? On disputes of substantial magnitude - should include the requirement that these are only related to principles 1,3, and 4. I think that's workable - getting into the rest of the standard with disputes of substantial magnitude could get messy.

Ryan Hilburn, Red River Forests LLC (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
The guidance in Annex D is understandable and feasible.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):  
State agencies have their own prescribed dispute resolution process managed in collaboration with the Attorney General's office. The FSC FM Standard does not supersede that process.

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Standard should be Low risk for Medium and Small Landowners.

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):  
PA BOF handles disputes in accordance with Commonwealth executive protocols, regulations, and laws. The indicators in Principle 1 and processes in Annex D are overly prescriptive and burdensome.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
No- The standard nor the Annex is clear on how to discern when an unwarranted complaint rises to a legitimate dispute. The issue is not with legal rights holders but rather with "interested stakeholders". This lack of clarity may put substantial burden on certificate holders to manage complaints from organizations or governing bodies with no jurisdiction or not based on BMP's, science or sound silvicultural practice. For example, many stakeholders think "selective" harvesting is better than a clear cut. When in fact what they are advocating is high-grading.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
No

Caroline Pufalt, Sierra Club (Environmental-member, Environmental NGO):  
Include language that the dispute resolution process should be available and reasonably accessible to the public.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
I did not have time to review this Annex, so have no comments to share.

Robert Hrubes, Individual Member (Economic-member, ):  
As indicated in FSC-PRO-01-008, I think that "complaints" and "disputes" are synonymous terms.

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):  
(4) The Dispute Resolution Framework is a positive movement forward on clarity in expectations for all parties involved in FSC certification. Disputes that end with disagreement between complainant and certificate holder should be considered resolved if good faith process have been followed. Also, the presence of law enforcement on certified timberlands where all applicable laws are being followed does not necessarily imply a dispute of substantial magnitude and should be removed as an indicator of such.

**Q55: If the guidance in Annex D is followed, will it result in conformance with the dispute resolution requirements of Criteria 1.6, 2.6 and 4.6, and, if applicable, of Indicator 1.6.4?**

Kara Wires, NEPCon (Economic-member, Certification Body):  
not sure. need to see this implemented via an audit to determine this :)

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
No

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
maybe but ultimately disputes will be handled via the US legal system

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
I think so - but with changes requested above.

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):  
(4) The Dispute Resolution Framework is a positive movement forward on clarity in expectations for all parties involved in FSC certification. Disputes that end with disagreement between complainant and certificate holder should be considered resolved if good faith process have been followed. Also, the presence of law enforcement on certified timberlands where all applicable laws are being followed does not necessarily imply a dispute of substantial magnitude and should be removed as an indicator of such.

**Q56: Do you have any further comments regarding Annex D?**

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
The Dispute Resolution Criterion, Indicators, and Annex need additional work to streamline language with goal to minimize redundancy in the P,C, and Is and shift focus to the Annex for details. For example 1.6.1, 1.6.2, 1.6.3, 1.6.4 contemplates requirements for criteria 2.6, 3.2, and 4.6 and repeats much of the language in Annex D.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
See my previous comments about the definition of a complaint. There is no requirement for the complaint to be vetted or substantive. The fact that this can rise to the level of a dispute is problematic.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
People who have concerns with management will make it known regardless of a system being in place. The most important component is that the organization maintains a record of the dispute and the steps taken to try and

resolve.

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
It still remains unclear exactly when this is applied. Probably needs field testing to work out.

Ryan Hilburn, Red River Forests LLC (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Disputes that end with disagreement between complainant and certificate holder should be considered resolved if good faith process have been followed. Also, the presence of law enforcement on certified timberlands where all applicable laws are being followed does not necessarily imply a dispute of substantial magnitude and should be removed as an indicator of such.

Kara Wires, NEPCon (Economic-member, Certification Body):  
clarification needed on what needs to be documented (i.e. dispute system)? dispute of substantial duration definition is confusing--should either put an actual time in or make it part of the dispute system for the CH to set this number. dispute of substantial magnitude...some of the bulleted list items are vague especially "cannot be reversed or mitigated"...again, suggest the CH defines these for their situation. need clarification regarding whether the process is available upon request or publicly posted somewhere. this doesn't apply to "interested stakeholders" according to the Annex. This isn't clear in the Indicators...this should be added to an applicability note in C1.6

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):  
(4) The Dispute Resolution Framework is a positive movement forward on clarity in expectations for all parties involved in FSC certification. Disputes that end with disagreement between complainant and certificate holder should be considered resolved if good faith process have been followed. Also, the presence of law enforcement on certified timberlands where all applicable laws are being followed does not necessarily imply a dispute of substantial magnitude and should be removed as an indicator of such.

**Q57: Will Indicator 2.1.1, as currently drafted, together with the definition of 'child labor' and the indicator's intent language, allow the children of business owners to begin training in the family business as a minor, including in dangerous jobs?**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
Yes, if legal to do so.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
Yes

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):  
yes

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):  
Yes

Brendan Grady, SCS Global Services (Economic-member, Certification Body):  
We suggest that the requirements here just be aligned with federal law, which states what kinds of work are allowed for what ages, with exceptions for family businesses.

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):  
We suggest editing the third bullet in the Intent box as follows: "...within approved national, state, and local laws and regulation."

Randy Coats, Preferred by Nature (Economic-member, Certification Body):  
This should not be an issue if following OHSA laws.

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)): Standard should be Low risk for Medium and Small Landowners. Low risk for large landowners unless FMU is directly in charge of harvesting operations.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)): Seems doubtful

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples): Not sure

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)): Language here should be changed to "except for the purpose of SUPERVISED training" or otherwise establish some defined limit that differentiates between training and working.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)): Intent language is not normative. This should be addressed in the indicator to allow the training of business owners' children.

Dana Doran, Professional Logging Contractors of Maine (Economic-member, Social NGO): In the United States, it is illegal for anyone to operate any type of logging equipment under the age of 18, regardless if they are a family member. Until federal law changes, FSC should not be in conflict.

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)): I'm not sure. Probably best to ask those closest to the situation. In this case though - why not defer to US Labor Laws? Does FSC assume US labor laws are not sufficient to protect against inappropriate child labor?

Kara Wires, NEPCon (Economic-member, Certification Body): I think so. The other child labor that could apply is related to Amish contractors. It may be worth someone more knowledgeable on this to considering this aspect

Celia Headley, Northwest Forest Worker center (Social-member, Social NGO , Community member): I think it does. Obviously, you cannot have a 10 year old falling timber, but an older teen accompanying their parent cruising or marking seems covered.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body): I did not have time to review this principle in detail, so have no comments to share.

Ryan Hilburn, Red River Forests LLC (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)): As currently drafted along with the definition of "child labor" the indicator would allow for the children of the business owner to work in the family business. However, the indicator does not allow for those that may be close relatives (niece, nephew, grandchild, etc.) of the owners that wish to participate. This oversight should be addressed.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor): As a general observation, I do not think it's a good idea to reference ILO Conventions and Declarations that the US has not ratified in a standard that is supposed to address US forest management. Regarding child labor, the indicator seems to follow US law.

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)): 2.1: Limit to direct workers - not all workers. 2.1.2: This will be impossible to audit, as auditors will not have access or be granted access without subpoenas to these records. 2.1.4: Make sure through interpretation/guidance that a CH can be found to be "respecting" freedom of association and right to collective bargaining without actually being directly involved in negotiating with unions and contractors. Need to be cognizant of what can be supported in a U.S. legal construct.

**Q58: Are the applicable laws and/or regulations covering health and safety of workers provided in Annex C and referenced in Indicator 2.3.1 adequately enforced? Please indicate if your response is opinion, or identify the evidence/data you are using as a basis for your response.**

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):

yes, through (1) training; (2) contractual language (3) monitoring of employee and contractor health and safety and (4) existing databases and other mechanisms that can be used to verify compliance with laws

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Yes to the extent that the organization is aware of them. This issue of all workers is going to make this very difficult to be in compliance.

Celia Headley, Northwest Forest Worker center (Social-member, Social NGO , Community member):

There is scant to no evidence of enforcement on FSC certified lands. The one reference I was ever presented is an internal FSC review that found the highest level of nonconformance was for worker health and safety violations. On the other hand, there are multiple studies and observations, many peer reviewed and published, that present ample evidence of large scale non compliance or enforcement across many landscapes. I have provided some of these resources previously to FSC.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

The standard for the US should simply state that the law is being followed.

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

The new definition of "workers" includes contractors. This definition and associated requirements may conflict with MI state law regarding Workman's Comp responsibilities and other requirements.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

Public agencies can demonstrate conformance with current safety and health laws by documenting, through contract language, that it has required its contractors to comply with all applicable laws. The definition of Workers should be modified to EXCLUDE those in a contractual relationship with The Organization. Public agencies have only a contractual relationship with these workers and are not able under state law to extend internal agency employee health and safety rules and coverage to external entities. Extending such benefits is a violation of state law and, if the current definition of Workers remains, may disallow public agencies to maintain FSC certification.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

OSHA is responsible for the safety and health of workers. It has been my experience that OSHA does an adequate job in the regard.

Kara Wires, NEPCon (Economic-member, Certification Body):

Opinion: there is a gap in Org and even works full knowledge of requirements which means gaps in implementation. FSC US could help by developing reference lists, tools, etc.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):

Opinion - yes

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):

My opinion is yes

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):

In my opinion yes. This would be a good question for FSC to ask the state attorney general

Dana Doran, Professional Logging Contractors of Maine (Economic-member, Social NGO):

FSC and FM certificate holders should require workers' compensation insurance from all contractors that work on their land. If they do not, it creates unsafe workplace practices and a system where subcontractors are utilized who do not have workers' comp. and simply undercut the other contractors at lower price. This is not good for the

health and well being of the contractor and their employees. It also creates unfair work practices if there is an unlevel playing field.

Andrew Carlo, F&W Forestry (Economic-nonmember, Certificate Holder (FM)):

Expanding the class of “Workers” to include workers who are not direct employees of the certified organization may pose conflicts to the contractor relationship with forest workers. In many cases, landowners and managers in a contractor relationship are advised to maintain an arms-length relationship with the contractor, to avoid the appearance of direct instruction and supervision (which may be interpreted as “employment” in situations related to liability and insurance). Conflicts in this area could open forest landowners and foresters to liability claims for matters outside their control. Some landowners could perceive that the risk of liability outweighs the benefits from FSC. With regard to Workers Compensation Insurance (2.6.1): some contractors in some states, by choice and legally, exempt certain workers (owners and partners, for example) from Workers Comp policies. It is unrealistic to expect a certified landowner or manager to investigate and question legal choices (with substantial economic consequences for the contractor) made by logging and other contractors, especially when they operate in an “arms-length relationship”. An alternative approach may be to include in the new Standard a requirement that the certified organization provides notice to all contractors of legal requirements regarding forest workers, and contracts for services require compliance with all laws and regulations.

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):

C2.3: Basic premise and expectation is OK but need to make sure that this is audited and implemented in a way that is appropriate with US laws and does not supersede the role of the contractor to ensure safe operating conditions for their employees. Will likely be huge variance in implementation and auditing.

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

Based on personal experience in northern California, I believe they are enforced. Much like traffic enforcement, not every violation is caught - so if adequately enforced means 100% violations are caught then that is a different answer.

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):

(1) All forest workers deserve safe and fair working conditions. We believe the current FSC-US Forest Management Standard (V1.0) provides a strong framework for ensuring forest workers have safe and fair working conditions. We note the concern raised on the engagement portal that, “While it is FSC’s understanding that Certificate Holders are following all relevant laws, there is concern about contractors and subcontractors working on FSC-certified Management Units, especially when it comes to health, safety, and wellbeing of their employees.” In our collective experience, audit teams visit 5-10 active contracting sites per audit, speaking with lead contractors as well as contract employees in confidential conversations to confirm payment of wages and fair and safe treatment. This method has resulted in identification of potential safety issues and facilitated better contract management by certificate holders. The engagement portal goes on to state, “There is also a concern that the extensive use of contractors and subcontractors may represent a loss of economic opportunities for the local communities adjacent to or surrounding the FSC certified Management Units”. On the timberlands represented in this letter, with limited exceptions nearly all contractors and contract employees are local. For one of the undersigned companies, for example, the value of local goods and services purchased in 2019 was \$37 million. Exceptions include tree planting crews (there are limited local planting contractors) and logging contractors with specialized equipment (such as cut-to-length operations). In both of these examples the contractor’s employees are covered by workers compensation insurance as well as federal and state workplace health and safety requirements and wage and hour requirements. We understand and agree with the intention presented here and would like further confirmation that it is an ongoing problem. It is of utmost importance to include a certificate holder in the workers forum to ensure these facts are well-represented and to better understand the problem indicated.

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Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

The standard for the US should simply state that the law is being followed.

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

State governments may be prohibited from considering contractors as workers as defined by the standard. Contractor compensation is regulated by state and federal law.

Ryan Hilburn, Red River Forests LLC (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)): Sole proprietors should be excluded from this requirement and afforded the option of securing their own health, disability, and life insurance coverage at costs and limits they determine.

Dana Doran, Professional Logging Contractors of Maine (Economic-member, Social NGO): Sole proprietors can still be required to purchase an owners policy. If they are injured on the job, it is still a workplace injury and should not be a claim on private insurance. Again, there needs to be a level playing field in terms of requirements and cost to drive professionalism.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government): Public agencies can demonstrate conformance with current safety and health laws by documenting, through contract language, that it has required its contractors to comply with all applicable laws. The definition of Workers should be modified to EXCLUDE contract employees. Public agencies have only a contractual relationship with these workers and are NOT able under state law to extend internal agency employee health and safety rules and coverage to external entities. Extending such benefits is a violation of state law and, if the current definition of Workers remains, may disallow public agencies to maintain FSC certification.

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)): PA BOF can address this provision for EMPLOYEES, but we cannot be held responsible for this for WORKERS or contractors of ours, as defined. There is no mechanism for us to address this with contractors.

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)): No, it is the responsibility of the sole-proprietor contractor to submit a bid that covers all of their costs including wages and profit.

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)): industry norm wage information is available for some areas. State and / or federal laws that address fair compensation

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)): IDK

Celia Headley, Northwest Forest Worker center (Social-member, Social NGO , Community member): I understand the issue as I was a forestry services sole proprietor and I chose to not carry workers compensation for myself when I no longer engaged in more dangerous work. At that time I assumed all risk and had no expectation of compensation except in the case of negligence. Is it possible that an organization's liability or other insurance would cover costs of injury or loss such as from a falling tree?

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)): I am not qualified to answer

Andrew Carlo, F&W Forestry (Economic-nonmember, Certificate Holder (FM)): Expanding the class of "Workers" to include workers who are not direct employees of the certified organization may pose conflicts to the contractor relationship with forest workers. In many cases, landowners and managers in a contractor relationship are advised to maintain an arms-length relationship with the contractor, to avoid the appearance of direct instruction and supervision (which may be interpreted as "employment" in situations related to liability and insurance). Conflicts in this area could open forest landowners and foresters to liability claims for matters outside their control. Some landowners could perceive that the risk of liability outweighs the benefits from FSC. With regard to Workers Compensation Insurance (2.6.1): some contractors in some states, by choice and legally, exempt certain workers (owners and partners, for example) from Workers Comp policies. It is unrealistic to expect a certified landowner or manager to investigate and question legal choices (with substantial economic consequences for the contractor) made by logging and other contractors, especially when they operate in an "arms-length relationship". An alternative approach may be to include in the new Standard a requirement that the

certified organization provides notice to all contractors of legal requirements regarding forest workers, and contracts for services require compliance with all laws and regulations.

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

Don't require sole proprietors to carry workman's comp. This is unworkable - all FSC certified CHs will immediately stop using sole proprietors and this is an easy consequence to predict. Why does there have to be a mechanism?

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

contractors are all "at will" workers and if they do not agree with the compensation being offered there is nothing to force them to work for those rates. Therefore fair compensation is determined by the open market

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):

2.6.1: This is a deal breaker and not appropriate from a U.S. legal context. Many contractors and subcontractors are sole-proprietors and workers compensation is not required legally in many states. Even if workers compensation is in place, it may not cover the owner. Limit to direct employees of the CH.

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):

(3) As a follow-up to item 1: our timber operators carry workman's compensation if they employ forest workers (Indicator 2.6.1). Requiring sole proprietors to carry workman's compensation insurance for themselves is unnecessary and may have the unintended consequence of certificate holders avoiding the use of sole proprietors. Sole proprietors should be excluded from this requirement and afforded the option of securing their own health, disability, and life insurance coverage at costs and limits they determine.

**Q60: Indicator 2.6.1: (B) Would requiring The Organization to set up other mechanisms for providing fair compensation to workers for losses or injuries sustained on the job be sufficient in these contexts?**

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):

There exist perfectly legal exemptions to workers compensation requirements in PA law. PA BOF cannot be responsible for losses or injuries sustained by non-employee, WORKERS, on our management unit. The remedy that FSC seeks here would require PA BOF to exceed the requirements of PA law. It is not financially feasible for PA BOF to fill the potential need for compensation for losses and injuries of all un-insured workers. We would have to require proof of workers compensation insurance for a contractor to work on the management unit. While theoretically possible, this is not a feasible solution because it would be highly disruptive to the timber products industry, and by excluding many contractors from working on the management unit, it would be highly damaging to our timber management program.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

The standard for the US should simply state that the law is being followed.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

Public agencies can demonstrate conformance with current safety and health laws by documenting, through contract language, that it has required its contractors to comply with all applicable laws. The definition of Workers should be modified to EXCLUDE contract employees. Public agencies have only a contractual relationship with these workers and are NOT able under state law to extend internal agency employee health and safety rules and coverage to external entities. Extending such benefits is a violation of state law and, if the current definition of Workers remains, may disallow public agencies to maintain FSC certification.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):

Organizations are not going to take this on. Most companies require workers comp to ensure they do not have this kind of liability.

Celia Headley, Northwest Forest Worker center (Social-member, Social NGO , Community member):

Not sure what mechanisms could replace Worker's compensation other than the organization maintaining a multi million dollar trust to cover losses and injuries. One worker transport accident, a leading cause of injury and death in the woods, has the potential to have costs stretching for years to fairly compensate those involved. Injury to



forest workers can often mean the end of their ability to perform the work required and need for retraining. Perhaps, FSC needs to consider workers compensation as fundamental as other indicators and include it in the cost of stewardship. This would be similar to the numerous financial impacts of stewardship level ecological practices required by FSC.

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):

No. The organization bids out projects and it is up to the contractor to bid accordingly to cover their costs of workers compensation.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

no

Dana Doran, Professional Logging Contractors of Maine (Economic-member, Social NGO):

No

Kara Wires, NEPCon (Economic-member, Certification Body):

my opinion is this would be complicated and difficult to implement...and possible legality concerns?

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):

It seems that the sole proprietor should bear responsibility for protecting their interests, particularly as an independent contractor.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

IDK

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

I would propose that instead of going down this path - FSC-US consider asking organizations to conduct due diligence reviews on contractors they hire - this could entail interviews asking about safety records, payment of wages on time, etc. There's probably lots of ways to do this without adding such additional burden to certificate holders but also providing protection to forest workers.

Jimmy Bullock, Resource Management Service, LLC (Economic-nonmember, Certificate Holder (FM)):

At least for RMS we see no need for any other mechanisms to be established

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

Again, governments would likely not have the latitude to do this with changing state law.

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):

2.6.1: This is a deal breaker and not appropriate from a U.S. legal context. Many contractors and subcontractors are sole-proprietors and workers compensation is not required legally in many states. Even if workers compensation is in place, it may not cover the owner. Limit to direct employees of the CH.

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):

(3) As a follow-up to item 1: our timber operators carry workman's compensation if they employ forest workers (Indicator 2.6.1). Requiring sole proprietors to carry workman's compensation insurance for themselves is unnecessary and may have the unintended consequence of certificate holders avoiding the use of sole proprietors. Sole proprietors should be excluded from this requirement and afforded the option of securing their own health, disability, and life insurance coverage at costs and limits they determine.

**Q61: Do you have any comments regarding Principle 2 that are not indicator-specific?**

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):

US law should be sufficient. FSC-US needs to obtain legal counsel to help identify where the current legal structure sufficiently covers such items and then make the case to FSC-IC and remove the relevant IGIs to save

CH and auditors redundant effort, cost, confusion, etc.

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

This Principle introduces a new definition for “Worker” as follows; “All employed persons including public employees as well as “self-employed” persons”. This includes part-time and seasonal employees, of all ranks and categories, including laborers, administrators, supervisors, executives, contractor employees as well as self-employed contractors and sub-contractors”. The definition should be amended for government entities to exclude “as well as “self-employed” persons” and “contractor employees, as well as self-employed contractors and subcontractors”. Criterion 2.6 Intent – The intent box for this Criterion states “Annex D provides background on the framework of the dispute\* management system employed in this Standard and provides guidance for Organizations\*. The Organization\* addresses the indicators of Criterion 1.6 to ensure that disputes\* from workers\* are received and addressed”. There is a need to add at the end of this first paragraph the following – For state and local government entities, compliance with applicable state law including workers’ compensation laws and applicable collective bargaining agreements will demonstrate compliance with Annex D. The second and third paragraphs go on to say “While this Criterion\* applies to worker\* disputes\* while working on the Management Unit\*, it is recognized that The Organization\* has limited capacity in managing and implementing dispute\* resolution processes where The Organization\* is not directly involved in the dispute\* (e.g., a dispute\* between a contractor and subcontractor operating on the Management Unit\*). In some cases, disputes\* may exist between a worker\* and their employer where the employer is not The Organization\*. In these cases, the requirements of the Criterion\* are still applicable, but the approach for demonstrating conformance may be different”. There is a need to add the following language to the end of the third paragraph; “A government entity can demonstrate conformance by documenting that it has required its contractors to comply with state law”.

Ryan Hilburn, Red River Forests LLC (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

The proposed changes in Principle 2 violates the separation between the Organization and its contactors by directing the Organization to ensure workers (as defined to include contactors) rights and employment conditions are consistent under the requirements of Principle 2. If the Organization directly supervises employees of the contactor; the contactor’s employees would be reclassified as employees of the Organization. By contractual agreement, the Organization can require contractors to protect their employee rights and employment conditions consistent with Principle 2. We suggest all indicators within Principle 2 be reviewed to ensure separation between the Organization and its contractors (and subcontractors), and independent contractors. Further, we suggest the following change to the definition of “workers”: “Workers\*” are defined as “All employed persons, including public employees as well as self-employed persons. This includes part-time and seasonal employees of all ranks and categories, including laborers, administrators, supervisors, and executives of the organization; as well as employees of contractors and their subcontractors, and self-employed contractors.”

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

The new definition of work is problematic for state agencies and runs counter to established state law and internal policies. Potentially, the definition could be reworded to note the difference between contract employees and entities that sign a purchase/operations contract. Even then, this isn’t how state employment works -- the entire list in the revision are not and can not be covered by internal policies. If the definition stands as-is, this could disallow continued certification by state agencies.

Brendan Grady, SCS Global Services (Economic-member, Certification Body):

The intent notes in 2.1 vs. 2.2 state the applicability for employees of the organization or vs all workers. This should be carried out for the remainder of the Criteria in P2, since it is an ongoing level of concern from CHs which elements of the standard apply to CH employees, as opposed to contractors, and employees of contractors, employees of lessees, etc.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

The expanded definition of worker to include the employees of contractors and subcontractors is problematic.

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

Standard should be Low risk for Medium and Small Landowners. Low risk for large landowners unless FMU is

directly in charge of harvesting operations.

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):

Please explain how the organization would enhance the social well being of a subcontractor. This organization requires the contractors to: Maintain general liability insurances Maintain MN statutory limits of workers compensation and employer's liability insurance Hold harmless and indemnify the organization for any and all claims caused either in whole or in part by the contractor. Shall comply with all applicable state and federal labor laws regarding discrimination, wages , benefits and other conditions of employment Shall comply with all applicable state and federal data privacy laws Must not be delinquent in the payment of federal state or local taxes. Anything more than this would violate the Contractor-Employee relationship.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):

No, seems straight forward to me.

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

No

Celia Headley, Northwest Forest Worker center (Social-member, Social NGO , Community member):

My overriding concern is that Principle 2, the indicators, and guidance address the current state of workers rights and employment conditions and provide a pathway for compliance. I have observed that formerly the official FSC position, reflected on some audits and the CW risk assessment as well as statements of leadership, has been that the US had such good labor laws that compliance was assumed. The actual situation is more complicated and needs to be better understood in order for Principle 2 to be actualized by certified organizations. As I state in other comments, forestry services has become an underclass industry, exploiting guest and other vulnerable workers and creating conditions which deny opportunities for local companies and workers. I am also concerned that organizations will view Principle 2 compliance as overreach or too burdensome and be very resistant.

Scott MacDougall, J.D.Irving, Limited (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

Laws in Maine do not allow us to have any influence on our contractor's employees in any regard. Legally we need to be arm's length with our contractors. Our contractors sign a logging contract each year with us that requires contractors to train their employees.

Robert Hrubes, Individual Member (Economic-member, ):

Last sentence of 1st paragraph does not make sense. ; "including public employees" is only applicable to public lands so this adds confusion and should be deleted.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

In general we feel that compliance should be based on following state and federal regulations pertaining to this subject. We work in a region where there are Amish and Mennonite logging contractors. They have religion-based influences upon their work practices. This Principle already pits one set of social standards against another. Additional requirements will increase this conflict, potentially eliminating the ability for us to use Amish and Mennonite contractors, which in turn would reduce our ability to support local contractors and communities required by the standard.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

I believe much of the new language will be very difficult to audit and do not agree with the concept of gender equity being part of a forest management standard. Requiring organizations to potentially pay for losses and injury should not be part of the standard. US labor laws and workers compensation laws are in place for this purpose.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

Generally, P2 seems like it will be difficult to audit. Consider replacing "equality" with "equity" in P2 text, since I believe equity is what FSC is actually after. Also consider a greater focus on auditing the company's processes with regards to P2 requirements and on implementation of those processes, as opposed to auditing the results- it is easier to audit the process than to look at the results, and it is also easier to look for large gaps in those

processes that may influence the results, if results appear to be poor.

Kara Wires, NEPCon (Economic-member, Certification Body):

definition of worker still has gaps...what about someone who is not considered a contractor but is a vendor or purchaser? Could it just say a worker is anyone involved in management activities on the MU? The problem statement included "all workers implementing management activities within a certified management unit"...this is a good definition.

Gordon Gamble, Wagner Forest Management Ltd. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Criteria 2.6 –With regards to disputes between workers and their employers- The intent box mentions instances where disputes between a contractor and subcontractor may occur and the Organization (not the employer) still needs to engage and help resolve differences. I believe this is in conflict with IRS rules regarding employer-employee relationship as outlined in IRS publication 15-A under Behavioral Control. Indicator 4.2.1 speaks to ensuring the local community rights are respected. Logic would imply the same approach to local contractors and managing their business including settling their disputes with employees or subcontractors without interference. The forced inclusion of the Organization in this example of dispute resolution in the US is inappropriate and should be exempted in the intent/ guidance box.

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):

(2) The proposed changes in Principle 2 violates the separation between the Organization and its contactors by directing the Organization to ensure “workers” (as defined to include contactors) rights and employment conditions are consistent under the requirements of Principle 2. If the Organization directly supervises employees of the contactor; the contactor’s employees would be reclassified as employees of the Organization. By contractual agreement, the Organization can require contractors to protect their employee rights and employment conditions consistent with Principle 2. We suggest all indicators within Principle 2 be reviewed to ensure separation between the Organization and its contractors (and subcontractors), and independent contractors. Further, we suggest the following change to the definition of “workers”: “Workers\*” are defined as “All employed persons, including public employees as well as self-employed persons. This includes part-time and seasonal employees of all ranks and categories, including laborers, administrators, supervisors, and executives of the organization; as well as employees of contractors and their subcontractors, and self-employed contractors.”

**Q62: Please share any additional comments you have regarding Indicator 2.1.1.**

Kara Wires, NEPCon (Economic-member, Certification Body):

With the passive language of this Indicator, it will likely be audited as the Org will be in conformance unless a nonconformance is identified. Given the low risk nature of this in the US, this is probably OK.

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):

Was there a gap identified in the previous standard that recognized this issue that justified the need to draft a new indicator? Do Us Certificate Holders have issues meeting this indicator? There are state of Minnesota and federal child labor laws that address this issue.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

The extension of these requirements to our contractors is unreasonable. Many are very small operators working in rural areas. Any training they might be required to do beyond what is required by law will be seen as overreaching and an unnecessary financial burden.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Robert Hrubes, Individual Member (Economic-member, ):

Intent: Is it reasonable for an auditor to address "development" of youth?; compulsory education laws are every where in the US so simply inserting an IGI into the US standard here does not work; replace "national laws" with "federal laws"; "worst forms of child labor" from IGI glossary has no relevance in the US and needlessly adds to the excessive length of this Standard.

**Q63: Please share any additional comments you have regarding Indicator 2.1.2.**

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):

The indicator should be rewritten to "The Organization\* does not engage in any form of forced or compulsory labor\*".

Kara Wires, NEPCon (Economic-member, Certification Body):

same comment as 2.1.1

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):

PA BOF has a work program with corrections system. It is not clear to us whether that would be considered "compulsory" work, but it is a highly successful and positive program that we will continue.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Celia Headley, Northwest Forest Worker center (Social-member, Social NGO , Community member):

Contracted forestry services are increasingly performed by guest workers. I am concerned that much of the intent of 2.1.2 will be challenging to accomplish without a comprehensive understanding of the following: "Withholding of wages /including payment of employment fees and or payment of deposit to commence employment" "Threats of denunciation to the authorities" - Both of these practices occur regularly to guest & undocumented workers. "Restriction of mobility/movement" "Retention of passport and identity documents" - My understanding is that guest workers are legally subject to these practices. How will organizations obtain evidence of the absence of these common practices?

**Q64: Please share any additional comments you have regarding Indicator 2.1.3.**

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

This indicator ensures that there is no discrimination in employment and occupation. To be consistent with state law, the guidance box should be amended to include "for government entities, as specified in their applicable state laws".

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

The "other distinctions" listed in (b) may be inconsistent with state law.

Kara Wires, NEPCon (Economic-member, Certification Body):

Same comment as 2.1.1 (and 2.1.2) except this will be harder to audit because nonconformance would be difficult to observe...would rely solely on interviews. If there was a requirement to have a policy, it would be easier to audit. Maybe this is OK given low risk in the US?

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Robert Hrubes, Individual Member (Economic-member, ):

Intent language is superfluous to the language of the indicator. Delete it.

Randy Coots, Preferred by Nature (Economic-member, Certification Body):

How would you audit "discrimination"? Current US Laws already prohibit this practice. Is FSC looking to going back to a "quota system"? Isn't it in the employers best interest to hire the best qualified person for the job regardless of all the other factors?

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):

Equal employment opportunity is the Law. The United States has adequate laws and regulations relating to discrimination based on race, color, sex, religion, political opinion, national extraction, social origin, sexual orientation, or gender identity. For example: Executive Order 11246 as amended Section 503 of the Rehabilitation Act of 1973 38 USC 4212 of the Vietnam Era Veterans' Readjustment Assistance Act of 1974 as amended Title VII of the Civil Rights Act Of 1964 as amended Americans with Disabilities Act of 1990 as amended Age

Discrimination in Employment act of 1967 as amended Equal Pay Act of 1963 as amended Title VI of the Civil Right Act Title IX of the Education Amendments of 1972 Sections 501,504 and 505 pf the Rehabilitation Act of 1973

Celia Headley, Northwest Forest Worker center (Social-member, Social NGO , Community member):  
Concern about how this could be monitored.

**Q65: Please share any additional comments you have regarding Indicator 2.1.4.**

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

This indicator requires the Organization respect freedom of association and the right to collective bargaining. In the Intent box, the first bullet states that “Workers are able to establish or join workers organizations of their own choosing”. This needs to be modified to tack on at the end – “or for government entities, the worker organization they are legally entitled to join under applicable law”.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

The first bullet in "intent" is inconsistent with state law. For government entities, employees are legally entitled to join organizations as outlined in state law and governed by specific union contracts. Note that this is only for employees and not the whole suite listed in the expanded definition of Worker.

Kara Wires, NEPCon (Economic-member, Certification Body):

Same comment as 2.1.1 (and 2.1.2) except this will be harder to audit because nonconformance would be difficult to observe...would rely solely on interviews. If there was a requirement to have a policy, it would be easier to audit. Maybe this is OK given low risk in the US?

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

How will this apply in areas where workers are not allowed to choose their unions? I think this needs more legal investigation to the various state laws on this. I remain concerned about this indicator and its impacts.

Celia Headley, Northwest Forest Worker center (Social-member, Social NGO , Community member):

Concern about how this could be monitored. There is evidence of employer bullying and retaliation for organizing or even for just requesting adherence to labor laws and standards.

**Q66: Please share any additional comments you have regarding Indicator 2.2.1.**

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

This indicator requires that “systems are implemented that promote gender equity and prevent gender discrimination in training opportunities, awarding of contracts, processes of engagement, and management activities”. At the end, should add “For government entities, this indicator is limited to the extent that it is consistent with applicable procurement laws”.

Randy Coots, Preferred by Nature (Economic-member, Certification Body):

So here we have the “quota system” being implemented. I am all for being equal in opportunity, not requiring an outcome. My vision of auditing to this would be if a company has a staff of 10 male procurement foresters asking why is there no females? In my opinion, this is actually insulting to the females in the field of forestry. It is stating that they need help in getting employed as foresters. When in reality most of the female foresters I know are far more qualified and are being employed at a higher level.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

Non-discrimination practices should refer only to employees of The Organization, not those with any contractual

relationship. Additionally, for government entities, this Indicator should be limited to the extent that it is consistent with applicable laws. Those with a contractual relationship are bound by contract clauses to "follow all laws" which cover non-discrimination.

Robert Hrubes, Individual Member (Economic-member, ):

Intent: Why doesn't the intent exclude other workers engaged on the FMU? Guidance needs more explanation for gender identities.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

determining if the system is robust enough and having any impact will be difficult to audit.

Kara Wires, NEPCon (Economic-member, Certification Body):

consider using equity vs. equality This is a really hard one to audit and for CHs to demonstrate conformance. I suggest it is edited to indicate they need a documented system...and then we can audit against the system. Indicator and Guidance mention "awarding of contracts" and "contracts" but if this is for employees only (as per the Intent), consider removing contract references. unclear on "processes of engagement" and who is supposed to be engaged. more guidance or examples would be helpful.

**Q67: Please share any additional comments you have regarding Indicator 2.2.2.**

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

this is not necessary. The organization must follow all laws and regulations so there is no need to call out every specific law and regulation.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

None

**Q68: Please share any additional comments you have regarding Indicator 2.2.3.**

Kara Wires, NEPCon (Economic-member, Certification Body):

This is a really hard one to audit and for CHs to demonstrate conformance. I suggest it is edited to indicate they need a documented system...and then we can audit against the system. Guidance is needed.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

Non-discrimination practices should refer only to employees of The Organization, not those with any contractual relationship. Those with a contractual relationship are bound by contract clauses to "follow all laws" which cover non-discrimination.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

how will this be audited?

**Q69: Please share any additional comments you have regarding Indicator 2.2.4.**

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

This indicator requires that "Confidential mechanisms exist for reporting and eliminating cases of sexual harassment and discrimination based on gender, gender identity, marital status, parenthood, or sexual orientation". To align with law, "familial status" needs to be added.

Kara Wires, NEPCon (Economic-member, Certification Body):

These mechanisms should be documented and readily available. That should be added.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):  
Non-discrimination practices should refer only to employees of The Organization, not those with any contractual relationship. Those with a contractual relationship are bound by contract clauses to "follow all laws" which cover non-discrimination.

**Q70: Please share any additional comments you have regarding Indicator 2.2.5.**

Kara Wires, NEPCon (Economic-member, Certification Body):

This is a really hard one to audit and for CHs to demonstrate conformance. I suggest it is edited to indicate they need a documented system or protocol...and then we can audit that. Guidance is needed.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):  
Non-discrimination practices should refer only to employees of The Organization, not those with any contractual relationship. Those with a contractual relationship are bound by contract clauses to "follow all laws" which cover non-discrimination.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Need to consider additional measures than those listed as a basis of equal compensation.

**Q71: Please share any additional comments you have regarding Indicator 2.3.1.**

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

This is the only indicator that is needed. All others in Principle 2 are duplicative.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):  
Public agencies can demonstrate conformance with current safety and health laws by documenting, through contract language, that it has required its contractors to comply with all applicable laws. The definition of Workers should be modified to exclude those in a contractual relationship with The Organization. Public agencies have only a contractual relationship with these workers and are not able under state law to extend internal agency employee health and safety rules and coverage to external entities. Extending such benefits is a violation of state law and, if the current definition of Workers remains, may disallow public agencies to maintain FSC certification.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):  
Indicator 2.3.1: The Indicator's reference to Annex C needs to avoid implying that the Annex is a complete list of applicable laws, as discussed below in comments on the Annex. RECOMMENDATION: Edit the Indicator to read: "...workers (including per Annex C).

Celia Headley, Northwest Forest Worker center (Social-member, Social NGO , Community member):  
How will this be monitored and verified?

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):  
Delete the words "or exceeds"

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
As with all of the indicators in Principle 2, the CH must maintain an arms length relationship with contractors and their employees so the CH cannot be directly involved in the health and safety of a contractor's employees without crossing the employee/employer line.

**Q72: Please share any additional comments you have regarding Indicator 2.3.2.**

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):



None

Kara Wires, NEPCon (Economic-member, Certification Body):

i don't see how this is different from 2.3.1 so edits and clarification are needed. Can they be combined? Actually, would rather see Indicators laid out like: 1. develop a program (the meets all laws). 2. implement the program.

Celia Headley, Northwest Forest Worker center (Social-member, Social NGO , Community member):

How will this be monitored and verified?

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):

Change to from worker to employee in 2.3.2. Since the Organization does not direct or control the work performed by the contractor or subcontractor, the organization should not be responsible for the safety of the contractor or sub. The contractors and subcontractors should be responsible for their own personal safety. FSC should request a legal opinion from their council on this topic.

**Q73: Please share any additional comments you have regarding Indicator 2.3.3.**

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):

Use existing US Indicator 4.2.b The forest owner or manager and their employees and contractors demonstrate a safe work environment.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Kara Wires, NEPCon (Economic-member, Certification Body):

Delete this. I don't see why this is needed. The other Indicators cover the Criterion requirements.

Rebekah Luedtke, Wisconsin County Forests Association (Unknown-nonmember, Government):

Comment: As a local government entity, we are required to maintain a strict and distinct separation from employees of a contractor. We can require compliance with state Workers Compensation and Occupational Safety and Health Administration, but any further contractual requirements exposes the "Organization" to liability. Recommendation: Maintain existing indicator language as is.

Robert Hrubes, Individual Member (Economic-member, ):

"The forest owner or manger and their employees and contractors demonstrate a safe work environment" should be added.

**Q74: Please share any additional comments you have regarding Indicator 2.4.1.**

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

We recommend modifying as follows "Forestry employee compensation meets or exceeds the prevailing local\* norms within the forestry industry".

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

RE C2.4: EMPLOYEE wages are governed by union contracts and state regulations in coordination with the Office of Financial Management. Those with a contractual relationship are bound by contract clauses to "follow all laws" that cover wage, labor and insurance requirements.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Kara Wires, NEPCon (Economic-member, Certification Body):

Indicator language only includes employees. If this is accurate, include an Intent box for the Criterion like it does for C2.2.

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

I have some concerns about this. I understand the desire to provide a good, living wage and agree with that. But

requiring organizations to exceed local norms seems excessive. What if an organization puts more effort into being a great place to work and thus can pay at (or even a bit below) local norms but everyone is happy and it works and allows them to run their business. Does FSC really want to get in the middle of that? How about something like organization pays livable wages? Or something less demanding.

Celia Headley, Northwest Forest Worker center (Social-member, Social NGO , Community member):  
How will this be monitored and verified?

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):  
Employee salaries are controlled by union contracts and executive directives and may or may not meet or exceed industry norms. Changing this is not feasible. The standard should recognize that public organizations do not have control over pay scales.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):  
Companies can reach agreements on industry wages, but living wages are politically driven based on perceived societal needs, not actual worth of goods and services. The concept of living wages is highly contentious and not well enough defined to include in a forest management standard.

**Q75: Please share any additional comments you have regarding Indicator 2.4.2.**

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Kara Wires, NEPCon (Economic-member, Certification Body):  
Indicator language only includes employees. If this is accurate, include an Intent box for the Criterion like it does for C2.2.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
By law the certificate holder cannot be involved in a contractor's day to day business operations, therefore how can the holder assure that contractor employees are paid on time? If contract language will suffice than this change is fine, however the certificate holder cannot be expected to monitor the day to day financial operations of a contractor.

**Q76: Please share any additional comments you have regarding Indicator 2.5.1.**

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):  
The requirements in the guidance for this indicator and in Annex E are feasible for EMPLOYEES. Some of the requirements are not feasible for WORKERS of contractors. PA BOF requires an SFI-trained logger be onsite for all timber sales, but beyond that requirement, it is not practical for us to mandate and have records of training by all workers.

Kara Wires, NEPCon (Economic-member, Certification Body):  
The last sentence of the Guidance box about training records should be added to the Indicator. Guidance also mentions SAF CF program...would be better to have (or add) the state forest license programs

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):  
RE C2.5: The training requirements outlined in Annex E are met for EMPLOYEES of The Organization. For those with a contractual relationship, training is met through contract clauses and training records of contractors are not available or able to be retained by the certificate holder.

Celia Headley, Northwest Forest Worker center (Social-member, Social NGO , Community member):  
How will this be monitored and verified?

Robert Hrubes, Individual Member (Economic-member, ):  
Guidance: last sentence "Regardless of the training and supervision measures taken"--it is not clear what this means...Delete it.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
CH can't train and supervise a contractor's employees.

**Q77: Please share any additional comments you have regarding Indicator 2.6.1.**

Randy Coots, Preferred by Nature (Economic-member, Certification Body):

While understanding the need for coverage, this may present undue financial burdens on the smaller operations. This is truly a very difficult issue and the intent is good. However, business is not always about fairness.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

This standard should simply state that the certificate holders needs to comply with state and federal regulations.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):

This needs additional economic evaluation to understand financial implications for Organizations.

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):

The employees of the organization have worker's compensation coverage. The Organization does not control the WC for contractors and subcontractors. It is the responsibility of the contractors and subcontractors to follow the applicable laws.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Requiring workers comp is a good thing but is going to be very difficult to implement regarding the requirement of "all workers". The exemption process is very common for sole proprietors and officers of companies therefore requiring the organization to provide coverage is going to be a non-starter for many.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

RE C2.6: The matters described in this Criterion are governed by union contracts and internal policies for those EMPLOYEES not in unions. Those with a contractual relationship are bound by contract clauses to "follow all laws" which cover worker's compensation and safety requirements. Note: A government entity can demonstrate conformance by documenting that it has required its contractors to comply with state law. RE 2.6.1: Public agencies can demonstrate conformance with current safety and health laws by documenting, through contract language, that it has required its contractors to comply with all applicable laws. The definition of Workers should be modified to EXCLUDE contract employees. Public agencies have only a contractual relationship with these workers and are NOT able under state law to extend internal agency employee health and safety rules and coverage to external entities. Extending such benefits is a violation of state law and, if the current definition of Workers remains, may disallow public agencies to maintain FSC certification.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Kara Wires, NEPCon (Economic-member, Certification Body):

Last sentence in Intent for C2.6 is confusing...please add additional guidance. Last sentence of the Indicator could be legally problematic for CHs. This Indicator in general will be hard to audit. If it is considered low risk, we can just do interviews and if no issues, it will be conformance. If it is higher risk/concern, requiring documentation should be included in the Indicator. Or it could be addressed by saying this should be included in the contract (as per 2.3.3

Celia Headley, Northwest Forest Worker center (Social-member, Social NGO , Community member):

How will this be monitored to ensure contract workers are covered? Studies have shown that denying workers medical care and workers compensation is not an uncommon practice.

Rebekah Luedtke, Wisconsin County Forests Association (Unknown-nonmember, Government):

Comment: The consultation questions specifically refer to sole proprietor contractors who are not covered by a satisfactory mechanism. While this is an issue, local units of government cannot assume responsibility for this. The issue is in the state Workers Compensation Program, not with the "Organization". Recommendation: Remove

indicator 2.6.1

Ryan Hilburn, Red River Forests LLC (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
As a follow-up to item 1: our timber operators carry workman's compensation if they employ forest workers (Indicator 2.6.1). Requiring sole proprietors to carry workman's compensation insurance for themselves is unnecessary and may have the unintended consequence of certificate holders avoiding the use of sole proprietors. Sole proprietors should be excluded from this requirement and afforded the option of securing their own health, disability, and life insurance coverage at costs and limits they determine.

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):  
(3) As a follow-up to item 1: our timber operators carry workman's compensation if they employ forest workers (Indicator 2.6.1). Requiring sole proprietors to carry workman's compensation insurance for themselves is unnecessary and may have the unintended consequence of certificate holders avoiding the use of sole proprietors. Sole proprietors should be excluded from this requirement and afforded the option of securing their own health, disability, and life insurance coverage at costs and limits they determine.

Robert Hrubes, Individual Member (Economic-member, ):  
"...this coverage is voluntarily provided by the employer of the workers" This can only apply when the employer is the CH

**Q78: Is the guidance provided in Annex E understandable and feasible?**

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Yes

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
Yes

Gordon Gamble, Wagner Forest Management Ltd. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
Yes

Kara Wires, NEPCon (Economic-member, Certification Body):  
yes

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
Yes

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):  
Understandable, but not feasible for some things.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
There are lots of varying conditions and types of training.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):  
The training requirements outlined in Annex E are met for EMPLOYEES of The Organization. For those with a contractual relationship, training is met through contract clauses.

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):  
The multitude of trainings required in Annex E is overbearing and not feasible. The list should be pared to those vital for implementation of management plans and management activities. Employees are trained on necessary management plans and management activities, pertaining to their job duties.

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Standard should be Low risk for Medium and Small Landowners. Low risk for large landowners unless FMU is directly in charge of harvesting operations.

Celia Headley, Northwest Forest Worker center (Social-member, Social NGO , Community member):  
Seems very feasible for organization employees. How would contract workers fit into this? Need to spell out how organization would verify that these training opportunities are available to those workers.

Caroline Pufalt, Sierra Club (Environmental-member, Environmental NGO):  
perhaps add an item relating to making sure workers are trained as to how to protect themselves from harmful exposure to chemicals, fine particles, etc. Include something specific about safety wear. This might be assumed under #4, but there is no mention of safety gear.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
No, it is problematic as CH's in the US cannot train and supervise a contractor's employees.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
I did not have time to review this Annex, so have no comments to share.

Dana Doran, Professional Logging Contractors of Maine (Economic-member, Social NGO):  
FSC should not mandate training. This is the downfall of SFI. Anyone can take training and it doesn't mean they will perform on the ground. The only avenue is 3rd party performance based certification for logging companies. These companies will receive training, but their performance will be measured.

**Q79: Do you have any further comments regarding Annex E?**

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):  
Some of the requirements violate US Employment Law, depending on the definition of workers. I don't think the new definition of workers is feasible for US companies.

Dana Doran, Professional Logging Contractors of Maine (Economic-member, Social NGO):  
Please include third party logger certification programs. They can provide benefits to many different parts of conformance.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
No

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
No

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
No

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
It should only be applicable to a CH's employees not all forest workers.

Kara Wires, NEPCon (Economic-member, Certification Body):  
It is training for workers but addresses C2.2, which is only applicable to employees. So, clarification is needed regarding the scope for those components.

**Q80: Do you agree that the draft indicators of Principle 3 and the other Principles fully address the elements of Criterion 3.4, or are there gaps that were not identified by the FSC US consultant?**

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Yes. Standard should be Low risk for Medium and Small Landowners. Low risk for large landowners unless adjacent to current Tribal land or known issues.

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):  
Yes, we agree, and we are not aware of any unidentified gaps..

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government, Certificate Holder (FM), Certificate Holder (CoC)):

Yes, we agree that the requirements of C3.4 are addressed by other indicators in the proposed standards and no indicators are necessary.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):

Yes this seems very good.

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):

yes

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

There are significant concerns with the revised language in Principle 3 surrounding Free, Prior, and Informed Consent. Requiring consent prior to implementation of a management action, especially when that action is within the scope outlined in the management plan that was created with public/tribal involvement, is effectively ceding site-level decision-making to external stakeholders and is not in conformance with state law or our trust mandate. If the language stays as-is, and we continue certification, we will demonstrate conformance to Principle 3 through our existing management planning process, our state environmental policy act review process, and our tribal outreach and collaboration processes.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM), Investor or Donor):

The US has not ratified UNDRIP nor ILO Convention 169. The rights of Indigenous Peoples in the US are well documented, however.

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

Seems ok.

Caroline Pufalt, Sierra Club (Environmental-member, Environmental NGO):

OK, but will a summary of these elements still be available upon request from Indigenous Peoples?

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM), Certificate Holder (CoC)):

No Gaps

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):

If the elements of this criterion are covered in other indicators, then delete. Otherwise it is a duplication and unnecessary.

Robert Hrubes, Individual Member (Economic-member, ):

I do not know, nor am I qualified to have an informed opinion. With this question, FSC-US is plainly asking too much of its stakeholders.

Carolyn Loeb, NEPCo (Environmental-nonmember, Environmental NGO, Certification Body):

I did not have much time to review this principle, so have no comments to share.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM), Certificate Holder (CoC)):

I agree the Criterion 3.4 needs no other indicators.

**Q81: Do you have any comments regarding Principle 3 that are not indicator-specific?**

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM), Certificate Holder (CoC)):

This is an additional burden for Group Managers. I have yet to have any Indian tribe respond to any communication around FSC properties. Standard should be Low risk for Medium and Small Landowners. Low risk for large landowners unless adjacent to current Tribal land or known issues.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

There are significant concerns with the revised language in Principle 3 surrounding Free, Prior, and Informed Consent. Requiring consent prior to implementation of a management action, especially when that action is within

the scope outlined in the management plan that was created with public/tribal involvement, is effectively ceding site-level decision-making to external stakeholders and is not in conformance with state law or our trust mandate. If the language stays as-is, and we continue certification, we will demonstrate conformance to Principle 3 through our existing management planning process, our state environmental policy act review process, and our tribal outreach and collaboration processes.

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

State governments have unique relationships with tribal governments compared to other FM certificate holders and may be involved in litigation or dispute resolution to resolve various aspects of reserved treaty rights. Recognition of additional rights could impact these processes. In addition, there may be tribal entities within the state pursuing federal recognition and associated treaty rights. State recognition of non-federally recognized tribal entities could impact formal recognition efforts.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):

Overall, aside from the problems and needed improvements and corrections noted in my comments below, the draft Indicators for Principle 3 are essential for ensuring compliance with P3 and its Criteria, and for addressing situations in the US that are not expressly covered by the P&C, and for addressing expectations for credible and effective forest certification in the US. It will be important to retain the Indicators' specificity and clarity regarding required actions and outcomes.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):

No

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

No

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

No

Shannon Lotthammer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

Minnesota DNR has submitted a separate letter, as part of this consultation, that is specific to Principle 3:

I am writing to supplement the Minnesota Department of Natural Resources' (DNR's) comments with respect to the proposed National Forest Stewardship Standards ("Standards") that we submitted through the online platform. This letter focuses on Principle 3 of the proposed Standards and our desire for more dialogue regarding the nexus of Principle 3 and our authorities and responsibilities under Minnesota law.

The existing Standards require certificate holders to consult with tribal governments and avoid adverse impacts to tribal rights or resources, requirements that we strongly support and implement. The proposed Standards would require written, binding tribal consent prior to undertaking forest management actions. We support the Board's commitment to the implementation of Principle 3. We also recognize that the proposed change to the Standard would modify the obligations of certificate holders in important ways. As a public entity with authorities and responsibilities established in state law, we must fully understand and consider those implications.

In many ways, the Minnesota DNR's certificate presents an excellent opportunity for all concerned to explore the dimensions of the proposed change. Our certificate includes hundreds of thousands of acres of forest land located within the boundaries of Indian reservations, including thousands of acres held in trust under Minnesota's constitution for the benefit of Minnesota's public school children, and millions of acres within territories ceded by treaty.

Before we consider offering specific comments regarding the proposed change to Principle 3 of the Standards, we would first like to engage in dialogue with the Forest Stewardship Council Board, tribal governments, and stakeholders to enhance mutual understanding and explore how the proposed Standard would intersect with our responsibilities and authorities under Minnesota law. We are hopeful that this dialogue will yield valuable insight

regarding how best to accomplish the underlying objectives of Principle 3 for Minnesota DNR, and potentially for other state certificate holders.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
Look to some of the language in the FSC FM Canada Standard for possible edits.

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):  
Has the FSC consulted with Native American Groups on the structural changes in Principle 3 and the concept of Free, Prior and Informed Consent? I think that would be a good idea.

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):  
Customary rights is too open-ended and needs to be better defined. What is meant by "recognize and uphold" in legal terms? Typically "honor" requires an affirmative action and goes beyond refraining from harming said rights. This needs to be clarified. CH should be responsible for not harming legally-established rights of federally-recognized Tribes. FPIC will be impossible to audit and prove and because it is always ongoing and iterative, CH will constantly be at-risk for non-conformities and/or expected to hold-up management indefinitely until "consent" is obtained, which may never be feasible or possible in certain circumstances. Lack of affirmative proof of consent in this new standard assumes that consent is being withheld when in fact the groups for whom consent is needed may simply be uninterested in responding or delaying consent may become a common practice to stop management of our forests.

Klaus Geiger, NEPCon (Economic-member, Certification Body):  
C3.1 - Change to "affected by management activities on the FMU". As CHs in the US can attest, engaging with Tribes can be like pulling teeth. Reasonable attempts at engagement should be attempted but the CH should not be penalized if good faith efforts are ineffective. C3.2 - Rather than controlling management activities, perhaps the wording should instead require that the CH ensure that the indigenous peoples are able to benefit fully from their rights over the FMU. C3.4 - How is this different from or necessary in light of C3.2? C3.5 - How is this different from or necessary in light of C3.2? Why split? C3.6 - How is this different from or necessary in light of C3.2?

Kara Wires, NEPCon (Economic-member, Certification Body):  
Any additional resources or information FSC US can provide will be helpful (like the link in 3.1.1). These do not have to be in the standard, but can live on the FSC US website.

Robert Hrubes, Individual Member (Economic-member, ):  
C3.3.: Very unclear. Delegation of control over management activities on what lands? tribal lands?; C.3.4-having no indicators is without precedent. Doubt FSC-IC will agree with having no indicators.

**Q82: Please share any additional comments you have regarding Indicator 3.1.1.**

Klaus Geiger, NEPCon (Economic-member, Certification Body):  
This will mean CHs are required to reach out to Tribes that may have long since moved away from their ancestral home and have no modern connection to the land. "Native Americans" [sic]

Brendan Grady, SCS Global Services (Economic-member, Certification Body):  
Suggest that you don't put active hypertext links in the standard, since these can change frequently. The link in the draft is already out of date.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Robert Hrubes, Individual Member (Economic-member, ):  
Last sentence: "This Assessment.." What assessment?? This sentence doesn't seem to belong here. Guidance: Should a tribe removed 150 years ago have the same standing (rights under the FSC standard) as tribes still present in the vicinity of the FMU?

Kara Wires, NEPCon (Economic-member, Certification Body):  
It is unclear how it is determined which groups "may be affected by management activities". Additional guidance



needed. The current guidance adds confusion and seems to be asking CHs to consider all groups that were previously on the MU and not just those "affected". A better organization of these Indicators would be: 1. Identify the groups previously on the MU (3.1.1) 2. determine if they have rights. (3.1.2) 3.1.2 seems good but 3.1.1 isn't clear. The assessment being reviewed seems to make more sense under 3.1.2. since we want to review the rights and not the groups--the groups shouldn't change since it is historical.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):

Expansion of requirements to Tribes removed from the FMU area will increase burden for Organizations without likelihood of benefit to either party.

Rebekah Luedtke, Wisconsin County Forests Association (Unknown-nonmember, Government):

Comment: Guidance refers to tribes previously removed from the area. Currently tribes and tribal rights within our land base are dictated by treaty and there are legal ramifications of altering these in any way. All citizens, including Native American tribes, that may not have treaty rights, should have the opportunity to participate in land management planning processes. Recommendation: Delete this guidance statement and associated link from document.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

By including the term "previously removed from the area" the entire US would be covered. This should be limited to identify Native American groups that are active in the region.

**Q83: Please share any additional comments you have regarding Indicator 3.1.2.**

Kara Wires, NEPCon (Economic-member, Certification Body):

See comments for 3.1.1. Also, add description of customary rights to Guidance box.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):

Indicator 3.1.2: It is not appropriate to include contested rights. These should be removed and a CH not expected to honor those until they have been determined by a court of law.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):

Indicator 3.1.2: In the draft prepared by the WG, the second half of the Indicator, regarding engagement with Native American groups to confirm which rights are applicable to the management unit (MU), was a separate Indicator. Admittedly, that separate Indicator could have been more explicit, regarding how the rights to be identified through engagement are not limited to those identified by the Organization at the prior Indicator. However, as worded in the consultation draft, the merged Indicator is even more likely to be mis-interpreted as saying the "confirmation" of rights only pertains to rights previously identified by the Organization. This would be inappropriate and not meet the Criterion's clear expectation that applicable rights will be identified through engagement – including rights that may not have been previously known to the Organization.

RECOMMENDATION: Edit the Indicator to read: "Per Annex F and through culturally appropriate engagement, the Organization identifies and documents.... per Indicator 3.1.1."

Klaus Geiger, NEPCon (Economic-member, Certification Body):

How might conformance to the indicator be demonstrated if efforts to engage are rebuffed.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):

Can you give provide the guidance to certification bodies for determining culturally appropriate engagement?

**Q84: Please share any additional comments you have regarding Indicator 3.2.1.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Unlike the other indicators in this section, this indicator applies to "interest" rather than "rights" . The term "interest" is very broad and could provide the means for groups to have unwarranted influence on management

planning and processes. What are examples of "interest" that warrant consideration in planning?

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
The last part of this indicator is too broad and far-reaching. Gives Native American groups the opportunity to provide input into management activities on lands where they have no rights. This should be struck as it gives them the ability to impact operations even in areas where they have no legal rights.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
Requiring that an organization receive direct input on management plan development and management activities on lands where they only have an interest goes too far in reducing the property rights of the organization

Klaus Geiger, NEPCon (Economic-member, Certification Body):  
Is the indicator limited to land of interest, or to also include these in addition to land over which they have rights?

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):  
Indicator 3.2.1 is much too broad and not appropriate. Remove the expansion that includes any management activities on lands of "interest" but for which there are no legal rights.

Kara Wires, NEPCon (Economic-member, Certification Body):  
add referenced to 3.1.2 after "promote protection of their rights". Need clarification on what "interest" is in this Indicator. Finally, if this Indicator is to cover identification and protection of special sites as like C3.5 intent box says, that should be added here...it isn't clearly covered

**Q85: Please share any additional comments you have regarding Indicator 3.2.2.**

Klaus Geiger, NEPCon (Economic-member, Certification Body):  
What if the process reaches a stalemate? The planning and implementation processes could get totally hamstrung if CH and Tribe do not necessarily like each other, especially if they disagree about whether an activity will violate or diminish a right

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Robert Hrubes, Individual Member (Economic-member, ):  
It is very important for this Standard to provide clear guidance on when, if at all, FPIC applies to customary as distinct from legal rights. This requires, in turn, that this Standard clearly defines under what circumstances a customary right exists.

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):  
In the first sentence delete the word "may". And if the group does not consent or is opposed to the forest management activity?

Rebekah Luedtke, Wisconsin County Forests Association (Unknown-nonmember, Government):  
Comment: Requiring the Organization to cease management activities until consent is granted is not realistic. Locally, the issue is not as much about granting consent as it is about responsiveness from tribal entities to provide consent in a timely manner or if at all. Recommendation: Delete the last half of the second sentence dropping "does not implement the management activities \*until consent has been received from the rightsholder\*".

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):  
As a state agency, we engage in Government-to-Government relations in addition to project-level collaboration with state and tribal personnel. If the language stays as-is, and we continue certification, we will demonstrate conformance to Principle 3 through our existing management planning process, our state environmental policy act review process, and our tribal outreach and collaboration processes.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
3.2.2 and 3.2.4 seem to be in conflict with one another

Kara Wires, NEPCon (Economic-member, Certification Body):  
"may affect rights" is vague. how is this determined? For example, if the right is hunting, fishing and collecting, can the Org somehow demonstrate management activities aren't affecting this right on the MU and skip this? Need additional guidance. "until consent is received"--what if consent is denied? what does consent look like (evidence)? Based on Annex F, it seems it is more about a process vs. consent so this should be changed to match that with "agreement" or something else.

**Q86: Please share any additional comments you have regarding Indicator 3.2.3.**

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Klaus Geiger, NEPCon (Economic-member, Certification Body):  
"Management activities by the organization" in this indicator must also include activities that the organization allows to occur on the FMU

Kara Wires, NEPCon (Economic-member, Certification Body):  
"been violated"...again this is vague--how is this determined. For example, if right is hunting and fishing, is it only a violation if NA groups are not allowed access to exercise these rights or is it a violation if a management negatively impacts certain species that are hunted?

Robert Hrubes, Individual Member (Economic-member, ):  
"addressing the Indicators" is unclear, if not nonsensical.

**Q87: Please share any additional comments you have regarding Indicator 3.2.4.**

Kara Wires, NEPCon (Economic-member, Certification Body):  
This seems to contradict 3.2.2 or it isn't clear how it fits into this Criterion. could it be added to 3.2.2 as a bullet point?

Klaus Geiger, NEPCon (Economic-member, Certification Body):  
This is a controversial indicator because it establishes that the Tribe must be completely satisfied with concessions made by the CH.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):  
Requiring consent prior to implementation of a management action, especially when that action is within the scope outlined in the management plan that was created with public/tribal involvement, is effectively ceding site-level decision-making to external stakeholders and is not in conformance with state law or our trust mandate. If the language stays as-is, and we continue certification, we will demonstrate conformance to Principle 3 through our existing management planning process, our state environmental policy act review process, and our tribal outreach and collaboration processes.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Robert Hrubes, Individual Member (Economic-member, ):  
How is "satisfaction" audited/confirmed?

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
3.2.2 and 3.2.4 seem to be in conflict with one another

**Q88: Please share any additional comments you have regarding Indicator 3.2.5.**

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Kara Wires, NEPCon (Economic-member, Certification Body):

Add guidance on what authorized means? What if they delegate management to someone else? Is this allowed? how is this different than C3.3? How does BIA fit in this?

Klaus Geiger, NEPCon (Economic-member, Certification Body):

"Authorized tribal representative"... or by the CH with the consent of the Tribe in question?

**Q89: Please share any additional comments you have regarding Indicator 3.3.1.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
We believe this indicator only applies to "rights" but it is not clear.

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):

Some form of guidance is needed here.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Kara Wires, NEPCon (Economic-member, Certification Body):

Does this apply to tribal land or rights or both? This Indicator is confusing since I'm not sure what scope is included since the FPIC is not linked to a requirement. Needs applicability and/or Intent...when are these Indicators used? how is it different than FPIC in C3.1 and 3.2. Canada NFSS is a bit clearer on this

**Q90: Please share any additional comments you have regarding Indicator 3.3.2.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
We believe this indicator only applies to "rights" but it is not clear.

Kara Wires, NEPCon (Economic-member, Certification Body):

same as 3.3.1

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Robert Hrubes, Individual Member (Economic-member, ):

Compliance with what?

**Q91: Please share any additional comments you have regarding Indicator 3.5.1.**

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):  
The organization can only protect known sites.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Kara Wires, NEPCon (Economic-member, Certification Body):

Intent box for C3.5: "impact on these sites"/"may affect these sites" need clarification--if these sites are buffered/protected can the CH consider there to be no impact? sites that are not legal/customary are not covered here and are supposed to be addressed in 3.1.1 and 3.2.1 but they do not seem to be addressed there. 3.1.1 does not even address this at all and 3.2.1 only gets close The applicability notes seems like it is also relevant to 3.1.1 and 3.1.2 and should be added there. The same for the last 2 sentences of the Guidance on direct, culturally appropriate consultation.

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):

3.5.1: In the guidance box, what is meant by "culturally and economically important materials"?

**Q92: Please share any additional comments you have regarding Indicator 3.5.2.**

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Kara Wires, NEPCon (Economic-member, Certification Body):

Edit: Guidance should say "Conformance" instead of "Compliance". Guidance should be added to 3.1.2

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):

3.5.2: Needs to be limited to designated representatives for federally-recognized tribes.

**Q93: Please share any additional comments you have regarding Indicator 3.6.1.**

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

RE C3.6: Currently, we rely on collaboration with local tribal entities to identify/protect sensitive cultural features. If additional information is needed, we may enter into a contractual relationship. Entering into binding agreements outside of an information-gathering contract shall be governed by state law, existing government-to-government relations, and internal policies.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):

Insert "known" in above indicator 3.6.1 The Organization\* forest owner or manager respects the confidentiality of and protects\* "known" tribal\* traditional knowledge\* and intellectual property\* and assists in the protection of uses such knowledge only with consent obtained through a Free, Prior, and Informed Consent\* process (per Annex F).

Kara Wires, NEPCon (Economic-member, Certification Body):

Add applicability note that this is NA if they aren't using tribal knowledge

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):

3.6.1: Who will be determining what is included in the addition of intellectual property rights for "groups" of Native Americans? This will be problematic and needs to be limited to those rights already defined and attributed to federally-recognized tribes.

**Q94: Please share any additional comments you have regarding Indicator 3.6.2.**

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

Jointly developing written protocols and fair compensation is addressed through contracts, as needed. All other written protocols are outlined at the landscape-scale in the management plan documents and project-level is coordinated in collaboration with appropriate subject matter experts.

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):

3.6.2: Impossible to navigate and implement, much less audit.

**Q95: Is the guidance provided in Annex F understandable and feasible?**

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

Yes, the guidance in Annex F is understandable and feasible.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):

Yes

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

Yes

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
Yes

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):  
Understandable.

Christopher McDonell, Rayonier Advanced Materials (Economic-member, Certificate Holder (CoC)):  
This annex is helpful.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):  
There are significant concerns with the revised language in Principle 3 surrounding Free, Prior, and Informed Consent, and the "recommended" process in Annex F. As written in the associated Indicators, the wording seems to imply that this guidance is mandatory although it clearly states in Annex F that these are recommendations. If the language stays as-is, and we continue certification, we will demonstrate conformance to Principle 3 through our existing management planning process, our state environmental policy act review process, and our tribal outreach and collaboration processes.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
I did not have time to review this Annex, so have no comments to share.

Kara Wires, NEPCon (Economic-member, Certification Body):  
Additional references to resources would be useful (i.e. investigation and validation of rights for non-recognized groups). Clarification needed on some issues (see below). A flow chart that summarizes steps would be useful.

Rick Horton, MN Forest Industries\*\*\* (Economic-nonmember, Environmental NGO):

- Scope: Annex F lays out a 6 step process for FPIC that apparently is required for every state and federally recognized tribe. Tribes are often divided into self-governing Bands, which are governed by different treaties. This requirement suggests that Certificate Holders must individually go through this process with every recognized tribal entity in the state. It is also unclear who has the authority to provide "consent" – Tribal Councils, foresters, or if any individual can deny consent. Lastly, the effort is extremely redundant in that there are six FSC Forest Management Certificate Holders in Minnesota, most of which do not have the staff time and resources to perform these actions.
- o Recommendation: Limit this action to only federally-recognized tribes, and keep it at the tribe level (not at the band level). This should NOT include self-identified groups, as that opens the door for requiring consultations with hunting groups, trail users (e.g., ATVs, snowmobiles, horses, hiking, hunting, biking), campers, etc. All of these have legal rights to recreate in the forest.
- o Recommendation: Allow one Certificate Holder (e.g., the State of Minnesota) to perform Steps 1-6, and others (e.g., Counties) to be covered by that assessment and interaction.
- Scale: Annex F is excessively broad. Step 3 suggests that tribe must be informed of "management activities" without clear direction on which activities, and their timing, frequency, duration and scale. This could be interpreted as requiring Certificate Holders to contact the tribes every time they plan to plant trees, harvest trees, fix roads, perform burns, complete site prep, gather inventory data, etc. This level of coordination is completely untenable.
- o Recommendation: Make it abundantly clear that it is sufficient to have a one-time meeting inviting all tribal representatives to detail all of the potential forest management planning and implementation processes enacted by the Certificate Holder, the impacts of them on ecosystem services, and how the tribes can participate in those processes.
- Authority: The Standard and Annex F as written suggest that Certificate Holders cannot perform management activities without the approval of Indigenous Peoples. That places FSC Standards in direct conflict with the laws of the United States of America.
- o Recommendation: The FSC Standard should in no way eclipse constitutional, federal, state, or local laws, or treaties.
- o Recommendation: FPIC should not allow tribes to dictate forest management activities by withholding consent. Treaty-conveyed rights to hunt and fish should not be reinterpreted as a right to dictate forest management.
- o Recommendation: Private landowners must retain their rights to determine how to manage their own lands.
- o Recommendation: Make it abundantly clear who has the authority to grant, or not grant consent. Does one opposing view mean there is a lack of consent? Also make it abundantly clear that a lack of response implies consent.

**Q96: If the guidance in Annex F is followed, will it result in conformance with the Free, Prior and Informed Consent requirements of Indicators 3.2.2, 3.6.1, and 4.2.1?**

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate

Holder (FM) , Certificate Holder (CoC)):

Yes, if Annex F is followed then FPIC requirements for Indicators 3.2.2, 3.6.1 and 4.2.1 would be met.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):

Yes

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

Yes

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

Yes

Kara Wires, NEPCon (Economic-member, Certification Body):

to be determined after implementation based on an audit

**Q97: Do you have any further comments regarding Annex F?**

Kara Wires, NEPCon (Economic-member, Certification Body):

would be good to have cross references to the Indicators in the Annex. For example, Step 1 is applicable to 3.1.1, etc. And Step 3 for non-responsive groups (which Indicators are relevant). Some of the classification/subsequent actions are confusing. It is unclear what they mean so more clarification/guidance needed: "Tribal government requires more examination than with federally recognized tribe to confirm..." for State-Recognized Tribes. "should be assessed against the proposed management activities" for non-recognized, local communities, traditional peoples. Not clear how CH to investigate and validate rights for non-recognized tribes. Or verify rights for legal/customary. Need guidance on what "affected" means--also commented on this for the Indicators. Step 5: what does "violate" mean? consent to be written? If consent is required (per 3.2.2), how can the result be No? and what does this mean? 3.3.1 requires document in writing but Annex says it may not be appropriate to have a binding agreement...need clarity/flexibility on what is required to be included in the documented agreement and how it is different from a binding agreement.

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

This is a lot of Guidance to engage tribes that up to now have not seemed interested in what is happening in the privately owned forest land in the south. When I read this I see multiple steps I should take, when I get no response from mailings to tribes, to the point of trying to seek them out in person? Wording should say unless FMU is adjacent to tribal lands or there are know issues. Once again I see this as added responsibility, time to group managers. This will not grow FSC certified acres in the South.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

The Annex puts too much burden on the certificate holder to continue to attempt communication when the other organization is non-responsive.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

No

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

No

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):

Need to remove "Guidance for addressing lack of response" section. If there is a lack of response, the outreach is over and it does not make sense to require companies to continue to harass groups or individuals who are not wanting to participate in outreach.

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

It should be made clear that certified organizations are not required to use or follow the guidance in Annex F. It was developed and is offered as a resource for certified organizations.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):

Annex F is an important and valuable addition to the Standard. Given the P3 Indicators' reliance upon it, it will be important to retain the Annex moving forward.

**Q98: Indicator 4.5.1: What kinds of negative social and environmental impacts of management activities should not require avoidance and mitigation measures?**

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):

Typical, legal management activities that otherwise conform to the standard should require no mitigation or avoidance, such as, occasional noise, dust or smoke, or timbering up to a back yard.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

Those that are small in scale, effect only a small percentage of the population and or short-lived temporally.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Those activities that are based solely on emotion vs fact or science. For example, a community can "claim" that the management activity is causing sedimentation into a body of water but have no actual evidence to support the claim. Also, what one person sees a significant negative aesthetic impact may not be important to someone else in the same community or may be short-lived in terms of the life of a forest. This leaves the certificate holder to attempt to sort these issues out, which is costly, and could be a barrier to entry or remaining certified for some landowners.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

This is a tough question- I'm honestly not sure where to draw the line.

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):

This is a hard construct for me to understand - not clear what this means?

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

State and Local control for this are already in place. Standard should be Low risk for Medium and Small Landowners

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):

Splitting existing US Indicator 4.4.a into two different indicators is not streamlining or clarifying the standard. It appears to be making a change for the sake of making changes. Leave as is in current standard

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

Short-term negative impacts that result in long-term social and environmental benefits.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):

Most Important, archeological sites and sites of cultural, historical, and local community\*

Randy Coats, Preferred by Nature (Economic-member, Certification Body):

limiting the types of acceptable silviculture.

Caroline Pufalt, Sierra Club (Environmental-member, Environmental NGO):

in the Intent language: while it is clear that these environmental impacts on local communities are not intended to be redundant, also make clear that they can, and often may, overlap with impacts addressed elsewhere in the standard. (page 29)

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

In responding to this question, we wish to first note that Minnesota DNR, like other certificate holders, is subject to legal requirements under federal and state laws and regulations to avoid, minimize, and mitigate negative social and environmental impacts. Therefore, we are assuming in our responses below regarding the threshold for "significant" that compliance with all federal and state laws and regulations is a given, and this discussion applies



to activities beyond those required by state and federal laws and regulations. • Additional avoidance or mitigation measures should not be required for forest management activities that comply with all state and federal laws and regulations and result from, and are implemented in accordance with, management plans that were developed through a tribal consultation and a public input process in which individual citizens and local and tribal governments have an ability to engage in the development of the plans. In addition, the following examples of minor impacts should not require avoidance or mitigation measures (as allowed by state and local laws); a. Minimal disturbances to wetlands b. Minor stream crossings where culverts are placed correctly or may be removed after activities c. Minor rutting, d. Short-term closures of trails, Minor visual impacts from timber harvests

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
I dont know how to answer this - maybe I'll do better at the reverse question?

Kara Wires, NEPCon (Economic-member, Certification Body):  
for this scope (4.5), isolated activities (i.e. one stand) that don't occur near communities

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):  
Consultation Question/Answer: A threshold for the term “significant” is critical. Avoidance or mitigation should not be required for forest management actions resulting from and implemented in compliance with management plans that were developed through a formal consultation process in which the public and tribal representatives had the opportunity to engage in plan development. Additionally, minor impacts (defined as those impacts known and covered within the scope of state law, forest practices rules, management planning, and contract clauses) should not require avoidance or mitigation measures. No additional avoidance or mitigation should be required unless unexpected impact occurs, and then mitigation is managed within the context of forest practices rules and collaboration with other state agencies such as Dept. of Ecology.

**Q99: Indicator 4.5.1: What kinds of negative social and environmental impacts of management activities should require avoidance and mitigation measures?**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
Those that violate existing BMP's, laws and regulations or can be proved to have actual negative consequences on the stakeholder.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Those that are long-lasting and irreversible or effect a majority of the population.

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
State and Local control for this are already in place. Standard should be Low risk for Medium and Small Landowners

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
Same as above

Kara Wires, NEPCon (Economic-member, Certification Body):  
opposite of above.

Sam Davis, Dogwood Alliance\*\* (Environmental-member, Social NGO , Environmental NGO):  
Manufacturing of wood products that results in significant amounts of dust or particulate matter -- controls should exceed minimum available standards from state and federal environmental agencies. Manufacturing noise levels, especially during the night - should be kept at a minimum, especially if there are houses in close proximity. This also applies to onsite activities like wood chipping and the use of loud machinery. It should be kept restricted within certain hours if within earshot of housing.

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):  
Impacts that result in long-term negative social and environmental impacts.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
I don't have a good any cut off- but what about using the word "demonstrable" instead of "significant"? This would at least help to clarify what would or would not be considered. If someone can demonstrate they are impacted, this would include them. Otherwise, it would not.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):  
Consultation Question/Answer: A threshold for the term "significant" is critical. Avoidance or mitigation should not be required for forest management actions resulting from and implemented in compliance with management plans that were developed through a formal consultation process in which the public and tribal representatives had the opportunity to engage in plan development. Additionally, minor impacts (defined as those impacts known and covered within the scope of state law, forest practices rules, management planning, and contract clauses) should not require avoidance or mitigation measures. No additional avoidance or mitigation should be required unless unexpected impact occurs, and then mitigation is managed within the context of forest practices rules and collaboration with other state agencies such as Dept. of Ecology.

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

Additional avoidance and mitigation may be necessary for those forest management activities that pose an inherent risk to any surrounding communities. Activities might include; a. Prescribed burns, b. Forest management activities that reveal the existence of cultural or archeological sites. c. Application of highly hazardous pesticides in areas of high conservation values d. Conversion of forests to non-forest e. Major disturbances to viewsheds f. Major disturbances to wetlands or stream channels, including restricting aquatic organism passage

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

1) provable impacts via scientific evidence 2) maybe could use the NEPA regulations to come up with some level of significance that is reasonable and has some guidance behind it to help CHs understand expectations

**Q100: Indicator 4.5.2: What kinds of negative economic impacts of management activities should not require avoidance and mitigation measures?**

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):

Typical, legal management activities that otherwise conform to the standard should require no mitigation or avoidance, such as, closing or moving offices and branch facilities, and limiting recreation to protect environmental values.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Those that do not violate existing, BMP's laws and regulation or are based on opinion of the stakeholder vs defensible facts.

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

State and Local control for this are already in place. Standard should be Low risk for Medium and Small Landowners

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

Small in scale, no long term effects, small percentage of the population

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

Short-term negative impacts that result in long-term economic benefits.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

See notes re: 4.5.1

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):

Recreation

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
Better in reverse again?

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

1) Small scale impacts that do not negatively impact economic opportunities when considered on a larger scale. Examples include activities (such as forest harvest treatment) that result in stand level changes (age, stocking, rate of growth, tree species composition), when the economic opportunity remains available at larger than stand-scale. 2) Short-term impacts that maintain or improve economic opportunities on a longer time scale. Examples; a. Suggestions that tourism is negatively impacted by visual impacts of young forest, when harvest is designed to keep forests healthy and forested. b. Local hunting or gathering opportunities impacted by a timber harvest designed to maintain those opportunities in the longer-term.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

"Local impacts that do not negatively impact economic opportunities when considered on a larger scale should not require avoidance and mitigation measures. Examples may include: • Forest management activities that result in stand level changes such as age, tree species composition, etc. • Chemicals applied at the stand level and within the bounds of state law, forest practices rules, and contract clauses. • Aggregate impacts of stand-level forest management that may negatively affect the local economic opportunities but the opportunity remains available regionally. Large scale and long duration negative economic impacts MAY require avoidance and mitigation measures. These may include reductions in harvest (or availability of non-timber forest products) over a large area or long duration that are based on internal policies, voluntary reductions, or social/environmental reasons and not on forest conditions such as age or inventory."

**Q101: Indicator 4.5.2: What kinds of negative economic impacts of management activities should require avoidance and mitigation measures?**

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

While we recognize that there are negative impacts that should require avoidance and mitigation, we do not have specific examples to offer at this time that would help in establishing a threshold.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
Those the violate existing laws and regulations or can be validated by defensible facts.

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
State and Local control for this are already in place. Standard should be Low risk for Medium and Small Landowners

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
See notes re: 4.5.1

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Long-lasting effects, majority of the population

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):  
Impacts that result in long-term negative economic impacts.

Sam Davis, Dogwood Alliance\*\* (Environmental-member, Social NGO , Environmental NGO):  
If the management unit is regularly used as a spot for recreation, hunting, or fishing by the local community, harvesting can be destructive to cultural identity. These should be avoided or mitigated.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
Health

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):  
Having trouble thinking between FM issues and CH issues. For example what happens if a CH shuts down a plant versus what happens on a MU.

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
1) Use NEPA again as a good filter. Otherwise I'm not sure and I think both of the items under items to be addressed are over the top requirements.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):  
"Local impacts that do not negatively impact economic opportunities when considered on a larger scale should not require avoidance and mitigation measures. Examples may include: • Forest management activities that result in stand level changes such as age, tree species composition, etc. • Chemicals applied at the stand level and within the bounds of state law, forest practices rules, and contract clauses. • Aggregate impacts of stand-level forest management that may negatively affect the local economic opportunities but the opportunity remains available regionally. Large scale and long duration negative economic impacts MAY require avoidance and mitigation measures. These may include reductions in harvest (or availability of non-timber forest products) over a large area or long duration that are based on internal policies, voluntary reductions, or social/environmental reasons and not on forest conditions such as age or inventory."

**Q102: Do you agree that the draft indicators of Principle 4 fully address the elements of Criterion 4.7, or are there gaps that were not identified by the Standard Development Group?**

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

Yes, we agree that the draft indicators of Principle 4 fully address the elements of Criterion 4.7 and that no additional indicators are needed.

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

Yes, we agree that including additional indicators in Criterion 4.7 is not necessary.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
yes

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):  
Yes

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
Yes

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
While I see the engagement, identification, and mitigation processes under 4.1, 4.2, and 4.5, I don't see a reference to formal protection under those indicators. Maybe 4.7 deserves one indicator that reads something like "sites of special significance are formally protected where merited and agreed upon by the FME and customary and legal rights holders."

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
State and Local control for this are already in place. Standard should be Low risk for Medium and Small Landowners

Kara Wires, NEPCon (Economic-member, Certification Body):  
seems good

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):  
No gaps.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
I see no gaps.

Robert Hrubes, Individual Member (Economic-member, ):  
I believe that it is procedurally inappropriate to simply point to the Indicators in another Criterion. I doubt if FSC IC will agree with the approach being proposed, here, especially since the written justification is very brief and non-specific as to how the normative issues are asserted to be adequately covered elsewhere.. Whether or not there are gaps, it is inappropriate to simply have no Indicators for Criterion 4.7. At a minimum, insert one or two Indicators, here, that are consistent with Indicators, elsewhere in the Standard. And there needs to be a much better effort at supporting the assertion that the issues are adequately covered, elsewhere in this Principle.

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):  
I am concerned that it will be very hard to get this community feedback from small rural communities for lots of cultural reasons and that existing databases and expert opinion will be more effective..

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
4.7 should be incorporated into 4.1

**Q103: Do you agree that the rationale provided for not including any Indicators with Criterion 4.8 is valid in a US context, or can you provide examples or specific situations that will help to inform development of Indicators?**

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

Yes, we agree with the rationale.

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

Yes, we agree with the rationale for not including any indicators with C4.8 and that the IGIs provide an appropriate failsafe.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
yes

Randy Coots, Preferred by Nature (Economic-member, Certification Body):  
Yes

Kara Wires, NEPCon (Economic-member, Certification Body):  
yes

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

Yes

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
Yes

Sam Davis, Dogwood Alliance\*\* (Environmental-member, Social NGO , Environmental NGO):  
No. Knowledge about forest ecosystems is prevalent in local communities in a way that may not be ascertained from academic knowledge. For example, knowing where certain species grow, when a stand was last cut, or the cultural history of an area is all local knowledge that an absentee forest landowner or manager would not know -- and those community members should be compensated for their knowledge.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
I cannot think of any specific examples. I think that the guidance given is sufficient in the case of P4.8.

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
I believe "This Criterion\*" is not applicable in a US context.

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):  
Delete if there are no indicators.

Robert Hrubes, Individual Member (Economic-member, ):  
Based on what research and/or consultation is this bold assertion as to the absence of "traditional knowledge" in the U.S. being made?? should, not shall? This is a very loosey-goosey approach. FSC US should consult with a U.S.-based lawyer with knowledge about the possible existence of non-tribal traditional knowledge.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Any Criterion that is believed to be not applicable in the US should be eliminated from consideration in the standard

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Agree with SDG

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):  
Agree

**Q104: Do you have any comments regarding Principle 4 that are not indicator-specific?**

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
Yes - addressing local communities under FPIC and how to impact with them does not address the issues where certificate holders are asked to interact with local communities outside of an FPIC process. If i'm never involved in an FPIC process, the definition and guidance in the standard does not tell me how to assess or interact with them. It would still imply that anyone can claim to be the "local community" therefore significantly handicapping ability of CHs to manage the forest.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
There is a balance between private ownership rights and the need to engage with other stakeholders that may care about what happens on a given ownership. Generally speaking we feel that some of the changes to the standard give communities with no legal ownership rights too much influence over management decisions on private ownerships. Owners in our group participate in certification for a variety of reason, most want to have an objective means to demonstrate that they are practicing sound forestry and being good stewards of the land, but all of them care deeply about private ownership rights. Changes to the standard that have the potential to further infringe on the owner's right to manage the property to achieve their goals, may pose a barrier to enrollment or continued participation in the certification.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):  
There are significant concerns with the revised language in Principle 4 surrounding Free, Prior, and Informed Consent. It is understood that there are no non-tribal rightsholders in the USA and this is a vestige of standardizing an international policy. It is unclear why the expanded definition of "local community" includes all citizens for only public entities and not all landowners. Additionally, public engagement is governed by the trust mandate, the planning process, and other constraints.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
The requirements are covered by a well established legal structure and therefore should be covered by Principle 1 rather than introducing unnecessary language into Principle 4.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
The definition of local communities in the glossary is too broad. It needs to explicitly state that local communities in this context are only those that have traditional or customary rights.

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
State and Local control for this are already in place. Standard should be Low risk for Medium and Small

Landowners. Low risk for large landowners unless FMU is directly in charge of harvesting operations.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):

Principle 4, Intent Statement: Principle 4 is not limited to situations involving the types of rights discussed in the Intent Statement (Criterion 4.5 and 4.6 are about potential impacts to communities, regardless of rights).

However, the Intent Statement's prominence at the top of P4 and its strong wording risks misinterpretation as limiting the scope of all of the Principle's Indicators. RECOMMENDATION: Either edit the Intent Statement to include a brief acknowledgement of the broader scope of C4.5 and C4.6, or move the Intent Statement to Indicator 4.1.1, which is where community rights are first invoked in P4.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

Overarching comments: Who counts as local? How can it be decided who "may be affected" by management? How do you decide who is part of an affected community? How do you decide which impacts are significant? A lot of the principle seems really subjective as written... consider specific thresholds for the above categories or change the language to reflect ways to more objectively measure inclusion/exclusion in the above categories.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):

No

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):

No

Caroline Pufalt, Sierra Club (Environmental-member, Environmental NGO):

is there an understanding/ recognition of the relationship between social and economic development and a clean environment?

Kara Wires, NEPCon (Economic-member, Certification Body):

"do not need to be considered separately": separately from what? please clarify this statement. does this mean not applicable here? if so, should this be an applicability note? Guidance includes a lot of references to "rights"...would be good to include legal or customary or both before them to ensure it is accurate.

**Q105: Please share any additional comments you have regarding Indicator 4.1.1.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Not many communities in the US have rights as described in the indicator, and in a majority of instances where they do exist, they most certainly would be known. The requirement for a "process" to determine these rights is unreasonable, will add cost to enrollment, and may pose a barrier to enrollment or continued participation in the certification.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):

Local communities in the Commonwealth did not have "rights" in any significant way that would affect management of the management unit. More guidance is needed here. What kind of engagement is envisioned? What kind of rights are applicable?

Kara Wires, NEPCon (Economic-member, Certification Body):

Indicator says "local communities that exist in the Management Unit". Does this mean the community has to be actually in the boundaries of the MU to be in scope of this Indicator? please clarify? Not sure this actually applies anywhere in the US...that I can think of. Should there be an applicability note that explains this is not applicable if no such communities exist.

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

Indicator 4.1.1 – This indicator should be modified as follows - The Organization\* identifies forest-dependent local communities\* that exist in the Management Unit\* and that may be affected by management activities\*, and,

through engagement\* per Annex F, identifies and documents legal\* rights applicable to the Management Unit\* that are held by these communities. Government entities are not required to identify legal rights held by individual citizens as part of Indicator 4.1.1, despite the definition of "local communities" as including all citizens with respect to public lands.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):  
Government agencies are not required to identify legal rights held by individual citizens, and "local communities" should not include all citizens for only public land.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
determining legal rights held by others does not always require engagement and this should be removed.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
4.1.1 How can it be decided who "may be affected" by management? This seems too subjective.

**Q106: Please share any additional comments you have regarding Indicator 4.2.1.**

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

While we do not have specific comments at this time, we have concerns that this language, if adopted, could result in situations that conflict with Minnesota state law.

Robert Hrubes, Individual Member (Economic-member, ):  
very awkward wording.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):  
RE C4.2: This language again seems to cede control of public land management to external individuals on a site-specific basis even if the action is within the scope of a management plan that has undergone thorough public and tribal review and engagement process. This is inconsistent with state law and the trust mandate. If the language stays as-is, and we continue certification, we plan to demonstrate conformance through our existing management planning process, our state environmental policy act review process, and our neighbor notification processes. RE 4.2.1: The last two sentences should be struck. If the revised wording stays, and we continue certification, we will demonstrate conformance through our management planning process, state environmental policy act review process, and other outreach/collaboration efforts.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):  
Is it possible a rightsholder could not consent to implementing any management activities? What happens then?

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
if their are rights held by others this would be covered under US law

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
4.2.1 states, "If the rightsholder\* does not wish to engage in a Free, Prior, and Informed Consent\* process, The Organization\* ensures that the rights\* in question are not violated." If you can't engage with the rights holder, this seems like a very high bar to meet, depending on the right in question. In some cases, you may not even know what rights are held for what locations if the rightsholder does not wish to dialogue and the rights are customary in nature.

Kara Wires, NEPCon (Economic-member, Certification Body):  
"may affect" and "violate"--same comments as with P3....need clarification on what this means. "to secure consent"--if FPIC is a process, this should be edited to be agreement or something other than "consent"



**Q107: Please share any additional comments you have regarding Indicator 4.3.1.**

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

The Organization should only be held to seeking opportunities for purchasing local goods and services of equal price and quality to what is under its control. Some public certified organizations for example do not have control over their purchasing policies.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Robert Hrubes, Individual Member (Economic-member, ):

Intent: a squishy term likely to lead to inconsistent audit findings. I suggest that "reasonably" be deleted.

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

Indicator 4.3.1 should be modified as follows; "The Organization\* provides work opportunities to qualified local\* applicants and seeks opportunities for purchasing local\* goods and services of equal price and quality". We also believe the following language needs to be added to the end of this indicator - "For government entities, this indicator is limited to the extent consistent with procurement and other applicable State laws."

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

For government agencies, this Indicator is limited by state laws and union contracts on hiring and procurement regulations.

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):

A comprehensive assessment of social and environmental impacts to all local communities, as defined, is not feasible. Further clarification is needed on what constitutes an impact that would need to be mitigated or avoided. Typical, legal management activities that otherwise conform to the standard should require no mitigation or avoidance.

**Q108: Please share any additional comments you have regarding Indicator 4.3.2.**

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

Indicator 4.3.2 states, "Commensurate with the size and scale of operation, The Organization\* forest owner or manager provides and/or supports vocational learning opportunities associated with to improve public understanding of forests and forest\* management." This seems like a high bar for small FMEs... consider applicability only to medium and large FMEs.

Kara Wires, NEPCon (Economic-member, Certification Body):

guidance would be good since this language has changed to vocational training

**Q109: Please share any additional comments you have regarding Indicator 4.4.1.**

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Kara Wires, NEPCon (Economic-member, Certification Body):

need added guidance/intent on whether the Org needs to do this as the Org or if this can be covered by employees activities

**Q110: Please share any additional comments you have regarding Indicator 4.5.1.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

We believe this indicator is not reasonable as it does not require the community to have a legal right on the ownership to have input on management. It potentially allows parties with no legal, finical or other tangible interest in the ownership the ability to have a right to influence management decisions. This change may pose a barrier to

entry or the removal of some ownership from certification.

Kara Wires, NEPCon (Economic-member, Certification Body):

This Indicator is confusing. Suggest re-write so that the steps are clear: 1. identify impacts on (bulleted list of items) 2. develop and implement measure to avoid and mitigate (bulleted list of items) It is unclear why off MU sites are included (additional guidance please including how Org is expected to control this) suggested edits: add "quality" after air, water and "availability" after food Could use additional guidance here (like in 4.1.1) about who to consult (mayors, etc vs individual neighbors?)

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

This can be very onerous, burdensome and operationally infeasible for CH's. Engagement prior to operations can cause delays in implementing necessary and time-sensitive management activities especially if the community makes unreasonable claims and demands. There is no protection of the CH's operations and can cause economic harm to the CH which will ultimately cause economic harm to the community which is in conflict with other parts of the standard (4.3.1, 4.3.2, 4.4.1). The overly broad definition of local communities aggravates this potential.

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):

Splitting existing US Indicator 4.4.a into two different indicators is not streamlining or clarifying the standard. It appears to be making a change for the sake of making changes. Leave as is in current standard

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

Consultation Question/Answer: A threshold for the term "significant" is critical. Avoidance or mitigation should not be required for forest management actions resulting from and implemented in compliance with management plans that were developed through a formal consultation process in which the public and tribal representatives had the opportunity to engage in plan development. Additionally, minor impacts (defined as those impacts known and covered within the scope of state law, forest practices rules, management planning, and contract clauses) should not require avoidance or mitigation measures. No additional avoidance or mitigation should be required unless unexpected impact occurs, and then mitigation is managed within the context of forest practices rules and collaboration with other state agencies such as Dept. of Ecology.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):

Aesthetics should be removed from this indicator. Too ambiguous and not auditable.

**Q111: Please share any additional comments you have regarding Indicator 4.5.2.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

We believe this indicator is not reasonable as it does not require the community to have a legal right on the ownership to have input on management. It potentially allows parties with no legal, financial or other tangible interest in the ownership the ability to have a right to influence management decisions. For example a community could claim a management activity will negatively effect the view shed, thereby affecting tourism -the local economy. The claim may or may not be legitimate. This change may pose a barrier to entry or the removal of some ownership from certification.

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

This indicator seems to be expecting certificate holders to manage the forest for the goals of the community rather than the private property owner's goals. While I agree it is important to consider the concerns of the local community, I do not believe FSC should require the certificate holder to be limited to only managing their forestlands the way the local community thinks it should be managed. I suggest removing the specific items (1 and 2) under the : and just leave it measures are implemented avoid significant economic impact...

Kara Wires, NEPCon (Economic-member, Certification Body):

Similar to 4.5.1, would be better to have steps. Suggest 4.5.1 could be to identify social, environmental and economic impacts (and include a list of the features or they could be in Guidance) and then 4.5.2 would be to avoid and mitigate impacts identified in 4.5.1. (This is similar to what Canada NFSS does for this) Guidance: SIR should be included. Also consider whether there needs to be a baseline by which to judge impacts--some of these

issues are beyond control of CH and this could get out of hand for CH

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
See my comments in the previous section - apply here as well.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

community goals for the forest should be deleted. The organization should not be required to address goals that others may have for a privately held property.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

"Local impacts that do not negatively impact economic opportunities when considered on a larger scale should not require avoidance and mitigation measures. Examples may include: • Forest management activities that result in stand level changes such as age, tree species composition, etc. • Chemicals applied at the stand level and within the bounds of state law, forest practices rules, and contract clauses. • Aggregate impacts of stand-level forest management that may negatively affect the local economic opportunities but the opportunity remains available regionally. Large scale and long duration negative economic impacts MAY require avoidance and mitigation measures. These may include reductions in harvest (or availability of non-timber forest products) over a large area or long duration that are based on internal policies, voluntary reductions, or social/environmental reasons and not on forest conditions such as age or inventory."

**Q112: Indicator 5.2.2: Are there scenarios or other rationale that would justify averaging annual harvest levels over rolling periods that are longer than the 10-year time period established by draft Indicator 7.4.1?**

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):

Yes. The concept of longer periods could be justified by historical property management or perhaps circumstances driven by natural disaster such as fire, hurricane, etc.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Yes. If a small to medium size ownership has a forest in poor condition as a result of a number of factors such as over mature, previously high graded, impacted by disease or insect damage. etc.. The owner would have a legitimate reason to accelerate harvest to capture the declining value of the timber and regenerate to more desirable growing stock. Doing so could exceed a 10 year rolling average allowable harvest but would improve overall forest health and productivity.

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):

Yes, I think more flexibility is need for smaller landowners in groups. In some cases it is too limiting based on conditions on the Management Unit as well as across the wood basket. In the natural hardwood management regions of the Southern and Central Appalachians often times the degraded stands and goals of landowner could take to form of more harvesting but excellent forestry and excellent outcomes. At the same time across the region the stocking and forest cover figures are increasing. And when you are dealing with smallholdings across a diverse wood basket flexibility is needed. We suggest more flexibility to meet diverse goals and landowner desires all against need for sustainable forest management. In the guidance give other examples of how to use other landowner goals and objectives. Without more guidance, it is a murky indicator and we suggest a more "black and white" approach with more examples in the guidance to help procurement foresters meet landowner objectives.

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):

Yes,

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):

Yes

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

This seems reasonable. However, in 5.2.1, the requirement to calculate sustained yield harvest level at the planning unit level, is onerous and not useful. this should be done at the MU level.

Randy Coots, Preferred by Nature (Economic-member, Certification Body):  
One might consider rotation age

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):  
None come to mind

Sam Davis, Dogwood Alliance\*\* (Environmental-member, Social NGO , Environmental NGO):  
No.

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):  
No

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Longleaf pine restoration.

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):  
Indicator 7.4.1 allows a planning horizon of up to 15 years if it is a statutory requirement. There is nothing magical about 10 years and longer timeframes of up to 20 years are commonly available. These are mechanisms for 'smoothing' the amount of harvest for a sustained flow of products. Certified organizations should be able to determine this average annual harvest rolling period, even if longer than 10 years, if supported by rationale and data.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

In cases where the previous owner had harvest levels that were much high or lower than what the calculated sustained yield suggests the organization should be allowed to look back for a period longer than 10 years

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):  
If a severe age-class imbalance exists and there is a desire to manage for a more distributed forest condition, averaging annual harvest levels over a longer than 10-year period may be required.

Robert Hrubes, Individual Member (Economic-member, ):  
If a FMU is in fact substantially overstocked, then that alone is reason to draw the standing volume down and, in doing so, modifying the sustained yield calculation, accordingly.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
I did not have much time to review this principle, so have no comments to share.

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

Certificate holders who have a severe age-class imbalance and a desire to develop a more regulated forest condition may need the flexibility to average over a rolling period longer than 10 years.

Galen Smith/ Niel Fischer, Collins Companies (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

Based on experience from managing forestland in California, Oregon, and Pennsylvania, and witnessing a variety of high-impact events and conditions, it would be justified to extend the time period to 15-20 years. In California, the recent drought lasted for 6.5 years (2011-2017). In Pennsylvania, the Emerald Ash Borer has been impacting Ash stands and requiring extensive Ash salvage harvests for 8 years and counting; Beech Bark Disease has been impacting the landscape for about 20 years. The full impact and timeframe of climate change, and whatever other challenge may appear, is unknown, but likely would not be adequately captured by a 10-year period.

**Q113: Do you have any comments regarding Principle 5 that are not indicator-specific?**

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

Standard should be Low risk for Medium and Small Landowners. Low risk for large landowners unless FMU is directly in charge of harvesting operations.

Klaus Geiger, NEPCon (Economic-member, Certification Body):

P5 – strike "efficiently". "Efficiency" is far too subjective and is not required to be effective. C5.1 - The Criterion should be given the context of the landowners' priorities. As it is, what is required is stated in language that is irrespective of what the landowner goals are. C5.2 - The criterion inadequately captures the intent of sustained yield. It should simply state "shall harvest ..." --strike "normally", because the way the criterion reads makes it sound like an FME can harvest at AAC 9 out of 10 years and 1 out of 10 years they liquidate their forest, and this is ok because 9/10 is what they "normally" do. Given that this is evaluated comparing the audit year to the 9 years past it will be possible to verify whether outliers bring the rolling average out of sync with the AAC or not. C5.3 - We know some of what we don't know, but we also don't know some of what we don't know. C5.4 - This Criterion does not acknowledge that "local" anything does not mean it is the best. Competitiveness in quality, price, and many other factors needs to be considered.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):

Overall, aside from the problems and needed improvements and corrections noted in my comments below, the draft Indicators for Principle 5 are essential for ensuring compliance with P5 and its Criteria, and for addressing situations in the US that are not expressly covered by the P&C, and for addressing expectations for credible and effective forest certification in the US. It will be important to retain the Indicators' specificity and clarity regarding required actions and outcomes.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):

No

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

No

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):

No

**Q114: Please share any additional comments you have regarding Indicator 5.1.1.**

Klaus Geiger, NEPCon (Economic-member, Certification Body):

The indicator takes a step towards contextualizing management of the FMU and "applicable" activities, but this is still weak in that it does not recognize that landowner goals vary widely and may not [read: will almost certainly not] include everything that is possible.

Brendan Grady, SCS Global Services (Economic-member, Certification Body):

The glossary definition of sustained yield planning unit implies that a planning unit needs to be smaller than a watershed. This is problematic because some larger certificate holders have done sustained yield planning at the level of the management unit, which may include multiple watersheds, depending on how the MU is defined. Also, FSC interpretations have suggested using the geographic area at which the sustainable yield is calculated as a proxy for management unit in cases where establishing the size of the MU is unclear.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

None

**Q115: Please share any additional comments you have regarding Indicator 5.1.2.**

Klaus Geiger, NEPCon (Economic-member, Certification Body):

This indicator is more representative of the context that needs to be present in the Criterion.

Robert Hrubes, Individual Member (Economic-member, ):

suggest deleting "according to indicator 5.1.1. "

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q116: Please share any additional comments you have regarding Indicator 5.1.3.**

Randy Coats, Preferred by Nature (Economic-member, Certification Body):

When referencing FSC-PRO-30-006, don't just reference the document, spell out the desired actions and expected outcomes.

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):

The organization does not make promotional claims.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Klaus Geiger, NEPCon (Economic-member, Certification Body):

I am not a fan of the standard referring readers to other documents rather than ensuring that the standard contains all necessary information. I would suggest expanding the indicator to include the requirements from the procedure, and refer the reader to the procedure should they desire additional guidance.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

For 5.1.3, state the required information in the standard, instead of referencing another document.

**Q117: Please share any additional comments you have regarding Indicator 5.2.1.**

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

This is an improvement as calculated sustained yield does not always equal biological growth which is what is commonly audited

amanda naismith, new forests (Economic-member, Investor or Donor):

The Standard could consider if certified organisations should account for climate change-related impacts on their harvest yield estimates and how they may change over time.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

Sustained harvest levels should be calculated at the MU level not the planning unit level.

Klaus Geiger, NEPCon (Economic-member, Certification Body):

Strike "large-scale" from 5.2.1.b; frequent low intensity disturbances can be significantly damaging and don't need to be 'large-scale' to affect net growth.

Kara Wires, NEPCon (Economic-member, Certification Body):

Note: We have heard from CHs using area regulation some of the Indicator components (a.-e.) don't apply as clearly. Suggest some guidance or applicability to clarify this is allowed.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):

Indicator 5.2.1: At the end of the second line of the Indicator, the words "sustained yield" in the phrase "sustained yield planning unit" appear unnecessary and likely to create confusion about whether all planning units need be managed on a sustained yield basis (which generally, they should). It also raises the question of what is meant by "sustained yield planning unit," since this phrase does not appear elsewhere in the Standard.

RECOMMENDATION: Consider deleting the words "sustained yield" at "sustained yield planning unit" at the end of the second line, so the second line of the Indicator reads: "...calculates the sustained yield harvest level for each planning unit..." This would be simpler than defining "sustained yield planning unit," and would also align with the simple use of "planning unit" elsewhere in the Indicator.

**Q118: Please share any additional comments you have regarding Indicator 5.2.2.**

Gregory Ward, Evergreen Packaging (email) (Economic-nonmember, ):

While this is an important goal that we support, in some cases it is too limiting based on conditions on the

Management Unit as well as across the wood basket. In the natural hardwood management regions of the Southern and Central Appalachians often times the degraded stands and goals of landowner could take to form of more harvesting but excellent forestry and excellent outcomes. At the same time across the region the stocking and forest cover figures are increasing.

We suggest more flexibility to meet diverse goals and landowner desires all against need for sustainable forest management. In the guidance give other examples of how to use other landowner goals and objectives. Without more guidance, it is a murky indicator and we suggest a more "black and white" approach with more examples in the guidance to help procurement foresters meet landowner objectives.

Gordon Gamble, Wagner Forest Management Ltd. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
This is a positive change. It provides some flexibility to deal with ownerships with unbalanced age class structure. Yet it still has rigor.

Klaus Geiger, NEPCon (Economic-member, Certification Body):  
The indicator should just go ahead and state "no less than every 10 years unless otherwise specified per indicator 7.4.1." This is a readability issue.

Robert Hrubes, Individual Member (Economic-member, ):  
not very clear and therefore subject to varying interpretations-----"...equal to the duration of the management planning period (per indicator 7.4.1), are recorded and

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Longer periods than 10 years may be justified in circumstances, particularly forests that have been impacted by natural disasters

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):  
If a severe age-class imbalance exists and there is a desire to manage for a more distributed forest condition, averaging annual harvest levels over a longer than 10-year period may be required.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
At the MU level...

**Q119: Please share any additional comments you have regarding Indicator 5.2.3.**

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q120: Please share any additional comments you have regarding Indicator 5.2.4.**

Brendan Grady, SCS Global Services (Economic-member, Certification Body):  
We suggest that this be restricted to significant commercial harvest of NTFPs, as is the case in the current standard. There could be situations with minimal collections of NTFPs that still require a permit or some compensation to the landowner, in which case they would technically be "commercial." Or maybe only required if the collector intends to sell the NTFPs? The current indicator would apply to all NTFPs, not just the NTFPs intended to be sold as FSC certified, which would require their own set of standards.

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):  
The requirements of this indicator are not feasible in Pennsylvania, or we would lean heavily on the definition of "best available information," as there is not much information available to determine sustainable harvest levels of NTFPs. We also do not have mechanisms in place to track the harvesting of NTFPs. This is overly complex and not feasible.

Caroline Pufalt, Sierra Club (Environmental-member, Environmental NGO):  
sustained yield data should be available to stakeholders. this is necessary for public confidence in FSC

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Kara Wires, NEPCon (Economic-member, Certification Body):  
Is this an annual harvest level that can't exceed SYHL? Please clarify...or it is similar to 5.2.2?

**Q121: Please share any additional comments you have regarding Indicator 5.3.1.**

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

We suggest an alternate indicator or guidance for public lands. For public lands the process for public involvement and comment can satisfy this requirement. Comments received during the comment period (or planning process) related to externalities would be documented in the management plan.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
We feel that this indicator is costly to implement with little management benefit. High cost low benefit. This change as the potential to be a barrier to entry or reason for removal of certified FMU's.

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
This will be difficult for a Group Manager to quantify.

Robert Hrubes, Individual Member (Economic-member, ):  
This is not a good definition of "externality" which are impacts that arise that are external to (outside of) the responsibilities of those parties creating the impacts.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
This is a useless, non-value-adding guess. It is not possible to estimate, with any certainty or accuracy, these costs and benefits.

Kara Wires, NEPCon (Economic-member, Certification Body):  
This is a challenge to audit as written. Need more specificity/clarity to be able to audit. Suggest we use the Canada NFSS version: Management planning takes into account the long-term positive and negative environmental and social impacts of management activities. Could use the existing language as guidance. Otherwise, need more detail...perhaps a bulleted list of the considerations expected. The last sentence of the Guidance should be moved to the Indicator as it provides better clarity.

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):  
This indicator is overly burdensome, complex, and not feasible. Estimating all these externalities for each management activity would require an immense level of effort for the organization. As part of high-level management planning, externalities are considered. The appropriate place for such assessment is at the macro-level.

amanda naismith, new forests (Economic-member, Investor or Donor):  
The Standard could provide additional guidance around which timescale should be used to assess impacts (i.e. short, medium, long-term).

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
The ask here: to estimate/explain/document/describe externalities for each mngt activity is just going to add more work/documentation for CFM and I am unclear on how this adds any value to anything. We clearly understand forest mngt practices are dynamic in nature and some can benefit some attributes/values/species/habitats while impeding others; having to document that we are thinking about that kind of stuff for every mngt actiity is not practical or a wise us of our time.

Klaus Geiger, NEPCon (Economic-member, Certification Body):  
Indicator should clarify that not all "costs" are material



Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
I think this indicator remains too broad with not enough guidance. There are so many positive and negative impacts to consider. Still needs more guidance or will result in assessments that are all over the place with limited positive impact. Or maybe just revert back the criterion with no indicator.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
I don't understand the value of this indicator, particularly given the emphasis on social, economic, environmental impacts throughout the standard. It seems unnecessary and redundant.

Scott MacDougall, J.D.Irving, Limited (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
I do not see the point or the benefit of this indicator. Certificate holders know this information and use it daily in their forest management. Asking them to document it is a big administrative task with no benefit. This will be costly. I suggest using wording similar to the approved FSC Canada wording that I believe is not onerous or costly. 5.3.1 Management planning takes into account the long-term positive and negative environmental and social impacts of management activities\*. 5.3.1 Management planning takes into account the long-term positive and negative environmental and social impacts of management activities\*.

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):  
I do not see the point or the benefit of this indicator. Certificate holders know this information and use it daily in their forest management. Asking them to document it is a big administrative task with no benefit. This will be costly. I suggest using wording similar the approved FSC Canada wording that I believe is not onerous or costly. 5.3.1 Management planning takes into account the long-term positive and negative environmental and social impacts of management activities\*.

Caroline Pufalt, Sierra Club (Environmental-member, Environmental NGO):  
externalities can then overlap with C4.4 local impacts.

Rebekah Luedtke, Wisconsin County Forests Association (Unknown-nonmember, Government):  
Comment: Depending on how this is interpreted, this indicator could potentially be an enormous burden and time sink to the organization generating ambiguous data of little or no value. Individual projects and long term management plans already evaluate the benefits and costs of conducting activities. Recommendation: Drop 15.3.1. Indicator 7.2.19 is a more appropriate place to conduct this evaluation as this is currently a requirement in management planning.

**Q122: Please share any additional comments you have regarding Indicator 5.4.1.**

Klaus Geiger, NEPCon (Economic-member, Certification Body):  
While I largely agree with this indicator, there may be justifiable reasons other than competitive rates and levels of service not to choose a provider.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q123: Please share any additional comments you have regarding Indicator 5.4.2.**

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Kara Wires, NEPCon (Economic-member, Certification Body):  
Need guidance on what is considered reasonable.

Klaus Geiger, NEPCon (Economic-member, Certification Body):  
I don't understand what this indicator is requiring.

**Q124: Please share any additional comments you have regarding Indicator 5.4.3.**

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Klaus Geiger, NEPCon (Economic-member, Certification Body):

Guidance box: eliminate the "applicability" line. It is clear from the indicator that it is a requirement for public lands. This is a readability issue.

Robert Hrubes, Individual Member (Economic-member, ):

Defining "forest" is not a sufficient means of defining "forest products." "...some sales" is Too vague--will lead to inconsistent audit findings.

**Q125: Please share any additional comments you have regarding Indicator 5.5.1.**

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Robert Hrubes, Individual Member (Economic-member, ):

item a. "all environmental, social, and operating costs...." and item b. "management" These are not "management activities" which is the focus of this sentence.

**Q126: Please share any additional comments you have regarding Indicator 5.5.2.**

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

The organization must remain financially solvent. In down markets, this could mean layoffs, deferred spending on roads and silviculture, etc. This indicator could result in an organization dropping FSC certification because remaining solvent would take precedent over being certified.

**Q127: Criterion 6.2: Based on your real-world experience and thoughts, does the existing standard language provide adequate flexibility and safeguards for major disturbance planning and post-event management response?**

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

Yes, we believe that C6.2 as written provides sufficient flexibility and safeguards for major disturbance planning and post-event management response.

Andrew Carlo, F&W Forestry (Economic-nonmember, Certificate Holder (FM)):

Yes, the existing standard is fine without revision.

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):

Yes except perhaps for fire risk mitigation and fuel load. Then it is a combination of social and environmental issues.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Yes

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Yes

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):

Yes

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

Yes

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):

Yes

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

This is too complex

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

This is a confusing question. The indicator relates to planned management activities. Aren't major disasters by definition, unplanned? Is this suggesting that response plans to anticipated major disasters will be developed and impacts analysis conducted? If so, planning for sustainable harvest levels could include some level of stochastic event analysis which could be specific to the ecological units of the forest plan.

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):

The standard should no limit the certificate holders ability to conduct salvage harvesting.

Ryan Hilburn, Red River Forests LLC (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

The standard language can make it extremely difficult to conduct timely post-event management. Additionally, most often impacts from the major disturbance are more significant than post-event management. For example there have been several studies conducted in CA that show in burned areas the absence of post -event harvesting produced more sediment than if harvesting had occurred.

Sam Davis, Dogwood Alliance\*\* (Environmental-member, Social NGO , Environmental NGO):

The standard in 6.2 as written doesn't really identify steps to take for major disturbance planning and response. Salvage logging is controversial because the ecological impacts are not known, and natural disturbance events with downed wood provide new microhabitats for species establishment. Explicitly allowing salvage logging goes against the spirit of maintaining ecological integrity -- it should be eliminated entirely, or very restricted to small areas or a small percentage of downed wood.

Brendan Grady, SCS Global Services (Economic-member, Certification Body):

The current version of the standard does not provide enough flexibility to deal with large scale disturbances. Particularly acute is the case of large scale fire at stand replacing levels in the western region, or any other major disturbance that affects an area larger than a normal opening size. Certificate holders faced with significant fire events have had to withdraw certification on management units because the opening size limits in the regional requirements do not provide any exception for salvage logging in these cases.

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

Sure

Klaus Geiger, NEPCon (Economic-member, Certification Body):

Should add "and probability of potential impacts" - knowing what the expected impacts are and not just the whole realm of possible outcomes

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):

See comments provided earlier re: HCVAs, CANs, RSAs. Please refer to the comment letter submitted by the Minnesota Forest Industries (MFI) on December 17, 2020. Pages 5-9. Sappi is a member of MFI and supports these comments and suggestions.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):

No. Responses to catastrophic losses and natural disasters are not well considered in the standard, particularly the exceptions to criteria that are based on a normal planning horizon.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

I have not yet reviewed the full standard, but both severe wildfires and hurricanes are expected to increase in number under climate change scenarios. So, if the standard does not yet highlight the increase in frequency of these types of major, damaging disturbances due to climate change, planning and management for the above should be emphasized. In terms of historic disturbance, I think that the existing standard and draft do cover major disturbance planning and response adequately. Historic disturbance and disturbance as a result of climate change need to be separately highlighted in the Standard, however, since they are fundamentally different in frequency and severity of planning and response needed.

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

From our experience with the standard we are unfamiliar where emergency planning or response has been adequately called out. This has created some uncertainties for us when responding to major disturbance events. As such we would suggest that the standard falls short in providing adequate flexibilities and safeguards to address major disturbance planning and response. Perhaps there is room in Guidance boxes to provide these flexibilities and safeguards.

Galen Smith/ Niel Fischer, Collins Companies (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

Especially at this time when we're just beginning to see the impacts and outcomes of climate change, with much still unknown, flexibility of language regarding major disturbances and event management should be prioritized. The SDG should consider a mechanism for more frequent review of this element, as disturbances and events may emerge and require action more quickly than a standard review cycle.

**Q128: Does Indicator 6.3.2 add value to the standard, or is it duplicative of other indicators within the standard?**

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):

Yes, the Indicator adds value on a subject that is important and likely to continue needing careful approaches, given the likelihood of continued and increased market pressure for biomass harvests (of which whole-tree logging can be a visible and controversial example). See below for an essential correction needed to the draft Indicator.

Sam Davis, Dogwood Alliance\*\* (Environmental-member, Social NGO , Environmental NGO):

Yes, guidelines on whole-tree harvesting helps identify that removing the tops and limbs is harmful ecologically and should not be done regularly. However, the addition of the language "unless it is being used to achieve ecological management objectives" makes the provision essentially useless, because anything can be used to justify such a broad management objective. This caveat must be removed for 6.3.2 to have any usefulness at all. Without removal, it will be subject to widespread misuse. Specific instances where this might be necessary could be clarified as sub-points, and not placed in the large header / opening statement.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):

yes

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):

Whole tree harvesting is an excellent tool to reduce fuel loads in the wildland urban interface as well as reducing site preparation and planting costs. This indicator would have a negative impact on forest management. Delete all of 6.3.2 New research and long term studies show that most of Minnesota soils have adequate nutrients and can endure a large number of rotations without harmful effects. (Grigal, D.F. 2004 An update of Forest Soils. A technical paper for a generic environmental impact statement on timber harvesting and forest management in Minnesota.)

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):

We think this does add clarity. There may still be a little ambiguity about what ecological objectives are justified. We have plant sanctuaries where restoration could require whole tree removal. More common situations in PA might be for restorations and fire use sites, reducing fuel, etc., and improving conditions for conifer establishment.

Seth Zuckerman, Northwest Natural Resource Group (Environmental-member, ):

We support the inclusion of a provision on whole-tree harvesting, and the exception provided for harvesting that redistributes the slash back into the forest. The exception described in 6.3.2.c ("is not planned to occur again in the subsequent rotation") appears well-intentioned, but not actionable or discernible within the time-frame of certification decisions. Conformance with the normative framework should be based on activities that can be monitored within the 5-year duration of a certificate, not promises of what will be done 40 or 50 years hence.

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
This is too complex

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

On the whole, Indicator 6.3.2 is duplicative of other indicators in the standard that address the protection of soil, nutrient cycles, wetlands, rare ecosystems and other ecologically sensitive areas, carbon cycles and maintaining site integrity. We believe that this indicator could be deleted.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):

Not really. 60 years of leaves and branches deposited to the forest floor and soil is much more significant than the tree top being left behind when the tree is harvested.

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

No. While similar to other indicators, i.e. 6.6.3 and 10.11.4, this indicator provides detail specific to whole tree harvesting.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):

No, it should be removed

Andrew Carlo, F&W Forestry (Economic-nonmember, Certificate Holder (FM)):

No

Robert Hrubes, Individual Member (Economic-member, ):

it is not duplicative

Ryan Hilburn, Red River Forests LLC (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

It is important to note that our timberlands are impacted by increasingly catastrophic wildfires. Whole tree harvesting is becoming more commonly used in this area, especially for thinning projects designed to reduce fuel loads resulting in reduce fire hazard. With advancements in harvesting machinery whole-tree yarding is also become more common for regeneration harvesting. The use of feller-bunchers (both tethered and untethered) has resulted in improved worker safety compared to conventional hand-felling. The use of modern harvesting technology including electronic chokers and log processors that limb and buck the trees on the landing also replace the "chaser" resulting in reduced worker exposure to moving equipment and logs. In California whole tree harvesting does not include removing stumps and leaves a substantial number of limbs and tops on the ground post yarding.

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

It doesn't add value - it severely limits a tool that could be used in areas of the west that are experiencing extreme wildland fires to reduce fire threat and intensity. Don't handcuff certificate holders by removing a potential tool in this area.

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):

it does not add value

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

I think it adds value to the standard. There is some overlap with other indicators, but the overlap is not complete, so this is a good means of making sure all points are included.

Klaus Geiger, NEPCon (Economic-member, Certification Body):

Duplicative. The standard is anything but concise and needs extensive modifications with respect to its readability.

Kara Wires, NEPCon (Economic-member, Certification Body):  
Does not seem duplicative. It is good. Adds value.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
Does not add value.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
adds value

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Adds value

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):  
6.3.2 is largely covered in 10.11.4, but does add value to the standard.

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):  
(7) Finally, about whole tree harvesting (Indicator 6.3.2), it is important to note that our timberlands are impacted by increasingly catastrophic wildfires. Whole tree harvesting is becoming more commonly used in this area, especially for thinning projects designed to reduce fuel loads resulting in reduce fire hazard. With advancements in harvesting machinery whole-tree yarding is also become more common for regeneration harvesting. The use of feller-bunchers (both tethered and untethered) has resulted in improved worker safety compared to conventional hand-felling. The use of modern harvesting technology including electronic chokers and log processors that limb and buck the trees on the landing also replace the "chaser" resulting in reduced worker exposure to moving equipment and logs. In California whole tree harvesting does not include removing stumps and leaves a substantial number of limbs and tops on the ground post yarding. We request this indicator be removed to avoid limiting the use of this tool in reducing fire hazard and improving worker safety.

**Q129: Indicator 6.3.2: Are there edits that would help increase clarity regarding for which harvesting operations this indicator does and does not apply?**

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

Yes. It would be helpful to identify the type of research/evidence that would be acceptable to demonstrate belowground carbon sequestration has not been compromised. There should be clarification that re-entering wetlands to redistribute slash can do more damage than good.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
yes

Caroline Pufalt, Sierra Club (Environmental-member, Environmental NGO):  
whole tree removal can be damaging, The exception for " ecological management objectives" is too broad without further limitations. In fact how or why would it be appropriate to do whole tree removal outside of ecological management? should these exceptions be further defined to include what other goals benefit from whole tree removal? and is that appropriate?

Kara Wires, NEPCon (Economic-member, Certification Body):  
The reference to "subsequent rotation" needs to be expanded to include previous rotation...so perhaps "consecutive" rotations is better.

Ryan Hilburn, Red River Forests LLC (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
The indicator does not take into account whole tree harvesting that occurs in unevenaged systems. In north eastern CA whole tree harvesting has been the standard operating procedure in our stands for over two decades. Upon completion of harvesting operations there is still a significant duff layer that has been left in tact to provide soil nutrients. Additionally, whole tree harvesting provides for efficient fuel reduction, greater worker safety, and less ground disturbance than conventional methods. Without any clear justification or scientific evidence that

whole tree harvesting is leading to significant environmental damage this indicator should be removed.

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

part c. is ambiguous. Over what time frame? Soil nutrients are often immediately impacted post disturbance but may recover to preharvest levels over time. Adding a temporal aspect would provide clarity.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

It is clear as is, however when a rotation is 80-100 years knowing if whole tree removal occurred in 2 consecutive rotations may be a challenge. I will most likely not need to worry about this requirement!

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):

Indicator 6.3.2: The Board/PSC added the phrase “unless it is being used to achieve ecological management objectives” to the Indicator. This new language creates a potentially immense exception to the Indicator’s restrictions on use of whole tree logging. While presumably well intended, the exception hinges on the highly subjective phrase “ecological management objectives,” which could mean virtually anything, and thus is at best impossible to audit, and at worst, subject to widespread misuse. RECOMMENDATION: Remove the phrase “unless it is being used to achieve ecological management objectives” from the Indicator. Surely any whole tree harvest that is genuinely driven by forest ecosystem restoration or conservation objectives will already be feasible within the Indicator’s constraints. If there are specific legitimate situations that would be unduly constrained by the rest of the Indicator, then those should be specified as another bullet point, rather than by inserting a wide-open exception that could be used to rationalize wide-spread whole tree harvest.

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

If the SDG feels that this indicator is necessary to highlight potential impacts of whole-tree removal, then it should be edited to exclude partial harvests (thinning). It should focus on potential soil nutrient impacts; delete the reference to wetlands, rare and sensitive ecosystems (#2) as this is covered by other indicators in the standard. Also delete #4 as whether roots and stumps are left are covered by #1 and 3.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):

if the intent is to address biomass harvests, then perhaps this should be clarified

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

I think it is mainly clear, but just to confirm- points a. to c. would not apply if indicator is not applicable to operation, correct?

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

Get rid of it entirely.

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):

From a wood procurement organizations perspective, "whole-tree removal" equates fiber fuel operations who deliver us fiber fuel for boiler fuel. Not to be confused with all in-woods chippers as there are some in-woods chip operations who debark/delimb similar to Roundwood processing. Feel free to call me directly for any further clarification would help- 318-751-8224

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):

Delete all of 6.3.2 New research and long term studies show that most of Minnesota soils have adequate nutrients and can endure a large number of rotations without harmful effects. (Grigal, D.F. 2004 An update of Forest Soils. A technical paper for a generic environmental impact statement on timber harvesting and forest management in Minnesota.)

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

Delete "...left on the landing..." The intent of this standard is to control the harvest and removal of whole trees. Leaving some material at the landing, on-site should be acceptable.

Brendan Grady, SCS Global Services (Economic-member, Certification Body):

At first glance, 6.3.2 only applies to poor soils, wetlands, or other sensitive areas. But clause 3 requires an analysis in any situation in which whole-tree removal is utilized. Also, clause 3 appears to be an analysis on a block by block level, happening after whole-tree removal has occurred. It seems needlessly complex to have a requirement that prohibits something from happening in the subsequent rotation, which is much farther away in time than the length of the certificate. Or is this intended for current CHs to stop using the practice until a management unit analysis is done?

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

1) 6.3.2 as written does not add value to the standard since the soil data and research is not available in most areas and "whole-tree removal" as defined in Applicability is standard practice in western forestry. Although sometimes re-spread of tops and limbs is written into the contracts, this addition, if adopted, could disallow certification for many western forests. 2) Definition is needed for "ecological management objectives", as this is not covered in the Glossary. Additionally, regarding the references to soil...I am a soil scientist and have worked with these issues with NRCS at DNR since 2013. There are many conflicting datasets, very limited site-specific information, and even fewer forest soil scientists on staff to help interpret the data. Although I generally support the freedom to operate in the gray area of such undefined statements, it seems that these particular undefined statements could cause problems with conformance. Regarding (a): how is "nutrient poor soils" and "sensitive to compaction" defined and by whom, and what happens if there is disagreement between national/state databases and local knowledge? If the idea behind this is to be retained, using some standard metrics like the data and Forest Soil Management Interpretations in the NRCS Web Soil Survey database could be helpful but as noted, there are limitations to using this data. Regarding (b): what size wetland? how rare? what is an ecologically sensitive area and who decides? Regarding (c): what research? If research on this topic is known, it should be provided because soils research is usually fairly obscure, and it should be clarified what research is applicable where. For instance, if I were able to find research showing whether or not belowground C sequestration will be compromised in eastern WA, even though that is a vastly different ecosystem type than western WA (see previous comment on the need to split up the Pacific Coast Region), is it applicable or does it have to be site- or management-unit specific research? If site-specific, how are certified organizations are going to implement/fund this research? It might be worthwhile for those revising the standard to try and do this themselves: Find and interpret the soils data for a random forest stand to determine "nutrient-poor" and "sensitive to compaction", identify "ecologically sensitive areas", and read/understand/apply belowground C sequestration research.

Andrew Carlo, F&W Forestry (Economic-nonmember, Certificate Holder (FM)):

: Some adjustment of this indicator seems necessary to me, to account for thinnings and other partial cutting by whole tree harvesting within a rotation. Obviously a thinning removing 25% of the stocking will have a different effect on the site than a clearcut, and so it would be reasonable to construct the indicator in such a way that clause regarding timing ("if it does occur, is not planned to occur again in the subsequent rotation") Also, the indicator should be modified to make a provision for woody material left on the landing, to harden it for operability or for other reasons (in addition to material used in trails, as mentioned in the proposed indicator) as this is a common practice in some areas. By the way, some studies of the effects of whole tree harvesting have been conducted at the Hubbard Brook Research Forest in New Hampshire. These studies can be interpreted to support the same recommendation as in the proposed indicator ("...if it does occur, is not planned to occur again in the subsequent rotation"). As Hubbard Brook is in a region of low soil productivity, due to acidic soils resulting from granitic bedrock, some care should be taken to make sure that these conclusions are supported by research in regions with more productive soils and quicker replenishment of soil nutrients from bedrock or otherwise.

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):

(7) Finally, about whole tree harvesting (Indicator 6.3.2), it is important to note that our timberlands are impacted by increasingly catastrophic wildfires. Whole tree harvesting is becoming more commonly used in this area, especially for thinning projects designed to reduce fuel loads resulting in reduce fire hazard. With advancements in harvesting machinery whole-tree yarding is also become more common for regeneration harvesting. The use of feller-bunchers (both tethered and untethered) has resulted in improved worker safety compared to conventional hand-felling. The use of modern harvesting technology including electronic chokers and log processors that limb and buck the trees on the landing also replace the "chaser" resulting in reduced worker exposure to moving equipment and logs. In California whole tree harvesting does not include removing stumps and leaves a substantial number of limbs and tops on the ground post yarding. We request this indicator be removed to avoid



limiting the use of this tool in reducing fire hazard and improving worker safety.

**Q130: Indicator 6.7.7: What kinds of activities and impacts on waterbodies and/or riparian areas should not require attempts to implement protective and/or remedy measures?**

Ryan Hilburn, Red River Forests LLC (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)): The indicator states that "Where activities on the Management Unit\* that are not within its direct control" the organization should be responsible to attempt to remedy the impact. This is not feasible in many if not all instances and should not be required in the standard. Many easements or right of ways exist throughout FMUs in the region that the organizations have no influence over their management. Additionally, there could be legal ramifications if the organization attempted to. For example powerline corridors are located across the FMU and are managed to reduce fuel loading and hazard trees even around waterbodies. If the organization were to stop those treatments they could be found liable for any fire that were to occur.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)): Short-term in nature, does not effect the reach and flow of the normal hydrology, does not cause negative, long-term habitat impacts to aquatic life.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
Rafting

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):  
Natural disasters like flood, fire, wind etc.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body): I can't think of many issues that wouldn't qualify for at least some type of basic protective measure, whereas the category for remedy measures would be more limited. For example, fluctuations in water flow and temperatures and chemical inputs from 3rd party users could likely be mitigated at some level by providing adequate shading, buffering, conserving soil health and the ability for waterways to filter incoming runoff, etc. These would be basic protective measures. Whereas damage caused by the FME would require remedy.

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)): Historic changes to watersheds that have ongoing negative effects, but are out of the control of the certified organization should not require attempts to implement protective and/or remedy measures. For example in Wisconsin, the historic practice of floating logs down streams to market removed obstructions (stream structure) and damaged or buried stream channels in sediment. Watershed changes due to agriculture or development have exacerbated erosion and bank cutting. The scope and scale of this damage is so large that wholesale restoration is not feasible.

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)): Engineered stream and streambank restoration can be overdone and is often ineffective or harmful. Sometimes, it is best to leave streams to stabilize themselves, as eroding streambanks in a forested setting can be appropriate and beneficial for in-stream habitat. Also existing, properly maintained roads and recreation areas should require no protective or remedy measures. Also, natural disasters and actions by other agencies.

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
Any that are not within direct control of the organization

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):  
• Minor discharges of sediment • when remedy actions of The Organization will increase impacts on waterbodies or riparian areas. • Minor changes to RMZ, by thinning Culverts and road crossings properly installed to allow for aquatic organism passage.

**Q131: Indicator 6.7.7: What kinds of activities and impacts on waterbodies and/or riparian areas planning should require attempts to implement protective and/or remedy measures?**

Andrew Bacon, Michigan Nature Association (Environmental-nonmember, Environmental NGO):  
We support the new language that was introduced in this Indicator to require restoration of hydrologic features damaged by forest management. In response to the Consultation Questions, we believe that it would make sense to require restoration in circumstances where forest management practices have exceeded pre-identified thresholds for impacts such as compaction or rutting of wetland soils, linear road footage entering wetlands, area of wetland vegetation damaged or removed, extent of piled woody debris within aquatic feature areas, or visible erosion impacts entering wetlands.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Those that will be on-going or continue to worsen if not addressed, i.e. sedimentation from a road or other source of erosion into a stream channel, removing overstory that allows increases in water temperature which negatively effects aquatic life.

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
Need to look for avoidable impacts - i.e. severe failures where problems could have been avoided but weren't. Remedy measures - truck falls in creek and spills large amounts of oil into creek (that needs remedy); probably others.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):  
Generally, all impacts should be covered. The burden of proof should be on certificate holders to demonstrate why impacts should not be covered.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
Fishing

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):  
Damage or rutting to aquatic habitats by logging contractors, ATVs, etc.

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):  
Certified organizations should be expected to cooperate with projects that are focused on stream improvement (e.g. cold-water trout habitat improvement) or other habitat improvement practices. Certified organizations should also cooperate with community or watershed restoration initiatives.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
Certainly, any activity and impacts caused directly by the FME, or caused by third party users over whom the FME has direct, indirect or partial control should qualify.

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
All that are not within direct control of the organization

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):  
Activities which cause irreparable harm are significant. All water bodies and riparian areas require RMZ as per state BMP guidelines,

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):  
• All riparian areas should require protective buffers • Harvest and management activity on steep slopes near or adjacent to waterbodies and wetlands. • Road, landing and skid trail location, placement, and buffers relative to sensitive features such as RMZs, or adjacent to waterbodies and wetlands. • Water diversion and drainage structures on public waters, stream and wetland crossings. • Culverts that impede aquatic organism passage. Restoration of excessive soil and erosion damage or rutting adjacent to all water and wetland crossings within the management unit. Includes access roads that cross streams and wetlands from the management unit.

**Q132: Indicator 6.8.2 (A): Can you provide any examples or real-world scenarios of forest stands that have matured or are maturing into late seral stage forest that could potentially fall under the current definition of Type 1 or Type 2 old growth, such that conformance with indicator 6.8.2 would be a barrier for achieving or continuing certification?**

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

Yes, we have real-world scenarios of these types of forest stands. Clarification is needed on if/how Time Since European Settlement and rarity are related to criteria for being Type 1 or 2 old growth. Additionally, the Indicator should require meeting a standard metric of rarity before late seral forests are protected as old growth. State trust lands must be managed within the terms of the trust and state law. Similar to the wording for tribal lands, state trust lands may require additional wording. State land managers must be allowed to manage a dynamic network that works within the state's legal and ecological framework.

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):

We are very concerned about guidance in Annex K, section 4.a.ii. as it pertains to Type 1 and Type 2 Old Growth Forest. Minnesota contains thousands of acres of lowland conifer (typically black spruce) forest that has seen minimal harvesting in modern times because of its slow rate of growth and inaccessibility. Some may deem it old growth, but it was harvested in the past. Due to the long time periods evidence of prior harvesting (either in records or in stumps) is no longer available. This timber is important to the forest products industry. Black spruce is also prone to dwarf mistletoe infestation, which can devastate the stand. Proper management requires clearcutting all stems in infested stands to eradicate the disease. • Recommendation: Remove old natural origin lowland conifer forests from the definition of Type 1 and Type 2 Old Growth, or allow managers to cite reasonable expert opinion on whether or not lowland conifer forests were harvested a century ago.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
No, not in our area of the southeast US.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
No, I cannot think of any.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
no

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
no

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):  
MI DNR does not have any silvicultural cover type guidance where rotation length is approaching the definitions for Type 1 or Type 2 Old Growth. Management intention and plan-stated rotation lengths should be taken into account in the definition of old growth.

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):  
FSC's view of old growth (hands-off protection) reflects a Euro-centric view that the "best" treatment of old growth (and most forests) is a hands-off approach. It doesn't reflect that native peoples in the United States 'managed' the landscapes and forests where they lived for thousands of years. Late successional seral stages of forests should be allowed to be managed to maintain either in situ or in a shifting landscape mosaic old forest characteristics and the species that depend on them. Moving late successional forests to a Type 1 or Type 2 old growth designation is a mistake.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):  
Examples which would be appropriate to treat as exceptions to 6.8.2 are likely to be very limited, and thus 6.8.2 should not be weakened as it applies to most circumstances. Any allowed exceptions should be very carefully and narrowly described. For example, mid or late successional primary forests that naturally mature into old growth forests should be protected as old growth forests, regardless of whether this poses a "barrier" to certification. Certification should never be viewed as a goal unless it is coupled with robust requirements for conservation and

restoration, protection of social values, and economically sustainable practices.

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

A clear real-world scenario relates to Minnesota's school trust lands. Any forest cover type that matures slowly in a geographic area where the forest products market is not strong enough to manage towards a regulated condition will eventually mature into late seral stages, absent a major natural disturbance. For example, about 10% (40,000 acres) of the productive lowland black spruce forest type on Minnesota DNR-managed lands is 130 years or older. Similarly, about 27% (40,000 acres) of the productive lowland northern white cedar forest type on MN DNR-managed lands is 150 years or older. Older cedar is increasing in relative abundance due to regeneration challenges, low harvest and lack of markets. Market demand for black spruce is higher. Black ash forests might have been another example of maturing forest on MN DNR lands, but emerald ash borer and recent harvest increases will change the age distribution. Most of the acres of late seral stages of lowland black spruce and northern white cedar managed by MN DNR are on state school trust lands, which MN DNR has a fiduciary responsibility to manage for long-term economic benefit to the trust (the Permanent School Trust Fund). If these forest cover types on state school trust land were to fall under the definition of Type 1 or Type 2 old growth, the resulting management requirements would put continued certification of these lands in conflict with the MN DNR's responsibility to the trust under the Minnesota Constitution and state law. To avoid this eventuality, the indicator should require some standard of rarity to be met before late seral stage forests are required to be protected under this indicator. Flexibility should be allowed for certificate holders to develop their own definitions of rarity as it pertains to the ecological section or province scale. Minnesota DNR would welcome the opportunity to discuss with FSC some options/ideas we have for FSC to consider to address our comments, particularly for state school trust lands

**Q133: Indicator 6.8.2 (B): What portion of tribal ownership comprised of old growth should be required to allow timber harvest (when all other criteria are also addressed)?**

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

Tribes should be allowed to manage timber in accord with their culture and harvest in old growth should be allowed on up to 100% of tribal lands.

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

Public lands are also held in trust and may be impacted by laws governing management/rotation length. It seems all lands held in trust (government or tribal) should be held to the same standards.

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):

NA

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

I am not sure I have a good answer for this, but I think the cut-off should be based in part on the total area of the MU; so, a percent for  $x > XXX$  ha, a different percent for  $x > XXX > x$ , and a different percent for less than  $XX$  ha.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):

Can not comment because I do not know.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

Any and all, as long as the criteria are met.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

ALL landowners choosing to be certified must be held to the same standard.

**Q134: Do you have any comments regarding Principle 6 that are not indicator-specific?**

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

We encourage the SDG to move the standard toward an outcome-based model that eliminates region specific

language and streamlines the standards. The Lake States and Northeast US regions have proven that outcome-based standards language can be effective. These regions account for the majority of FSC certified forests in the United States.

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
This is too complex

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):  
See comments provided earlier re: HCVAs, CANs, RSAs. Please refer to the comment letter submitted by the Minnesota Forest Industries (MFI) on December 17, 2020. Pages 5-9. Sappi is a member of MFI and supports these comments and suggestions.

Robert Hrubes, Individual Member (Economic-member, ):  
Regional variation can be handled through guidance/direction to CABs rather than loading the Standard with regionally-specific Indicators. None of the listed options. Instead, get rid of regionally-specific Indicators and leave it to the duly accredited audit teams to factor regional circumstances into their conformity assessment determinations.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):  
Overall, aside from the problems and needed improvements and corrections noted in my comments below, the draft Indicators for Principle 6 are essential for ensuring compliance with P6 and its Criteria, and for addressing situations in the US that are not expressly covered by the P&C, and for addressing expectations for credible and effective forest certification in the US. It will be important to retain the Indicators' specificity and clarity regarding required actions and outcomes.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
Overall the changes made to this indicator are a big improvement.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
No

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
No

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
No

Klaus Geiger, NEPCon (Economic-member, Certification Body):  
I would change this to "The org shall strive to maint..." RE the consultation questions, the standard should be able to be implemented anywhere where there is forest management.

Kara Wires, NEPCon (Economic-member, Certification Body):  
I suggest some of the guidance from C6.1 be moved to the Principle since it covers C6.1-6.3

Andrew Bacon, Michigan Nature Association (Environmental-nonmember, Environmental NGO):  
Criteria 6.7 – We believe that identifying aquatic resources in the manner identified in the Criteria is flawed as the current wording only identifies riparian and connected wetlands and aquatic resources. This riparian only concept would be appropriate if the primary goal of the Standards is to only protect aquatic resources in a manner consistent with the current minimal interpretation of the Clean Water Act, but that would seem to conflict with the Intent and Guidelines of other Criteria in the Standards. Such a narrow riparian interpretation of aquatic resources will decrease the likelihood of the Standards being successful under Criteria 6.4 where some wetland dependent rare, threatened and endangered species rely on wetlands outside of riparian corridors or in Criteria 6.7 where the protection of water quality and quantity also depends upon the protection of wetlands and headwaters beyond the riparian zone. In order to conserve the intent and implement many of the practices identified in Criteria 6.7 it is necessary to include aquatic and wetlands resources such as isolated wetlands, headwaters, vernal pools,

important groundwater infiltration zones, sinkholes, karst, seeps, springs, fens, bogs and other important isolated aquatic and wetland resource features as they occur across the landscape.

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):  
C6.1 Delete "and those values outside the management unit potentially".

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

6.1 Overall suggestion- Environmental values may change over time. Consider adding an indicator-level requirement that the assessment be updated/revisited to include new information at least every 10 years (or on the same cycle as FMP revisions are required). While certain parts of the assessment (for example, historic conditions) are unlikely to need updating, climate change and changing conditions on the ground will likely require updates to lists of RT&E species/natural communities, forest cover types, impacts of management activities on forest health, what management would be appropriate in the MU given changing climatic conditions (for example, a longer mud season, less snow cover, and more volatile temperature changes during the winter in the northeast will affect how management can be done), etc. Updates to some, but not all, of these items are covered elsewhere in the current US FM Standard. This is covered very loosely under 6.1.1.i in the new draft but is a somewhat vague indicator. I do think 6.1.1.i should be kept, since it requires future planning, but also requiring assessment updates on the same cycle as FMP updates would increase confidence that future decision making always incorporates new information on changing conditions. - C6.1 states "The Organization\* shall assess environmental values\* in the Management Unit\* and those values outside the Management Unit\* potentially affected by management activities\*. This assessment shall be undertaken with a level of detail, scale, and frequency that is proportionate to the scale\*, intensity\*, and risk\* of management activities\*, and is sufficient for the purpose of deciding the necessary conservation\* measures and for detecting and monitoring possible negative impacts of those activities (new)." - Last sentence, "those activities"- which activities? Conservation activities? Or management activities? Or both? Guidance for 6.1 to 6.3: "Environmental values within the landscape\* of the Management Unit\* (both within and outside the Management Unit\*) that may be affected by management activities\* occurring within the Management Unit\* are to be included in the assessment process. Examples of situations with management activities\* occurring within the Management Unit\* affecting environmental values outside of the Management Unit\* include "but are not limited to" impacts on downstream water quality, and rare, threatened, and endangered species\* and/or rare ecological communities\* that extend from the Management Unit\* onto adjacent lands." -Add "but are not limited to" in the above. "Assessments include consideration of all aspects of site-disturbing operations for which The Organization\* has direct, indirect, or partial control, such as: activities associated with timber management, recreational uses, transportation, on-site wood processing facilities, grazing, mineral extraction, transmission line siting, and other activities conducted in the Management Unit\*." - Add "indirect and/or partial control" to the above- for example, if recreational users on OHVs are using the MU, the organization may have indirect control over user activities via their lease agreement with an OHV club. An area excised for mining that where rights will revert to CH once mining is complete is an example of partial control for which an assessment should be completed so that CH can tap that assessment after the mining permit is closed. "Best Available Information\* for Criteria 6.1 through 6.3 may include, as appropriate: ● Representative Sample Areas\* showing environmental values in their natural condition\* ● field surveys ● databases relevant to the environmental values ● consultation with local and regional experts\* ● culturally appropriate\* engagement\* with Indigenous Peoples\*, local communities\*, and affected stakeholders\* and interested stakeholders\* ● climate change vulnerability assessments" - Can you add something to the intent here that speaks to the fact that utilized data should be well accepted and/or having been legitimately validated by experts in the appropriate field? The above speaks to the types of documents that may be used, but not to their quality. Maybe just repeating the terms credible scientific analysis\* and local\* knowledge in the statement is enough. "The assessment for rare, threatened, and endangered species\* and rare ecological communities\* includes G1–G3, S1–S2, and some S3 species. These "G" and "S" ranks are conservation status ranks used by NatureServe and Natural Heritage Programs to provide an assessment of imperilment (1 [critically imperiled] through 5 [secure]) at global ("G") and state ("S") scales. The evaluation to determine which S3-ranked species\* warrant recognition as rare, threatened, and endangered species\* and which communities warrant recognition as rare ecological communities\* should be based on the following: S3 species\*/communities that are candidates for federal or state listing should be considered rare, threatened, and endangered species\*/rare ecological communities\*. S3 species\*/communities that have been proposed for federal or state listing should also be given priority. The assessment should be designed to identify and recognize as rare, threatened, and endangered species\* those S3 species\*/communities that are more imperiled across their natural ranges, and that are more

sensitive and vulnerable to impact from the types of management activities\* that will occur on the Management Unit\*." - Since climate change is mentioned in 6.1.1.i, would it also make sense to require that the assessment include G1-3 and S1-2 and some S3 species and natural communities that are likely/projected to move into the management unit during the next 10 years? C6.5 States "The Organization\* shall identify and protect Representative Sample Areas\* of native ecosystems\* and/or restore\* them to more natural conditions\*. Where Representative Sample Areas\* do not exist or are insufficient, The Organization\* shall restore\* a proportion of the Management Unit\* to more natural conditions\*. The size of the areas and the measures taken for their protection\* or restoration\*, including within plantations\*, shall be proportionate to the conservation\* status and value of the ecosystems\* at the landscape\* level, and the scale\*, intensity\*, and risk\* of management activities\*. (C6.4 and 10.5 P&C V4 and Motion 7:2014)" - "More natural conditions"- this is kind of hazy, since it does not differentiate between very tiny actions and significant ones that help restore natural conditions. Any way to better clarify how much restoration would or would not be acceptable? 6.6.5. Regional requirements for opening sizes- In the current standard and in this draft, there are no requirements for maximum opening sizes for even-aged management for the northeastern US. Why not? The primary mechanism of natural disturbance in the NE is single tree fall, which lends itself to single tree and group selection silviculture. While small and medium-sized clear-cuts may be appropriate in certain circumstances (restoration of a high-graded forest, habitat creation for early successional species of concern, etc.), large clear-cuts are not natural to our NE systems, which are allowed under the current standard and this draft. Please consider adding some regional requirements for the NE to 6.6.5. The above comments also apply to the Lake States region.

**Q135: Please share any additional comments you have regarding Indicator 6.1.1**

Caroline Pufalt, Sierra Club (Environmental-member, Environmental NGO):

Why is (f.) described in the Intent language (page 41) as not "duplicate" those in Principles 4 and 9? These may very likely overlap. the caution against duplication is confusing.

Andrew Bacon, Michigan Nature Association (Environmental-nonmember, Environmental NGO):

We believe it is appropriate to break the water resources bullet point into multiple bullet points to recognize different types of aquatic and wetland resources that should be assessed. It seems inconsistent to have so many bullets related to terrestrial impacts while only having one bullet representing all of the aquatic impacts. For example, there could be separate bullets for: a.) Riparian systems and connected wetlands, b.) Lentic and palustrine systems including lakes, ponds, isolated wetlands, and vernal pools, and c.) Headwaters, karst and other sensitive aquifer features.

Sam Davis, Dogwood Alliance\*\* (Environmental-member, Social NGO , Environmental NGO):

The weakening of language by replacing "shall" with "should" - should be removed and the original language retained around RTEs. Protection of RTEs and their habitat should not be optional, and the proposed changes make it seem that way. The Intent Statement must be corrected to state that S3 Candidate species "shall" be considered RTE species.

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):

The requirements of this indicator are overly broad and burdensome at the management activity level. Assessments of this kind are only reasonable at the macro-scale, planning level.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):

No

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

LandVest is concerned about the requirement to assess environmental values "outside the Management unit potentially affected by management activities", "forest ecosystem services and resources that support human well-being and "potential future impacts of climate change and catastrophic natural disturbances". The Indicator is vague as written and could be read to mean many different things to Organizations, managers, stakeholders and or auditors. This requirement has the potential to become expensive to administer and a barrier to entry for new

FMU's and the reason for exit from for certified FMU's

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

It would be nice to simplify to absolutely necessary. There is a lot here to cover - much of it overlapping with RSA analysis. Please review how much can be removed and pushed into RSA to avoid duplicative processes for certificate holders. Also - historic conditions feels so messy.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):

Indicator 6.1.1.a: In bullet "a" of 6.1.1, a comma was added after "size class." RECOMMENDATION: The comma should be removed, as it incorrectly makes identification/assessment of forest community types an alternative to identification of size classes or successional stages. I'm guessing this was just a copy-edit error. While it can be OK for size classes and successional stages to be alternatives to each other, community types should probably remain something that is normally identified/addressed, regardless of size classes/successional stages, as per both the draft prepared by the WG and the existing Standard (at 6.1.a.1). Indicator 6.1.1, Intent Statement, 2nd Paragraph: The existing Standard, the draft revised Standard prepared by the WG, and the definition of "rare, threatened, and endangered species" (RTE) all consistently require S3 species that are Candidate Species to be treated as RTE species. However, the Intent Statement has been edited to suggest that the RTE status of S3 Candidate species is optional. At best, this will create confusion about the status of S3 Candidate species, and at worst, it is a serious weakening of the Standard and its protections for imperiled species. RECOMMENDATION: Correct the Intent Statement to state that S3 species that "...are candidates for federal or state listing are considered rare, threatened...."

amanda naismith, new forests (Economic-member, Investor or Donor):

FSC could provide guidance on what timescales/scenarios should be used to consider future impacts of climate change on an organisations' assessment (could build out guidance in Annex L to achieve this).

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

Clarity is needed in Intent to specify species or community level S3 rank. Additionally, establishing "historic conditions" is problematic given the extent and magnitude of environmental change. Identifying historic range of variability makes more environmental and operational sense and doesn't imply "a condition" to compare to, but a range to identify if the forest stand falls within it.

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government, Certificate Holder (FM)):

Clarify in the box if S3 refers to species and/or communities. It is inconsistently qualified throughout the Intent box. Within the indicator under sub (g), drop "size class and /or successional stages". This is too difficult to do with data that are available. In the Intent box, we recommend dropping everything in the first paragraph after the first sentence. The details following the first sentence add specificity to how historic conditions are intended to be used that may pose a challenge in the face of climate change, in particular. While the paragraph goes on to acknowledge this, laying out specifics for how to use historic conditions and then caveating those specifics creates potential confusion.

Robert Hrubes, Individual Member (Economic-member, ):

6.1 Intent: Regarding baseline assessments, Make clear that this is an requirement for the FME, not the CABs.; Too much is being asked of the CH: Indicator 6.1.1. iThis Indicator is absurdly too long. It needs a radical editing down.

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):

(6) Multiple indicators address climate change assessment and adaptation (Indicators 6.1.1 guidance and 7.2.4). We agree broadly that FSC certificate holders should be aligned with work to adapt in the face of climate change. Further, the sprinkling of climate change requirements throughout the standard makes it difficult to assess in one place, therefore; we recommend that the requirement to assess potential future impacts of climate change (6.1.1.i) be removed and that addressing potential impacts of climate change be specifically addressed in the management plan (via best available information).



**Q136: Please share any additional comments you have regarding Indicator 6.2.1.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
No

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):  
Again the requirements of this indicator are overly broad and burdensome when considered at the stand level, as stated in the guidance. Assessments of this kind are only reasonable at the macro-scale, planning level.

**Q137: Please share any additional comments you have regarding Indicator 6.3.1.**

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
why add the word "effective" here?

Andrew Bacon, Michigan Nature Association (Environmental-nonmember, Environmental NGO):  
We support the new language under Criteria 6.3 pertaining to the prevention of negative impacts due to forest management activities.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q138: Please share any additional comments you have regarding Indicator 6.3.2.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
Where rotations are 80-100 years knowing if whole tree removal occurred in 2 consecutive rotations may be a challenge. I will most likely not need to worry about this requirement!

Kara Wires, NEPCo (Economic-member, Certification Body):  
this should cover "previous" rotations in addition to subsequent.

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):  
The restriction in letter (a) is problematic in PA. Often times, to make sales marketable, whole tree harvesting is permitted on poor quality sites that have poor quality soils. Limitations in our whole tree harvesting guidelines ensure that soils are not overly depleted.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Should be removed

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
No

Robert Hrubes, Individual Member (Economic-member, ):  
Need to Define whole-tree removal; item c. This implies that whole tree harvesting is associated with even-aged management and not uneven-aged management--is that the intent? d. is awkward language

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):  
Indicator 6.3.2: The Board/PSC added the phrase "unless it is being used to achieve ecological management

objectives” to the Indicator. This new language creates a potentially immense exception to the Indicator’s restrictions on use of whole tree logging. While presumably well intended, the exception hinges on the highly subjective phrase “ecological management objectives,” which could mean virtually anything, and thus is at best impossible to audit, and at worst, subject to widespread misuse. RECOMMENDATION: Remove the phrase “unless it is being used to achieve ecological management objectives” from the Indicator. Surely any whole tree harvest that is genuinely driven by forest ecosystem restoration or conservation objectives will already be feasible within the Indicator’s constraints. If there are specific legitimate situations that would be unduly constrained by the rest of the Indicator, then those should be specified as another bullet point, rather than by inserting a wide-open exception that could be used to rationalize wide-spread whole tree harvest.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

Indicator 6.3.2 States "Unless it is being used to achieve ecological management objectives\*, whole-tree removal: a. does not occur on nutrient-poor soils\* or soils\* sensitive to compaction or other disturbance; b. does not occur in wetlands\*, rare ecosystems\*, or other ecologically sensitive areas; c. if it does occur, is not planned to occur again in the subsequent rotation unless research indicates soil\* productivity and belowground carbon sequestration will not be compromised; and d. if it does occur, leaves (consider “distributes”) roots and stumps on-site." - Consider replacing “leaves” with “distributes” in the above. As written, an FME could pile up stumps and roots up in one place and still be in conformance. If what you are going for here is soil health, they would need to be scattered/distributed to make a difference. Also consider adding a requirement that whole tree harvesting does not occur on very steep slopes.

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):

Delete all of 6.3.2 New research and long term studies show that most of Minnesota soils have adequate nutrients and can endure a large number of rotations without harmful effects. (Grigal, D.F. 2004 An update of Forest Soils. A technical paper for a generic environmental impact statement on timber harvesting and forest management in Minnesota). This indicator does not add value to the standard and limits a Forester’s ability to manage a forest.

Andrew Carlo, F&W Forestry (Economic-nonmember, Certificate Holder (FM)):

: Some adjustment of this indicator seems necessary to me, to account for thinnings and other partial cutting by whole tree harvesting within a rotation. Obviously a thinning removing 25% of the stocking will have a different effect on the site than a clearcut, and so it would be reasonable to construct the indicator in such a way that clause regarding timing (“if it does occur, is not planned to occur again in the subsequent rotation”) Also, the indicator should be modified to make a provision for woody material left on the landing, to harden it for operability or for other reasons (in addition to material used in trails, as mentioned in the proposed indicator) as this is a common practice in some areas. By the way, some studies of the effects of whole tree harvesting have been conducted at the Hubbard Brook Research Forest in New Hampshire. These studies can be interpreted to support the same recommendation as in the proposed indicator (“...if it does occur, is not planned to occur again in the subsequent rotation”). As Hubbard Brook is in a region of low soil productivity, due to acidic soils resulting from granitic bedrock, some care should be taken to make sure that these conclusions are supported by research in regions with more productive soils and quicker replenishment of soil nutrients from bedrock or otherwise.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

"Consultation Question/Answer: 1) 6.3.2 as written does not add value to the standard since the soil data and research is not available in most areas and ""whole-tree removal"" as defined in Applicability is standard practice in western forestry. Although sometimes re-spread of tops and limbs is written into the contracts, this addition, if adopted, could disallow certification for many western forests. 2) Definition is needed for ""ecological management objectives"", as this is not covered in the Glossary. Additionally, regarding the references to soil...I am a soil scientist and have worked with these issues at DNR since 2013. There are many conflicting datasets, very limited site-specific information, and even fewer forest soil scientists on staff to help interpret the data. Although I generally support the freedom to operate in the gray area of such undefined statements, it seems that these particular undefined statements could cause problems with conformance. Regarding (a): how is ""nutrient poor soils"" and ""sensitive to compaction"" defined and by whom, and what happens if there is disagreement between national/state databases and local knowledge? If the idea behind this is to be retained, using some standard metrics like the data and Forest Soil Management Interpretations in the NRCS Web Soil Survey database could be helpful but as noted, there are limitations to using this data. Regarding (b): what size wetland? how rare? what is an ecologically sensitive area and who decides? Regarding (c): what research? If research on

this topic is known, it should be provided because soils research is usually fairly obscure, and it should be clarified what research is applicable where. For instance, if I were able to find research showing whether or not belowground C sequestration will be compromised in eastern WA, even though that is a vastly different ecosystem type than western WA, is it applicable or does it have to be site- or management-unit specific research? If site-specific, how are certified organizations are going to fund this research? It might be worthwhile for those revising the standard to try and do this themselves: Find and interpret the soils data for a random forest stand to determine ""nutrient-poor"" and ""sensitive to compaction"", identify ""ecologically sensitive areas"", and read/understand/apply belowground C sequestration research. "

**Q139: Please share any additional comments you have regarding Indicator 6.3.3.**

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):  
Specifically, what types of negative impacts is the standard referring too?

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Should be included in 6.3.1 starting with avoidance, minimization, and then enhancement or mitigation if impacts are resultant of activities.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
Same concern as noted for 6.1.1

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
No

Robert Hrubes, Individual Member (Economic-member, ):  
Intent: Unnecessary language; delete

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
Any harvest activity is a temporary negative impact. Probably need some clarity here for intensity and length of time during which negative impact exists.

**Q140: Please share any additional comments you have regarding Indicator 6.3.4.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
no

Caroline Pufalt, Sierra Club (Environmental-member, Environmental NGO):  
draft and final assessments on public lands management should be made "available and accessible". Available is too limiting. Could be interpreted as one copy available in one place during limited hours. Some additional language needed to ensure the public has reasonably accessible access.

**Q141: Please share any additional comments you have regarding Indicator 6.4.1.**

Andrew Bacon, Michigan Nature Association (Environmental-nonmember, Environmental NGO):  
We support the updated wording in Criteria 6.4 and the underlying four indicators, including their guidance and intent statements, which address rare, threatened and endangered species.

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
Remove: "of the appropriate database."

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Kara Wires, NEPCon (Economic-member, Certification Body):  
Last sentence of the Indicator (reporting to databases): it isn't clear if this is always required or just when surveys are conducted. since it is in the same paragraph as the surveys, it seems to be required only when surveys are done. Please clarify.

**Q142: Please share any additional comments you have regarding Indicator 6.4.2.**

Andrew Bacon, Michigan Nature Association (Environmental-nonmember, Environmental NGO):  
We support the updated wording in Criteria 6.4 and the underlying four indicators, including their guidance and intent statements, which address rare, threatened and endangered species.

Caroline Pufalt, Sierra Club (Environmental-member, Environmental NGO):  
The guidance section mentions that management should allow for "connectivity" "when possible". " when possible" as commonly used provides too much leeway. suggest that this be strengthened to require something like "unless it is documented that connectivity is not possible".

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
No

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):  
Indicator 6.4.2: As discussed by the WG, Guidance is needed here, to affirm that compliance with 6.4.2 needs to be directly demonstrated, regardless of whether the Organization has obtained Incidental Take Permits allowing harm to threatened and endangered species. Incidental Take Permits (and the corresponding Incidental Take Statements for federal lands) serve as exemptions from the federal Endangered Species Act's normal protections for threatened and endangered species. Neither the P&C nor the existing Standard envision large-scale exemptions from Criterion 6.4's clear requirements to protect rare and threatened species. However, there is a wide range in the quality and effects of existing and potential Incidental Take Permits (and their accompanying "Habitat Conservation Plans"), with some allowing the permittees to eliminate large amounts of the remaining populations and habitats of threatened and endangered species within management units, with insufficient mitigation. indeed, some permits essentially allow a complete net loss of species' populations and habitats in the management units. RECOMMENDATION: Adopt Guidance, applicable to all Organizations, that mirrors the Guidance being developed by the WG for the special Indicators for National Forests. While that Guidance is still being reviewed and finalized by the WG, it currently reads: "Regardless of the specifications of Habitat Conservation Plans or Incidental Take Statements, The Organization is expected to demonstrate compliance with Indicator 6.4.2. This may be demonstrated through technical expert review of the applicable plan/statement. Any "take" of threatened or endangered species must be minor in extent, and mitigation measures must, at minimum, ensure no net loss in the species' population and habitat quantity and quality in the management unit, over both the short and long term."

**Q143: Please share any additional comments you have regarding Indicator 6.4.3.**

Andrew Bacon, Michigan Nature Association (Environmental-nonmember, Environmental NGO):  
We support the updated wording in Criteria 6.4 and the underlying four indicators, including their guidance and intent statements, which address rare, threatened and endangered species.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
No

**Q144: Please share any additional comments you have regarding Indicator 6.4.4.**

Andrew Bacon, Michigan Nature Association (Environmental-nonmember, Environmental NGO):  
We support the updated wording in Criteria 6.4 and the underlying four indicators, including their guidance and intent statements, which address rare, threatened and endangered species.

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):  
State law already regulates hunting, fishing and trapping while both state and federal law protect rare, threatened, and endangered species. This indicator is redundant since it is already covered in Principle 1.

Robert Hrubes, Individual Member (Economic-member, ):  
On tribal lands portion is too vague regarding the language "....mentioned above...."

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
change "controlled" to "manage"

Kara Wires, NEPCon (Economic-member, Certification Body):  
C6.4 Intent says this Criterion only applies to species but this Indicator references rare communities--that reference should be removed

**Q145: Please share any additional comments you have regarding Indicator 6.5.1.**

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
This is very burdensome to the CH. Why do we need to document off-MU ecosystems if we can't use them as an RSA? Does this mean we have to create RSA's that do not occur on the MU because they are present off the MU? Doesn't makes sense.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
LandVest is concerned about the requirement to include ecosystems "that do no currently occur on the Management Unit." The Indicator is vague as written (How far back in ecological history does one need to look back, for example?) and could be read to mean many different things to Organizations, managers, stakeholders and or auditors. This requirement has the potential to become expensive to administer and a barrier to entry for new FMU's and the reason for exit from for certified FMU's

Kara Wires, NEPCon (Economic-member, Certification Body):  
Intent at 6.5 mentions RSA's for purpose b. Would be good to have some examples. 6.5.1 seems to have some typos at "c) public....planning efforts"--missing verbs (collaboration/coordination?) Guidance says this should "generally be in writing" but the Indicator now requires this in writing so this can be removed.

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):  
If an ecosystem does not currently occur on the MU why does the certificate holder need to assess their status and protection in the landscape? Delete "would naturally" and "delete including those that do not currently occur on the Management Unit\*"; and b) assesses the adequacy of their representation, status, and protection\* in the

landscape\*".

Robert Hrubes, Individual Member (Economic-member, ):  
Guidance on scaling for assessments of RSA: more informal than what?

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Criteria and indicators for RSAs need further evaluation, particularly in the context of other conservation measures in the standard. This concept may work well for large public holdings but may be significant burden for private forests due to complexity of objectives and unrealistic expectations for conservation deliverables at scales outline in the Annex G. Consideration should be given to eliminating Criteria and referencing a simplified Annex G.

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
"Naturally" is such a loaded word. Is natural pre-European settlement? pre-Industrial forestry? Climate assessed future? What if climate change indicates that an ecosystem that would have been there 200 years ago - is no longer functional. Is that natural? This has long been a problem of this standard but I think it's time to tackle what FSC is really after here? Perhaps a more appropriate item is - ecosystem that would typically occur given the existing climate and soil conditions?

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
"6.5.1 Guidance on scaling for assessments of Representative Sample Areas\* : The Organization\* for small\* and medium\* Management Units\* may comply with this Indicator\* through more informal consultation." - It is my opinion that the above sentence should only be for small MUs and that medium MUs should have a more formal consultation process in place.

**Q146: Please share any additional comments you have regarding Indicator 6.5.2.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
The requirement that RSA's must be restored if they existed in the past and be established on the FMU is economically unrealistic on many FMU's. This requirement has the potential to become expensive to administer and a barrier to entry for new FMU's and the reason for exit from for certified FMU's

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
See my comments earlier- requiring organizations to manage RSA at the FMU level across small NIP private landowners is not only unrealistic but counter intuitive to landscape level mngt/planning.

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):  
Remove new language of 6.5.2 and keep existing US indicator 6.4.b. It appears the intent of the new language is for the certificate holder to manage or restore something that does not exist.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Protecting and conserving RSA's that appear on the MU is very reasonable. Creating and restoring RSA's that do not occur on the MU is very burdensome especially if the given ecosystem is represented off the MU in the same landscape.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
Indicator 6.5.2 states "Based upon the assessment completed per Indicator 6.5.1, Representative Sample Areas\* are established per Annex G to conserve identified ecosystems\* that have viable\* occurrences on the Management Unit\* and restore\* identified ecosystems\* that do not have viable\* occurrences on the Management Unit\*." - I would amend the second part of this sentence in some way to make it clear that restoration should only be occurring in places on the MU that would naturally home an ecosystem that has been identified as worthy RSA and for which previous degradation has occurred... i.e., the restoration should occur only where the community would naturally exist (or likely will exist, given climate change) on the MU, had previous degradation not occurred. This is implied, but it would be good to see it in writing.

Robert Hrubes, Individual Member (Economic-member, ):  
Guidance: what is the functional meaning of "emphasis on ecosystems?" and what does this term functionally

mean??

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Consideration should be given to eliminating Criteria and referencing a simplified Annex G.

Rebekah Luedtke, Wisconsin County Forests Association (Unknown-nonmember, Government):  
Comment: Requiring at least one RSA per management unit gives no flexibility to organizations who have conducted extensive evaluations across landscapes and beyond ownership boundaries to identify and conserve the best opportunities. Instead this new mandate appears to drop that work and promotes the selection of areas on each management unit with little ranking protocol just to check the box. Flexibility is critical for organizations to work with others to evaluate where to conserve and restore the best RSA opportunities without limitations or set goals. Small management units may have no sound opportunities while others may have several.  
Recommendation: Drop the goal of one RSA per management unit.

**Q147: Please share any additional comments you have regarding Indicator 6.5.3.**

Kara Wires, NEPCon (Economic-member, Certification Body):  
This Indicator should either be moved to guidance for 6.5.2 or be added to that Indicator

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
I think this indicator should go - was this part of the IGIs? I don't think it adds value nor do I think that a percentage/threshold for RSAs makes sense.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Consideration should be given to eliminating Criteria and referencing a simplified Annex G.

**Q148: Please share any additional comments you have regarding Indicator 6.5.4.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Caroline Pufalt, Sierra Club (Environmental-member, Environmental NGO):  
In Guidance language last paragraph. RS areas generally not managed for timber harvest "unless it is a part of conservation strategy..." Add the word necessary to read " unless it is a necessary part of conservation strategy. "

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Consideration should be given to eliminating Criteria and referencing a simplified Annex G.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
"In rare occurrences, when an activity is essential for achieving overall management objectives\*, and any alternative would result in extensive damage to environmental or social values outside of the Representative Sample Area\* but could be accomplished within the Representative Sample Area\* with very limited negative impacts to the Representative Sample Area\*, the activity may be implemented, as long as it is still possible to achieve the primary purpose of the Representative Sample Area\*." - Say "very limited negative impacts" above.  
"When forest\* management activities\* (including timber harvest) create and maintain conditions that emulate an intact, mature forest\* or other successional\* phases that may be underrepresented in the landscape\*, the management system that created those conditions may be used to maintain them, and the area may be considered as a representative sample for the purposes of meeting this Criterion\*. Representative Sample Areas\* serving as ecological reference areas will generally not be managed for timber harvest, unless it is a part of the

conservation\* strategy to maintain or enhance the ecosystem\*. Threats such as wildfire, natural pests, or pathogens may warrant management activities\* as a means to conserve\* the ecosystem\*." - Replace "as a means" with "when their primary purpose is" in the above.

**Q149: Please share any additional comments you have regarding Indicator 6.5.5.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Consideration should be given to eliminating Criteria and referencing a simplified Annex G.

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):  
A strict 10% RSA "set aside" could severely limit FSC in the Appalachian region where there is rough terrain and water. It is important to provide clarity on how the RSA requirements can perhaps include other set asides including SMZ's, HCVs, non-merchantable areas as well as stands that have been managed to create need habitat. types as RSAs themselves. For example, a 500 acre tract in Appalachia may already have 100 ft buffers on the SMZ per the slope requirements which go above and beyond state BMPs, which means a substantial amount of landowner land that is under FSC certificate will never see revenue because no cutting or a minimum cut is allowed. An additional 10% for RSA would add further limitations. On much smaller tracts this RSA requirement could be even more limiting. We look forward to the Family Forest Indicators providing some additional flexibility and guidance. The Annex is helpful, but more help is needed. While the guidance talks about light touch management, how do you manage these 10% RSAs? What is expected? How do you show compliance with the level of management that is allowed? For example, in our wood basket we have a lack of young forests and old forests. Does the creation of young forests in the form of regenerating stands count towards RSAs? Also, we have concerns about the clarity regarding how to determine RSAs. Representative of what? An Appalachian region stand has a lot of natural history of forest management. Is the RSA to be representative of what it is now? What is was historically? More practical guidance will be necessary.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
"6.5.5. Guidance: When different components of the management plan\* are reviewed at different times, The Organization\* should review the Representative Sample Area\* assessment in coordination with review of the applicable portion(s) of the management plan\*." - Consider adding a sentence that says, "at a minimum, RSA assessments shall be reviewed and updated every 10 years (or on the same cycle that the FMP is required to be updated)."

**Q150: Please share any additional comments you have regarding Indicator 6.5.6.**

Gordon Gamble, Wagner Forest Management Ltd. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

What is the scientific basis/justification for a minimum of 10% of the management unit being identified as the conservation areas network. Should be clarified in either guidance or in Annex H. Annex H also mentions the "transfer" of property for conservation purposes. Is it safe to assume that a sale of property to a conservation organization (ie. TNC) could be considered part of the retained management unit's conservation areas network? If so, how far back in time could a certificate holder go and count such a transfer?

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):  
What is the purpose of this indicator and why is there a minimum of 10%. Please explain the rationale for the 10% level. This indicator has a very strong potential to be a deal breaker for this certificate holder. Delete 6.5.6

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
This could potentially put us in a situation where we would no longer be able to manage our group certificate. FSC would lose, small landowners would lose, and even if the requirement was enforced, it would not result in any conservation benefit within the NIP forest landscape of the US SE. Be glad to explain my rationale further.



Klaus Geiger, NEPCon (Economic-member, Certification Body):

STRONGLY object to minimum RSA size of 10%--there should be no minimum. This is not feasible for smaller ownerships and for larger ownerships it can have an enormous impact on ability to implement management goals and achieve desired revenue streams. It is an arbitrary, unjustified, and overly-prescriptive figure chosen by FSC without consideration of the negative impacts on CHs. Conservation goals can be met without setting up RSAs and protected areas. Completely disagree with the threshold.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

On some FMU's, particularly small ones, the requirement to maintain 10% of the FMU in a "conservation network" may be unrealistic and a potential barrier to entry for new FMU's and the reason for exit from for certified FMU's

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):

Indicator 6.5.6, Intent Statement: The Board/PSC added Intent language to align with changes made by the Board/PSC to Annex H, allowing loosely-defined conservation areas outside of MUs to count towards the requirement for at least 10% of each MU to be in conservation status. As discussed below, those changes to Annex H need further work. RECOMMENDATION: If the recommended corrections are made to the changes to Annex H, then this Intent language should also be updated.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):

I consider this indicator unworkable in hardwood forests due to anticipated landowner rejection of the program. Landowners are not going to take 10 percent of their forestland and manage it for something else. You might could have made this work if you allowed SMZs to be counted.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):

Consideration should be given to eliminating Criteria and referencing a simplified Annex G.

Rebekah Luedtke, Wisconsin County Forests Association (Unknown-nonmember, Government):

Comment: As we see it for most organizations this is basically an unnecessary bean counting exercise. The majority of public lands in particular are already being managed primarily for a variety of public benefits with timber harvest being just one of the tools being utilized. These lands along with many adjacent properties are already a network providing a litany of environmental and cultural benefits to society. The term "network" is also inaccurate and should not be used as this implies connectivity. Question: What is the scientific basis used to require a conservation areas network to comprise a minimum of 10% of the management unit? Recommendation: Drop this indicator.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

Clarify that the conservation area network is to be managed for preservation not timber production.

Gregory Ward, Evergreen Packaging (email) (Economic-nonmember, ):

A strict 10% RSA "set aside" could severely limit FSC in the Appalachian region where there is rough terrain and water. It is important to provide clarity on how the RSA requirements can perhaps include other set asides including SMZ's, HCVs, non-merchantable areas as well as stands that have been managed to create need habitat. types as RSAs themselves.

For example, a 500 acre tract in Appalachia may already have 100 ft buffers on the SMZ per the slope requirements which go above and beyond state BMPs, which means a substantial amount of landowner land that is under FSC certificate will never see revenue because no cutting or a minimum cut is allowed. An additional 10% for RSA would add further limitations. On much smaller tracts this RSA requirement could be even more limiting. We look forward to the Family Forest Indicators providing some additional flexibility and guidance.

Robert Hrubes, Individual Member (Economic-member, ):

10% What is the basis for this number?

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

"6.5.6. Indicator 6.5.6 Representative Sample Areas\*, in combination with other components of the conservation areas network\*, comprise a minimum 10% area of the Management Unit\*." - For multi-site certificates, does this requirement apply to the certificate/MU as a whole, or to each tract/site? - Consider expanding on your guidance in the CAN Annex for how areas should be selected for the CAN if the CH needs to select additional lands for inclusion once the obvious areas are already tallied (protected areas, RSAs, HCVs, cultural sites, etc.)

**Q151: Please share any additional comments you have regarding Indicator 6.5.7.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
No

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):  
Does this indicator apply to nonpublic lands? What type of species is this indicator trying to protect?

Robert Hrubes, Individual Member (Economic-member, ):  
Applicability: This note is not needed as the Indicator very clearly states that it applies to large, contiguous public land management units.

**Q152: Please share any additional comments you have regarding Indicator 6.6.1.**

amanda naismith, new forests (Economic-member, Investor or Donor):

The Standard should acknowledge that biodiversity is likely to shift due to climate change - it may not be best practice to use historical data in all instances, as this will likely not fully reflect future compositions. Adding flexibility to this Indicator may also be useful.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
No

Robert Hrubes, Individual Member (Economic-member, ):  
Guidance: "Species that are characteristic of forests within the landscape" This makes no sense.

**Q153: Please share any additional comments you have regarding Indicator 6.6.2.**

Robert Hrubes, Individual Member (Economic-member, ):  
What is the meaning of "site scale?"

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):  
This is not feasible at the stand or site level – a landscape- or harvest/sale- scale would be more appropriate. What would naturally occur on a site could be impractical due to regeneration challenges or could change due to changing climate. There should be allowances for such shifts.

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
The use of prescribe fire in fire-dependent ecosystem is not a "may be beneficial mngt practice" it is a practice that should be highly encouraged

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
How does this apply in a plantation context? The CH who manages plantations can maintain diversity at the MU or landscape level, but the additional requirement of maintaining diversity at the stand level really calls this into question. Perhaps some additional guidance may be needed to clear this up?

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
6.6.2 Guidance states, "While some site-specific treatments that simplify diversity may be necessary for specific management objectives\* (e.g., planting and control of competing vegetation), in general, management should strive to maintain a diversity of native species\* within stands." - The way this reads, it makes it seem like forest/diversity simplification is permissible as long as there is a related management objective. I would suggest rewording this to clarify that in the short term, practices like site prep and control of competing vegetation are acceptable only if they do not lead to long-term simplification; i.e., those sites should still show a rebound in species diversity over the long term (for example, diversity should begin to rebound 8-10 years after control mechanisms are applied).

**Q154: Please share any additional comments you have regarding Indicator 6.6.3.**

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
The last sentence before options a, b, and c should end with a period. As it stands, it reads strangely. If a, b, and c apply to legacy trees specifically, a new sentence should start with "legacy trees shall." If not, please specify what a, b, and c apply to. 6.6.3 Guidance/Intent box: Intent for all regions should be placed before the requirements specific to the SW US. "While species\* selected for retention should be generally representative of the species\* found on the site, flexibility in the proportions of species\* retained may be based on ecological and financial objectives." It sounds like this could justify highly disproportionate representation of less commercially desirable leave trees. I would suggest adding a clause to the end of the second sentence that specifies "as long as forest simplification is not occurring" (or some other qualifier).

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Similar questions/concerns as in 6.6.2

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
No

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
It is unreasonable, operationally impractical, and creates a grey area for auditors, to require retention to be maintained and buffered over successive harvests.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):  
Indicator 6.6.3: In the draft Standard prepared by the WG, the main paragraph of the Indicator ended at "these components." The two sentences "Including large live trees... Legacy trees where present are not harvested" comprised subparagraph "a," and what are now subparagraphs "a," "b," and "c" were subparagraphs "b," "c," and "d." With the former subparagraph "a" having been moved into the main body of the Indicator, the remaining subparagraphs are, grammatically speaking, left hanging awkwardly. I suspect this was simply a copy edit error. RECOMMENDATION: Return to the format approved by the WG.

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):  
Delete 6.6.3.d as it is unnecessary and does not provide value to the standard.

**Q155: Please share any additional comments you have regarding Indicator 6.6.3 Regional Supplement1.**

Robert Hrubes, Individual Member (Economic-member, ):  
Ozark-Ouachita Region: "Organization should take into account maintenance of high-quality seed trees in the stand, and presence of advance regeneration (hardwoods) before harvest." Why shouldn't this apply to all of the U.S.?

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
No

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Lose the Regional Criteria

**Q156: Please share any additional comments you have regarding Indicator 6.6.4.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
No

Robert Hrubes, Individual Member (Economic-member, ):  
3rd from last paragraph of guidance re: invasive spp: Pages and pages of this sort of overly prescriptive Intent and Guidance language is making this Standard unnecessarily and unbearably long and tedious. Regional supplement 20%???? 20% of what? Basal area? Standing volume? Stems?

**Q157: Please share any additional comments you have regarding Indicator 6.6.5.**

Seth Zuckerman, Northwest Natural Resource Group (Environmental-member, ):  
We support the requirement of green-tree retention within harvest openings larger than 6 acres, as described in Regional Supplement 4, and the link established between the amount of retention required and the age at regeneration harvest (Regional Supplement 6).

In addition, we would like the indicator to state explicitly that for trees to be considered as "retention," they must be located within the perimeter of harvest. We have observed cases where forest managers have pointed to riparian areas or other unlogged stands next to their harvest units as their within-unit retention. We urge the Standards Development Group to clarify this point.

amanda naismith, new forests (Economic-member, Investor or Donor):  
This Indicator does not account for a harvest of 10 acres if the surrounding block is 100% retention - it may not be practical to also mandate 10-30% retention within the small harvest area. Additionally, the Indicator may want to address the cumulative analysis of watershed effects.

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):  
This and Indicator 6.6.3 are problematic. "Consistent with the characteristic natural disturbance regime" is too restrictive and idealistic. We work within the range of natural disturbance regime. Foresters use silvicultural systems to achieve desired future conditions. This indicator prescribes a very narrow set of permitted goals for future stand conditions: "characteristic," "restoration," and "rehabilitation." This is not our strategic goal. A strict interpretation could be that we work toward much more hemlock, beech and maple forests. FSC should not presume to dictate to us our strategic goal for silvicultural systems.

Kara Wires, NEPCon (Economic-member, Certification Body):  
should be ability for Orgs to justify that an MU should be in different region based on ecological characteristics. Need access to maps and descriptions of each region.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
No

Randy Coots, Preferred by Nature (Economic-member, Certification Body):  
I do like that the regions are now a part of the standard and not just an appendix. In many places in this standard the use of "best available information" is used. It would be good to reference what is being used for the restrictions on each specific region.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

A full review of the multiple undefined terms need to be completed and cleaned up. Current the following undefined terms are used in different places which creates confusion: harvest openings, openings, logging unit, and timber producing area. The Mississippi region supplement is the only one that just uses the defined term "harvest unit" and should be used as the model for this indicator and regional supplements.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

"6.6.5 Guidance for All Regions: The method of retention\*, especially patch size and location, should generally, reflect the type of live vegetation that would be found given natural disturbance regimes\* and should be sufficient to provide a variety of "lifeboat" conditions for sensitive understory plant species\*, fungi, and lichens and habitat\* elements for animals. When feasible, retained vegetation should be located to protect snags\*, down woody debris\*, and other retention\* components from windthrow, and to maintain their microclimate and desired function." - In the last sentence above, suggest replacing "when feasible" with "unless demonstrably unfeasible" (means CHs have to demonstrate why they are opting out, as opposed to opting in). The guidance also states, "Retention\* objectives and requirements will vary with harvest unit\* size, the condition of surrounding stands\* and silvicultural\* systems applied to those stands\*, and relative rarity of the ecological community\*. For example, no retention\* may be needed if the harvest unit\* is small and the adjacent stand\* will be managed with an uneven-aged system." - Define small here or give an acceptable range- this is subjective as written and could be misinterpreted. 6.6.5. Regional requirements for opening sizes- In the current standard and in this draft, there are no requirements for maximum opening sizes for even-aged management for the northeastern US. Why not? The primary mechanism of natural disturbance in the NE is single tree fall, which lends itself to single tree and group selection silviculture. While small and medium-sized clear-cuts may be appropriate in certain circumstances (restoration of a high-graded forest, habitat creation for early successional species of concern, etc.), large clear-cuts are not natural to our NE systems, which are allowed under the current standard and this draft. Please consider adding some regional requirements for the NE to 6.6.5. The above comments also apply to the Lake States region. - 6.6.5 Southeast Guidance- "Even-aged silviculture\* should not be used in semi-natural forest\* stands\* where the majority of trees are greater than 100 years old, or natural forests\*. Even-aged silviculture\* may be used in semi-natural forest\* where the majority of trees are less than 100 years old, and in even-aged stands\* of hardwood, and cypress, but the size of openings should be conservative. It also may be used in even-aged stands\* of pine and pine/hardwood, but the size of openings should not be higher than the limit for plantations\* and should be justified by natural regeneration requirements." See suggested edit above. Also, define what you mean by conservative in sentence 2- it is too vague as written. 6.6.5 Southeast- "Exceptions to the above may be made in order to meet ecological objectives. Even-aged silviculture\* may be used in natural forest\* stands\* as a tool for maintaining ecosystems\* that are dependent on large, contiguous openings, when supported by scientific literature." -Clarify- is this an example, or is this the only circumstance in which an exception is acceptable?

**Q158: Please share any additional comments you have regarding Indicator 6.6.5 Regional Supplement1.**

Gregory Ward, Evergreen Packaging (email) (Economic-nonmember, ):

While we have learned to live with the limits on the size of openings in the Appalachian Region, the new language is better and provides more flexibility to meet landowners' objectives and improve degraded stands. In particular,

the guidance setting out the 25-acre limit and 10-acre average is very helpful.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):

This criteria is not aligned with management norms or natural disturbance regimes of the Appalachian Region. The criteria should be eliminated if the Regions are maintained.

Randy Coots, Preferred by Nature (Economic-member, Certification Body):

There appears to be a conflict here with harvest size openings. In the regional supplement<sup>1</sup> there is no mention of size restrictions beyond being proportional to natural occurrences. Then in the guidance it spells out the restrictions. Perhaps it would be good to reference what "best available information" is being used to come up with the restrictions.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):

No

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

6.6.5 Appalachian Region- "Where stands\* have been degraded, or where harvest practices implemented by previous management created conditions that limit silvicultural\* options (e.g., shelterwood establishment), less retention\* may be used with the intent of improving future stand\* conditions or releasing advanced regeneration." -It seems like 6.6.5 provides for ample ways in which to improve stand quality without needing to justify less retention. I worry that this clause makes it too easy for CHs to argue that retention is not necessary, and to opt out of this requirement on that basis (it's not hard to argue that past high-grading has degraded a stand, look at most of the US!). "Generally, individual harvest openings with no retention\* should average less than 10 acres across the Management Unit\* in a given year, and no single opening without retention\* should exceed 25 acres." - Why was 10 acre opening size limit in the current standard removed? Why was there no consultation on this? I don't understand this or why/how the change was justified... please provide an explanation.

Sam Davis, Dogwood Alliance\*\* (Environmental-member, Social NGO , Environmental NGO):

"Harvest openings with no retention are limited to 10 acres." Should not be removed from the text, because larger scale clearcuts are not beneficial to most ecosystems. Removing this stipulation will allow it to be misused, and weaken the overall standard. This comment also applies to the added last sentence about 25 acres under Guidance.

**Q159: Please share any additional comments you have regarding Indicator 6.6.5 Regional Supplement2.**

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):

This criteria is not aligned with management norms or natural disturbance regimes of the Ouachita Region. The criteria should be eliminated if the Regions are maintained. Prior recommendation is to merge Ouachita with Southeast Region.

Randy Coots, Preferred by Nature (Economic-member, Certification Body):

Perhaps it would be good to reference what "best available information" is being used to come up with the restrictions. Limiting an acceptable silvicultural system to only 1% per year?! I disagree with the "best available information" that restricts to this extreme.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
No

**Q160: Please share any additional comments you have regarding Indicator 6.6.5 Regional Supplement3.**

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):

This criteria is not aligned with management norms or natural disturbance regimes of the Ouachita Region. The criteria should be eliminated if the Regions are maintained. Prior recommendation is to merge Ouachita with Southeast Region.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
Include the Ouachita subregion in the SE

**Q161: Please share any additional comments you have regarding Indicator 6.6.5 Regional Supplement4.**

amanda naismith, new forests (Economic-member, Investor or Donor):

Specifically for the Pacific Coast region, Regional Supplement 4 specifically states that green-tree retention should depend on a variety of factors, such as opening size, legacy trees, adjacent riparian areas, slope stability, upslope management, presence of critical regugia and extend and intensity of harvesting - the restrictions outlined in regional supplement 6 directly contradicts this by only considering rotation length without any consideration for surrounding retention or any of the other factors listed

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

"Washington's and Oregon's forest practices rules allow for 120-acre even-age harvest openings. Washington DNR's Habitat Conservation Plan (which consists of four main habitat-protection components: northern spotted owl, marbled murrelet, riparian, and multi-species) allows for even-age harvest openings of up to 100 acres in Western Washington. Though DNR periodically has sales with units in excess of the 60-acre harvest limit from the Pacific Coast Standard, we remain in compliance with FSC's broader metrics for live tree retention, biodiversity conservation, protection of HCVs, and preservation of biological legacies. By following our HCP, DNR's timber harvests result in mosaics of buffers, leave-tree clumps, and scattered leave trees that protect the ecologically, geologically, and socially sensitive components of each harvested area regardless of a sale's acreage. We would argue that capping opening size at 60 acres is not necessary for achieving the overarching goal of retaining biodiversity, particularly when considering the adjacent indicators on plant diversity, seed source, decadence, etc. In some cases, limiting even-age harvest openings to 60 acres may even run counter to the Standard's intended effect. For example dividing what would otherwise be a logical 95-acre harvest unit (based on age class, proximity to roads, and location within the watershed) into two or more smaller units could result in additional roads, a second future entry, and increased edge effects, all of which would negatively impact wildlife in the area and incur significant additional costs to the forest manager."

**Q162: Please share any additional comments you have regarding Indicator 6.6.5 Regional Supplement5.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Randy Coots, Preferred by Nature (Economic-member, Certification Body):  
I agree with how this is stated. It could be used as is for all the regions.

**Q163: Please share any additional comments you have regarding Indicator 6.6.5 Regional Supplement6.**

amanda naismith, new forests (Economic-member, Investor or Donor):  
Specific to the Pacific coast region - it is not appropriate to look at this retention in isolated six acre parcels. The surrounding retention and watershed management should also influence the retention amount. As outlined in Regional Supplement 4 - it is not reasonable to look at this retention from a stand level, as surrounding retention and watershed management should also influence the retention amount. Levels of retention should be based on many factors rather than just CMAI - the factors include those listed in Regional Supplement 4 "opening size, legacy trees, adjacent riparian areas, slope stability etc."

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q164: Please share any additional comments you have regarding Indicator 6.6.5 Regional Supplement7.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q165: Please share any additional comments you have regarding Indicator 6.6.5 Regional Supplement8.**

Randy Coots, Preferred by Nature (Economic-member, Certification Body):  
Sounds good.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q166: Please share any additional comments you have regarding Indicator 6.6.5 Regional Supplement9.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):  
Indicator 6.6.5, Rocky Mountain Region Supplement: RECOMMENDATION: Ideally, some Guidance or Indicator language would be provided to help Organizations and auditors determine what is meant by "ecologically appropriate," as this is a well-intended but vague and subjective concept. Forest types that are naturally even-aged would be one obvious example of situations where even-aged silviculture is ecologically appropriate. Regional Supplement 5 for the Pacific Coast Region provides some examples that may also be relevant.

**Q167: Please share any additional comments you have regarding Indicator 6.6.5 Regional Supplement10.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None



**Q168: Please share any additional comments you have regarding Indicator 6.6.5 Regional Supplement 11.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Carolyn Loeb, NEPCo (Environmental-nonmember, Environmental NGO , Certification Body):  
6.6.5 Regional Supplement 11- "When even-aged silviculture\* is employed, the size of harvest openings is based on the natural regeneration requirements of the species\* on the site, and requirements to protect the site (e.g., soil\*, hydrology)." This sentence does not read as complete. Please fix.

**Q169: Please share any additional comments you have regarding Indicator 6.6.6.**

Seth Zuckerman, Northwest Natural Resource Group (Environmental-member, ):  
While we support allowance for good-faith flexibility in creating management plans and responding to the site's ecological needs, we are concerned about the application of "motivated reasoning" in developing the justification for these departures from the limits in 6.6.5. This concern is part of what motivates us to make the following recommendation to increase the geospatial transparency required of certificate holders.

Kara Wires, NEPCo (Economic-member, Certification Body):  
should be ability for Orgs to justify that an MU should be in different region based on ecological characteristics. Need access to maps and descriptions of each region.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Caroline Pufalt, Sierra Club (Environmental-member, Environmental NGO):  
keep regional limitations on openings.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):  
Indicator 6.6.6.d: Changes to the draft Standard proposed by the Board/PSC would seriously weaken the Standard, including relative to the existing FSC US Standard, and should be corrected. As drafted by the WG, Indicator 6.6.6 allowed Organizations to develop alternate timber harvest opening size limits, for the purposes of restoration, where those limits would provide overall greater benefits relative to the existing regionally specific opening sizes listed at Indicator 6.6.5. This approach improved upon, but aligned with, similar language in the existing Standard. However, the Board/PSC amended bullet "d" of Indicator 6.6.6 to say that alternate opening size limits need only provide greater benefits relative to Indicator 6.6.5 without consideration of those existing regionally specific opening size limits. In other words, the alternate harvest sizes could be drastically larger than normally allowed, provided they are still deemed "consistent with natural disturbance regimes." This is a very subjective and problematic threshold, and represents a serious weakening of the Standard. In regions such as the Pacific Coast, a huge range of opening sizes may be "consistent with natural disturbance regimes;" indeed, the forest products industry routinely claims that immense clearcuts with virtually no retention mimics natural disturbance. The Board/PSC's changes are also unacceptably subjective and broad because Indicator 6.6.6 allows departures from the normal opening sizes for purposes of "restoration," yet the Standard does not provide any concrete parameters on what forest management practices may be considered restoration, despite the increasing practice of some Organizations (e.g., the US Forest Service) broadly labelling timber harvests as "restoration." Moreover, the Board/PSC's changes do not require that retention levels within even-aged harvest openings also be consistent with natural disturbance patterns, which typically do not remove most live, dying, and dead trees. Rather, retention levels in clearcuts and other harvest openings could remain at the minimal level required in the regionally specific requirements for Indicator 6.6.5 – which were designed to work in concert with the regionally-specific opening size limits. Nor does the Standard require that the frequency of even-aged harvest mimic the natural frequency and intensity of stand-replacing disturbances. The change to Indicator 6.6.6 may also present a serious auditing challenge – how will consistent compliance be ensured when there is a huge amount of

subjectivity and variation in outcomes that can be “consistent with natural disturbance regimes” (at least in some regions), and how will “greater or equal benefits” be measured relative to Indicator 6.6.5’s highly subjective benchmark, absent the more clear and specific regional requirements? RECOMMENDATION: The best solution would be to return bullet “d” of Indicator 6.6.6 to the more carefully written approach provided by the WG. Alternately, the entire Indicator should be replaced with the more restrictive approach in the existing Standard, i.e., Indicator 6.3.g.2, which only allowed “minor” departures from the 6.6.5 opening size limits “under very limited circumstances,” and also required the comparison of overall benefits to be relative to any regionally specific requirements.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):

For purposes of restoration should be eliminated from opening statement. If the factors in a-e are satisfied, then the plan is acceptable regardless of the management objectives.

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):

Concerns with the word: "interested stakeholders"

Sam Davis, Dogwood Alliance\*\* (Environmental-member, Social NGO , Environmental NGO):

6.6.6d should not specify “Without any supplementary regional requirements” because this substantially weakens the standard and allows for excessive manipulation and openings, which can adversely affect the ecology of any given side. 6.6.6e should not remove independent experts if these management plans are moving away from the normal standard. It should retain independent experts to confirm the development of plans. Ideally, this entire Indicator should be replaced with the more restrictive approach in the existing Standard, i.e., Indicator 6.3.g.2, which only allows “minor” departures from the 6.6.5 opening size limits “under very limited circumstances,” and also required the comparison of overall benefits to be relative to any regionally specific requirements.

**Q170: Please share any additional comments you have regarding Indicator 6.6.7.**

Sam Davis, Dogwood Alliance\*\* (Environmental-member, Social NGO , Environmental NGO):

The “should” to “shall” makes it seem like conservation measures are unnecessary. The original word should stay.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):

No

**Q171: Please share any additional comments you have regarding Indicator 6.6.8.**

Kara Wires, NEPCon (Economic-member, Certification Body):

this seems already adequately addressed in C1.4 and C6.4. should remove....or if there are gaps, expand one of them to include the gaps or otherwise consolidate

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):

Remove this indicator from the standard, based on the fact that all 50 states have government agencies to regulate hunting, fishing, trapping and collecting of native species.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Klaus Geiger, NEPCon (Economic-member, Certification Body):

Edit to "where necessary to limit negative ecological impacts."

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
change the word "control" to "manage" Activities like hunting and fishing are "controlled" by the state, not FSC group managers

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
Add a clause that states that such activities do not have significant negative impacts on long-term species diversity, distribution, or ecosystem function.

Q172: Please share any additional comments you have regarding Indicator 6.7.1.

Andrew Bacon, Michigan Nature Association (Environmental-nonmember, Environmental NGO):  
While we support the Indicator language included here as appropriate for riparian corridors, we believe it makes sense to duplicate the goals for this Indicator for lentic wetland systems somewhere in the Standards. Additionally, in this Indicator we believe that a basic wetland and aquatic feature monitoring and mapping protocol to measure the pre-management and post-management wildlife habitat conditions would be warranted to ensure that the intent of this Indicator is being met.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
No

Kara Wires, NEPCon (Economic-member, Certification Body):  
Guidance: typo and Indicator number not clear

**Q173: Please share any additional comments you have regarding Indicator 6.7.2.**

Andrew Bacon, Michigan Nature Association (Environmental-nonmember, Environmental NGO):  
We agree that the edited wording of this Indicator is appropriate to promote best management practices to protect water quality. However, the wording of Criteria 6.7, under which Indicator 6.7.2 is found, only identifies riparian corridors as places for implementation. It should be noted that Indicator 6.7.2 needs to apply to both lentic and lotic aquatic systems in order for the best forestry management practices to address water quality and quantity issues across the landscape. This is particularly true in instances where aquatic resource sites are not in the riparian corridor, such as headwaters, vernal pools, sinkholes, seeps, springs, isolated wetlands, and fens.

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
remove "any quantity" Its simply not necessary

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
6.7.2. "Isolated and minor situations of noncompliance with best management practices\* may or may not result in a finding of nonconformance with the Indicator\*." - This should not need to be stated, as this is general to meeting most requirements of the standard. Suggest to remove.

**Q174: Please share any additional comments you have regarding Indicator 6.7.3.**

Andrew Bacon, Michigan Nature Association (Environmental-nonmember, Environmental NGO):  
We agree that the language of Indicator 6.7.3 is appropriate for riparian corridors and believe it makes sense to duplicate the goals for these Indicators for lentic wetland systems somewhere in the Standards. This is particularly true where road and transportation systems will impact aquatic and wetland resources outside of the

riparian corridor.

Kara Wires, NEPCon (Economic-member, Certification Body):

The Indicator last sentence and list: it is not clear what the point of the list is. Should it say "impacts to consider include:" instead? could the list just be added to the Guidance? it is not auditable as it is.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

It is unreasonable to make an absolute requirement that "Access and off-road travel is controlled." The Organization and management can take reasonable measures to control access but it is unrealistic to think that any measure cannot be bypassed by a determined individual or group.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

6.7.3. "Effort is made to identify and prioritize roads for closure and rehabilitation." -How much effort? As I read this phrase, even a tiny amount of effort would meet this requirement as written. 6.7.3 Examples: "• reducing road density and/or mitigating its impact in habitats\* for salmonids and other threatened and endangered aquatic species\*." -Suggest to remove the latter half of this sentence ("and/or mitigating its impact in habitats\* for salmonids and other threatened and endangered aquatic species\*"), as RT&Es are covered elsewhere in the standard and appropriateness of such measures should be evaluated based first on the RT&E specs under other requirements and not on 6.7.3. - "The Organization\* should design culverts and take other steps to ensure fish passage in order to maintain or enhance the biodiversity\* of the stream, although it is understood that there may be some situations where free upstream and downstream passage is not possible." - Suggest to replace "stream" with "waterway".

**Q175: Please share any additional comments you have regarding Indicator 6.7.4.**

Andrew Bacon, Michigan Nature Association (Environmental-nonmember, Environmental NGO):

We agree that the language of Indicator 6.7.4 is appropriate for riparian corridors and believe it makes sense to duplicate the goals for these Indicators for lentic wetland systems somewhere in the Standards. This is particularly true where road and transportation systems will impact aquatic and wetland resources outside of the riparian corridor.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

6.7.4. Include a mention or example of temporal considerations that could help. Guidance: "Guidance: Crossing structures should be designed to match the natural stream width, depth, velocities, and substrate through the crossing structure." - Add a clause that all crossings shall be designed to accommodate waterway conditions under flood stages that can be reasonably anticipated during period of placement. -I actually like your Pacific Coast guidance- why not make this standard for all regions?

**Q176: Please share any additional comments you have regarding Indicator 6.7.5.**

Gregory Ward, Evergreen Packaging (email) (Economic-nonmember, ):

We strongly support protection of our waters through implementation of responsible forest practices, particularly in the Appalachian Region where there are significant water resources to protect. Request for more guidance on the potential utilization of existing roads and log landings in SMZ's when it is the considered opinion of the CH that it will provide better water protection outcomes versus cost and impact of creation of new roads and landings.

We look forward to seeing more flexibility in the upcoming Family Forest Indicators based on scale, intensity and risk considerations.

Sam Davis, Dogwood Alliance\*\* (Environmental-member, Social NGO , Environmental NGO):  
The text, "Streams, vernal pools, and wetlands are undisturbed by skidding activities." should not be removed - vernal pools are critically important to biodiversity and should not be disturbed with road and transportation systems.

Andrew Bacon, Michigan Nature Association (Environmental-nonmember, Environmental NGO):  
The new wording in this Indicator comes across as confused. On one hand, it is promoting the riparian approach of Criteria 6.7 with buffer zones along the stream corridors while, on the other hand, it is also promoting the protection of hydrological conditions of all water bodies, including vernal pools, sensitive areas, seeps and springs, karst, and lake and pond shorelines, which are not found along stream corridors. This appears to be the primary place that all of these lentic aquatic features are identified for protection, but trying to define these features through the terms of riparian corridors does not come across in a clear manner. We would recommend a rewrite of this Indicator to better capture the intent of protecting important lentic and lotic aquatic systems and to better define what the term buffer means for non-linear aquatic features that are often inconsistent when it comes to size, shape, and location on the landscape, features such as vernal pools, karst features, isolated wetlands, and shorelines.

Kara Wires, NEPCon (Economic-member, Certification Body):  
should be ability for Orgs to justify that an MU should be in different region based on ecological characteristics. Need access to maps and descriptions of each region.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
remove the i.e examples that are still found in some of the regional supplements as this is now covered in the opening intent statement and is therefore no longer necessary.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):  
Indicator 6.7.5 Restrictions in RMZ are overly strict and do not allow for sometimes appropriate and beneficial harvests or tree-felling in the RMZ for restoration purposes (e.g., adding large woody material into streams to improve in-stream habitat).

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
All Regional Supplements need to be reviewed with strong consideration for application of state BMP standards rather than those outlined in supplements.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
6.7.5. Guidance for All Regions: "Guidelines should meet or exceed regional recommendations (e.g., water quality best management practices\*) as necessary to meet the objective of water quality protection\* and restoration\* measures." - Reword the above so that guidelines shall meet or exceed regional BMPs and should meet or exceed other regional recommendations. -Regional Supplement: Annex B does not include numbers associated with subregions on the map, which will be important to add for clarity. 6.7.5 Overall comments- some of these regional requirements seem to duplicate efforts elsewhere in the standard or among all regions. Consider what language can be pulled out of specific regions and made general to all regions. Also consider what language in regional requirements can demonstrably be met elsewhere in the standard and can be removed from this indicator. For NE and Lake States- consider new regional requirements that all practices meet or exceed state BMP requirements for water quality and hydrologic conditions.

**Q177: Please share any additional comments you have regarding Indicator 6.7.5 Regional Supplement1.**  
Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):

Refer to state BMPs

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q178: Please share any additional comments you have regarding Indicator 6.7.5 Regional Supplement2.**

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Refer to state BMPs

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q179: Please share any additional comments you have regarding Indicator 6.7.5 Regional Supplement3.**

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Refer to state BMPs

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q180: Please share any additional comments you have regarding Indicator 6.7.5 Regional Supplement4.**

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Refer to state BMPs

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q181: Please share any additional comments you have regarding Indicator 6.7.5 Regional Supplement5.**

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Refer to state BMPs

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q182: Please share any additional comments you have regarding Indicator 6.7.5 Regional Supplement6.**

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Refer to state BMPs

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):  
Indicator 6.7.5, Appalachia Region Supplement 6: A copy edit is needed. RECOMMENDATION: At the beginning of the Indicator, "(New)" should be deleted. This notation was used during the drafting process to show where an Indicator was new, relative to the existing Standard. If left in place, it could be misunderstood as suggesting that the Indicator only applies to new roads, skid trails, etc.

**Q183: Please share any additional comments you have regarding Indicator 6.7.5 Regional Supplement7.**

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Refer to state BMPs

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q184: Please share any additional comments you have regarding Indicator 6.7.5 Regional Supplement8.**

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Refer to state BMPs

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q185: Please share any additional comments you have regarding Indicator 6.7.5 Regional Supplement9.**

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Refer to state BMPs

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q186: Please share any additional comments you have regarding Indicator 6.7.5 Regional Supplement10.**

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Refer to state BMPs

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q187: Please share any additional comments you have regarding Indicator 6.7.5 Regional Supplement11.**

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Refer to state BMPs

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q188: Please share any additional comments you have regarding Indicator 6.7.5 Regional Supplement12.**

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Refer to state BMPs

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q189: Please share any additional comments you have regarding Indicator 6.7.5 Regional Supplement13.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q190: Please share any additional comments you have regarding Indicator 6.7.5 Regional Supplement14.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
no 14?

**Q191: Please share any additional comments you have regarding Indicator 6.7.5 Regional Supplement15.**

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Refer to state BMPs

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q192: Please share any additional comments you have regarding Indicator 6.7.5 Regional Supplement16.**

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Refer to state BMPs

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q193: Please share any additional comments you have regarding Indicator 6.7.5 Regional Supplement17.**

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Refer to state BMPs

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None



Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q194: Please share any additional comments you have regarding Indicator 6.7.5 Regional Supplement18.**

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Refer to state BMPs

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q195: Please share any additional comments you have regarding Indicator 6.7.5 Regional Supplement19.**

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Refer to state BMPs

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q196: Please share any additional comments you have regarding Indicator 6.7.5 Regional Supplement20.**

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Refer to state BMPs

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q197: Please share any additional comments you have regarding Indicator 6.7.5 Regional Supplement21.**

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Refer to state BMPs

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q198: Please share any additional comments you have regarding Indicator 6.7.5 Regional Supplement22.**

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
Regional Supplement 22- a. "Thinning from below and planting trees may be carried out for purposes of controlling erosion\* and/or restoration\*." - Insert and/or.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Refer to state BMPs

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q199: Please share any additional comments you have regarding Indicator 6.7.5 Regional Supplement23.**

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Refer to state BMPs

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q200: Please share any additional comments you have regarding Indicator 6.7.5 Regional Supplement24.**

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Refer to state BMPs

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q201: Please share any additional comments you have regarding Indicator 6.7.5 Regional Supplement25.**

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Refer to state BMPs

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q202: Please share any additional comments you have regarding Indicator 6.7.5 Regional Supplement26.**

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Refer to state BMPs

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q203: Please share any additional comments you have regarding Indicator 6.7.5 Regional Supplement27.**

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Refer to state BMPs

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q204: Please share any additional comments you have regarding Indicator 6.7.5 Regional Supplement28.**

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):

Refer to state BMPs

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q205: Please share any additional comments you have regarding Indicator 6.7.5 Regional Supplement29.**

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Refer to state BMPs

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q206: Please share any additional comments you have regarding Indicator 6.7.5 Regional Supplement30.**

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):  
Request for more guidance on the potential utilization of existing roads and log landings in SMZ's when it is the considered opinion of the CH that it will provide better water protection outcomes versus cost and impact of creation of new roads and landings.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Refer to state BMPs

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q207: Please share any additional comments you have regarding Indicator 6.7.6.**

Kara Wires, NEPCon (Economic-member, Certification Body):  
should be ability for Orgs to justify that an MU should be in different region based on ecological characteristics.  
Need access to maps and descriptions of each region.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):  
Indicator 6.7.6: Changes to the draft Standard proposed by the Board/PSC would seriously weaken the Standard, including relative to the existing FSC US Standard, and should be corrected. As drafted by the WG, Indicator 6.7.6 allowed Organizations to develop alternate buffer widths for streams, other water bodies, and riparian areas, in limited/minor circumstances, if the alternate widths will provide overall greater benefits relative to the regionally specific buffers specified for many regions at Indicator 6.7.5. This approach improved upon and aligned with similar language in the existing Standard. However, the Board/PSC amended Indicator 6.7.6 to say the alternate widths must only provide greater benefits relative to Indicator 6.7.5 without consideration of those regionally specific buffer widths. In other words, the alternate buffer widths could be drastically smaller than normally allowed, since absent the regionally specific information, the Standard provides no objective metrics for the alternate buffer widths. This will be especially problematic in locales where state BMPs for water quality are not sufficient for the protection and restoration of water quality, fish and other aquatic resources, since those BMPs

will likely provide the only tangible backstop for the buffers, and auditors will be hard-pressed to provide alternate benchmarks. RECOMMENDATION: The best solution would be to return Indicator 6.6.6 to the more carefully written approach provided by the WG, which is an updated and refined version of the approach in the existing Standard, i.e., Indicator 6.5.e.2.

**Q208: Please share any additional comments you have regarding Indicator 6.7.7.**

Andrew Bacon, Michigan Nature Association (Environmental-nonmember, Environmental NGO):

We support the new language that was introduced in this Indicator to require restoration of hydrologic features damaged by forest management. In response to the Consultation Questions, we believe that it would make sense to require restoration in circumstances where forest management practices have exceeded pre-identified thresholds for impacts such as compaction or rutting of wetland soils, linear road footage entering wetlands, area of wetland vegetation damaged or removed, extent of piled woody debris within aquatic feature areas, or visible erosion impacts entering wetlands.

Sam Davis, Dogwood Alliance\*\* (Environmental-member, Social NGO , Environmental NGO):

The standard needs to maintain regional supplementary requirements around buffer widths and stream protection, not eliminate it or carve out wide exceptions to the rule. Many state-designated BMPs are not actually sufficient to protect water quality, and so, using those as a benchmark does not meet the spirit or intention of water quality protection. This indicator should be rewritten to return to the more stringent requirements located in other parts of the standard, or returned to the working group version.

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):

Technically this is covered in 6.7.2. Delete 6.7.7.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Kara Wires, NEPCon (Economic-member, Certification Body):

It is unclear when this Indicator applies or another when there is an impact found...please add some guidance remove reference to Excision policy and just add "when not in scope" to the end of the "hunting, or settlement" sentence.

**Q209: Please share any additional comments you have regarding Indicator 6.7.8.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Kara Wires, NEPCon (Economic-member, Certification Body):

Intent mentions 6.7.4 but that Indicator isn't clear that it includes recreational trails. And the guidance goes on to mention "on-trail" use...which seems like a contradiction with saying trails aren't included here. In addition, guidance includes examples that are recreational trail related.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

6.7.8." Intent: This Indicator\* focuses on recreation use and not recreation trails, which are covered in Indicators 6.7.4 and 10.10.1. Unauthorized use of vehicles on the Management Unit\* is considered trespassing, which is an illegal activity and should be addressed accordingly. Guidance: "This includes on-trail and off-trail recreation use. Recreation use includes but is not limited to: motorized and non-motorized vehicles, horses, hiking, and mountain biking." - Are you trying to focus this indicator on recreational users, regardless of where they are on the MU? If so, state that. As is written, the distinction is fuzzy.

**Q210: Please share any additional comments you have regarding Indicator 6.7.9.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q211: Please share any additional comments you have regarding Indicator 6.8.1.**

amanda naismith, new forests (Economic-member, Investor or Donor):  
The Standard could acknowledge that landscape values may shift due to climate change, and that environmental resilience should account for extreme weather (i.e. fire).

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
SO MUCH OVERLAP WITH RSA and 6.3.3. Subtle differences in all. In Draft 2, there should be an attempt to combine, clarify differences, and make clear the relationship among these three that can be very confusing because they overlap SOOOO MUCH.

Sam Davis, Dogwood Alliance\*\* (Environmental-member, Social NGO , Environmental NGO):  
Removing the phrase “old growth” weakens the standard - old forest and old growth are different, and perhaps both should be included in the sentence, however, old growth is the more important of the two if only one can be included. This occurs several times in the indicator.

Kara Wires, NEPCon (Economic-member, Certification Body):  
Please provide additional guidance on "mosaic of species". Also, community types are included here--how is this different than what is required for RSAs?

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q212: Please share any additional comments you have regarding Indicator 6.8.2.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Aaron M. Vande Linde, Minnesota Office of School Trust Lands (Unknown-nonmember, Government):  
Minnesota’s school trust lands must be managed to secure maximum long-term revenue consistent with sound natural resource and conservation management principles. (Minn. Stat. sec. 127A.31). The Minnesota legislature created the Office of School Trust Lands (OSTL) to advise both the legislative and executive branches on school trust land management. (Minn. Stat. sec. 127A.353). As such, OSTL works closely the Minnesota Dept. of Natural Resources (MnDNR) on its policies related to day-to-day management. OSTL offered advice to MnDNR on the impact of the new FSC standards in relation to school trust land forest management. The requirements specified in Indicator 6.8.2 present a dilemma with regard to maintaining certification. Indicator 6.8.2, as proposed, would require “On public lands\*, Type 1 and Type 2 old growth\* are protected from harvesting, as well as from other timber management activities\*, except if needed to maintain the values associated with the stand\* (e.g., remove non-native species\*, conduct controlled burning, and thinning from below in forest\* types when and where restoration\* is appropriate).

The predicament created by the proposed Indicator 6.8.2 is simply that it conflicts with Indicator 1.3.1 in that MnDNR is statutorily required to compensate Minnesota’s School Trust prior to placing policies or designations on school trust lands that would diminish long-term revenue potential. (Minn. Stat. sec. 84.027 subd. 18). Does MnDNR comply with 1.3.1 or 6.8.2? This is not a simple hypothetical situation. There is a significant acreage of

lowland conifer stands (black spruce, tamarack, and white cedar) on Minnesota's school trust lands that, because of inconsistent markets and the time it takes these stands to become merchantable, will likely be deemed Type 1 or Type 2 old growth under the FSC definition.

An option for FSC to consider is as follows:

On state trust\* lands, timber harvests may be permitted in Type 1 and Type 2 old growth\* in recognition of the duties of the trustee (the organization\*) and their unique ownership requirements. Timber harvest is permitted in situations where:

- a. old growth\* forests\* comprise a significant portion of the state trust\* ownership;
- b. a history of forest\* stewardship by the state trust\* exists;
- c. High Conservation Values\* are maintained or enhanced within the constraints of law;
- d. old growth\* structures are maintained;
- e. conservation zones\* representative of old growth\* stands\* are established;
- f. landscape\*-level considerations are addressed; and
- g. threatened, and endangered species\* are protected\*.

The Minnesota Office of School Trust Lands believes this suggested amendment would strike the necessary balance of protecting old growth forests on school trust lands, while also meeting the legal requirements under Minnesota law to secure maximum long-term revenue potential from the lands.

If you have any questions, please contact me directly at 651-279-2393 (c) or [aaron.vande-linde@state.mn.us](mailto:aaron.vande-linde@state.mn.us).

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

Clarify how time since European settlement and rarity are related to criteria for being Type 1 or 2 old growth. As written, this indicator is inconsistent with how old growth is defined in Annex K 4.a.ii, which states old growth forest "is always associated with pre-European [insert "settlement" here] remnant forests". This additional description does not appear in indicator 6.8.2 or in the old growth definitions within the standard, which will create confusion. Including the information that old growth is associated with pre-European settlement would be consistent with Amy Clark Eagle's statement during the 10/28/20 FSC U.S. webinar, that "old growth should retain elements of the forest as it existed pre-settlement". In cases where old growth comprises a significant portion of the landscape (not a rare seral stage), also please clarify whether it is possible to have old growth without it being an HCV. When present, management maintains the area, structure, composition, and processes of all Type 1 and Type 2 old growth\*. Type 1 and Type 2 old growth\* are also protected\* and buffered as necessary with conservation zones\*, unless an alternative plan is developed that provides greater overall protection\* of old growth\* values. It would be helpful to include some examples of "alternative plans" in the guidance.

**Q213: Please share any additional comments you have regarding Indicator 6.8.3.**

Seth Zuckerman, Northwest Natural Resource Group (Environmental-member, ):

We support the operational incentive being provided here for longer rotations. However, it is important that these longer rotations be manifest across the Organization's management plan, not just reflected in the older age of the particular stand being harvested at the moment. In other words, we would not want to see this provision used as an incentive to cherry-pick older stands to harvest, but rather to reward an FMU-wide choice to manage forests on a longer rotation than CMAI would suggest.

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):

This indicator is overly complex. Further guidance is needed.

Kara Wires, NEPCon (Economic-member, Certification Body):

Remove. Not sure why this is added if it isn't an IGI. There is already flexibility in the retention requirements. If it stays, it should be moved to be with 6.6.5

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Randy Coots, Preferred by Nature (Economic-member, Certification Body):  
Agree

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

6.8.3- I would move this so that it is next to 6.6.5 in the standard. While I like the idea of incentives for increasing rotation length, I would also like to see a qualifier on this requirement as to the maximum opening size permissible based on this deviation. For example, in a situation on the Pacific Coast where max. opening is 60 acres, if the rotation age increased by 60 years past MAI, an additional 20% of the 60 acres (12 acres) x 6 ten-year rotations= 72 additional acres (or a total of 132 acres) could be the opening size. This seems too big... Also, clarify if this math is compounding or not (is it 20% of the new maximum opening size based on the original maximum opening size plus 20%? Or is 20% of the original opening size only (per ten year period), regardless of how long the rotation length is increased by?).

**Q214: Please share any additional comments you have regarding Indicator 6.9.1.**

Gregory Ward, Evergreen Packaging (email) (Economic-nonmember, ):

We support the language in regarding the maintenance and protection of natural forests and that there should be no conversion of natural/semi-natural forests to plantation except in the case of the exceptions stated. The requirement is clearer and the language around limited conversions (i.e., food plots in our sourcing region) is very helpful.

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):

Support the language in regarding the maintenance and protection of natural forests and that there should be no conversion of natural/semi-natural forests to plantation except in the case of the exceptions stated. The requirement is clearer and the language around limited conversions (i.e., food plots in our sourcing region) is very helpful.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

Is this indicator really needed since it copies the criterion? Only adds confusion from my perspective.

Gordon Gamble, Wagner Forest Management Ltd. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Given the urgency of mitigating climate change (as indicated in Principles 6-10), some accommodation for exemption to the conversion restriction for green energy projects as they provide long-term conservation benefits. 6.9.1 a and c would not be amended but 6.9.1b should recognize the conservation benefits wind, solar and other green energy projects provide. At the very least, such projects should be treated as wind turbines are in FSC-DIR-20-007 EN, FSC Directive on Forest Management Evaluations –Advice 20-007-16 Wind turbine establishment within FSC certified areas.

Kara Wires, NEPCon (Economic-member, Certification Body):

Criterion 6.9: Intent statement is not needed since this is clear in the Indicator. Add to intent that this "applies to

current and future or planned conversion" and add that forest roads and infrastructure for forest management isn't considered conversion like Canada NFSS. Indicator: Applicability: see above. move to Criterion and edit--these areas should not be considered conversion. description of conservation benefits it too prescriptive. not sure this long guidance is needed especially since conversion already so limited by a. and c. but if it is included there should be more flexibility.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):  
Clarify whether surface or subsurface mining is included in non-forest land use.

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

Clarify whether non-forest land use includes surface or subsurface mining sites (e.g., gravel, peat, metallic minerals). It is unclear what length of time the conversion refers to (e.g., permanent or temporary land use change). Mining sites are typically reclaimed after extraction.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

6.9.1." Negative environmental impacts of conversion\* to non-forest uses may be offset through compensatory management activities\*. The conservation\* benefits used to offset conversion\* to non-forest use must lead to equal or greater conservation\* values than those lost by the conversion\*. The compensatory activities may include establishment of conservation easements, contributions to local land trusts, transfer of lands to land trusts or public ownership, etc." - Specify that this is only true when all of the conditions of 6.9.1 are also met (i.e., it cannot be used to justify conversion without also meeting all of 6.9.1 requirements) - ""In general, maintenance of an FSC certificate for the remainder of forest\* lands does not constitute sufficient conservation\* benefit." - Get rid of in general... I can't think of an exception, can you?

**Q215: Please share any additional comments you have regarding Indicator 6.9.2.**

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):

The current and new language here is troubling. The organization and or the CB has no control and should have no control or say in these type of decisions for landowners. If landowners choose to find other values for their forests, the only role of the organization is to ensure that the new area is removed from the certified area and if any fiber was removed is not claimed as being certified. I can assure you , if a requirement for being certified is getting approval from the organization/group manager and/or a CB prior to a land use change is a no go for most if not all private landowners.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Kara Wires, NEPCon (Economic-member, Certification Body):

Indicator mentions rights sold but does not address when there are leases. please clarify.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

6.9.2. This should fall under the excision policy and seems unnecessary to include in the standard. Suggest removal. Some of the guidance may be applicable and could be included directly in the excision policy or in 6.9.1 if needed.

**Q216: Please share any additional comments you have regarding Indicator 6.10.1.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None



**Q217: Please share any additional comments you have regarding Indicator 6.10.2.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
6.10.2- How is this different than 6.9.1? Suggest to remove.

**Q218: Please share any additional comments you have regarding Indicator 6.10.3.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
6.10.3- "Very limited"- suggested to set some cutoffs. "Intent: This Indicator\* limits certification of plantations\* established in areas converted\* from natural forest\* or semi-natural forest\* after November 1994." - Seems redundant- suggested to remove.

**Q219: Is the guidance provided in Annex G understandable and feasible?**

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
Yes. General comments: -Step 1 as written now should be Step 3; that is, it is important to undertake the assessment of possible RSAs on and off the FMU before determining what percent of the FMU should be put into RSAs. - Figure 1: Please add numbers/percentages to the below empty boxes to make it very clear as to what minimum requirements should (or shall?) be met for each of the total "scores" below.

Kara Wires, NEPCon (Economic-member, Certification Body):  
yes understandable. not feasible for small MUs. 50 hectare threshold is unreasonable.

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
Yes but needs to remove the percentage threshold or any numerical guidance. This ends up setting a standard that we may not want - CBs will audit to the number unless there is a very good reason not to. I understand the goal to provide a "how much is enough" number but I think we can address this by saying once you have developed RSAs for existing ecosystems and restorable ecosystems per the framework - that is enough.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
Yes but it is going to add cost and the addition to have RSA's be on the MU will add a significant burden in some cases.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
Yes

Nathan Heibel, Koochiching County (Social-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):  
This guidance is not feasible in some instances and more allowances for RSAs already on the landscape (no matter the ownership) should be given more weight.

Ryan Hilburn, Red River Forests LLC (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
The guidance is understandable but not feasible. The international generic indicators provided sufficient guidance on "how much" needs to be set aside as Representative Sample Area – a guidance threshold of percentage or number of Representative Sample Areas does not make sense given the detailed guidance on which ecosystems to emphasize. A certificate holder cannot provide RSA areas on the FMU if they do not exist. The assessment of

whether “enough” area has been assigned as RSA can be determined based on the requirements of Annex G. We recommend the Standard Development Group remove Figure 1.

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

The guidance is understandable and appears to be feasible.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):

The Annex and overall approach need simplification and alignment with realistic expectations for private forest management.

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):

See comments provided earlier re: HCVAs, CANs, RSAs. Please refer to the comment letter submitted by the Minnesota Forest Industries (MFI) on December 17, 2020. Pages 5-9. Sappi is a member of MFI and supports these comments and suggestions.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):

Overall, yes.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):

Not very understandable

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):

Not feasible at the FMU level

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

No opinion until it is used on a variety of FMU's

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

It should be clarified in Annex G that this is an outline of a possible process to meet objectives and goals and not a literal requirement for conformance.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

It is understandable but not feasible - results in a burdensome amount of acres and numbers of RSA.

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):

I need training

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):

a. The international generic indicators provided sufficient guidance on “how much” needs to be set aside as Representative Sample Area – a guidance threshold of percentage or number of Representative Sample Areas does not make sense given the detailed guidance on which ecosystems to emphasize. A certificate holder cannot provide RSA areas on the FMU if they do not exist. The assessment of whether “enough” area has been assigned as RSA can be determined based on the requirements of Annex G. We recommend the Standard Development Group remove Figure 1.

**Q220: If the guidance in Annex G is followed, will it result in conformance with the Representative Sample Areas requirements of Indicators 6.5.1, 6.5.2 and 6.5.3?**

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

Yes, following the guidance should result in conformance to the requirements of the associated indicators.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

Yes

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
We have some major concerns with this

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
This should not be a question. By definition if it's in the standard it must.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
The second paragraph in step 5 should be deleted as all it does is create confusion.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
The indicators need to be eliminated with reference to a simplified approach for RSAs

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):  
See comments provided earlier re: HCVAs, CANs, RSAs. Please refer to the comment letter submitted by the Minnesota Forest Industries (MFI) on December 17, 2020. Pages 5-9. Sappi is a member of MFI and supports these comments and suggestions.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):  
Probably not. Determining what ecosystems should occur in the landscape is pretty subjective, even when using national databases such as Natural Heritages.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
It should

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
I believe so.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):  
As described below, recent changes to the Annex raise serious questions about whether conformance with Criterion 6.5 will consistently result. Page 158, 4th Paragraph: The Board/PSC added this paragraph, allowing certain areas outside the certified management unit to be counted towards the Organization's requirements for RSAs within the management unit. (Note this is different than consideration of RSAs in the broader landscape, for purposes of determining how many RSAs are needed in the management unit in the first place.) While the Board/PSC presumably had some reasonable circumstances in mind, the language is very broad, and as written, is likely to create more problems than it solves. RECOMMENDATION: Revise the Annex to correct and prevent problems created by the new paragraph. These solutions need to: • Prevent double-counting of the areas outside the management unit. If the areas are counted as protected areas when doing assessments of the broader landscape, resulting in fewer RSAs being expected in the management unit, then those same areas should not also count towards the Organization's remaining requirements to protect RSAs in the management unit. • Exclude "conservation zones" outside the management from counting towards expectations for RSA protection within the management unit, when those conservation zones lack permanent protection. The existing US Standard and the rest of the draft revised Standard only considers areas outside management units in RSA analyses if those areas are permanently protected. This is important, since areas without such protection may not be in conservation status tomorrow. • Require the areas outside the management unit to be adjacent to the management unit, and within the same ecological "Section." Paragraph 4 sets no geographic bounds on the areas outside the management unit that may count towards the management unit's obligations. If areas outside the unit are to count towards ecological expectations for the management unit, they need to be closely related to the unit and the ecosystems within it. • Clearly require the areas outside the management unit to be same ecosystem types as those they are substituting for within the unit, and to be of equal or greater ecological value and condition. • Limit the size of management units that may count outside areas towards their RSA obligations. Paragraph 4 sets no size limits on the size of management units that may use its approach, meaning that very large management units could potentially see no RSAs being conserved. For larger industry forests, state public forests, and National Forests, this could potentially mean that entire large landscapes will be lacking RSAs. • Only count areas outside the management unit towards the unit's RSA obligations if those outside areas were transferred into conservation status in recent years. Otherwise, lands transferred generations ago could count. As a result, Paragraph 4 would

serve primarily as a loophole in the Standard's RSA provisions, rather than a recognition of conservation commitments made by the Organization, and an incentive for additional such commitments. Step 1 and Figure 1: The WG found compelling reasons to frame expectations for RSAs in terms of their area, i.e., as a percentage of management units' overall size. The area/percentage-based approach aligns with IGI Annex D's Instructions to Standards Developers and Criterion 6.5's requirement for the "size" of RSAs to be "proportionate" to a number of factors, including the scale of management units. The area/percentage-based approach also follows the understanding that, everything else being equal, a few large conservation areas will usually be of greater ecological value than numerous small areas. However, the Board/PSC added the option for Organizations to calculate the expectation for RSAs in terms of numbers of RSAs, regardless of their size. As a result, it will be possible for Organizations to identify a number of tiny token areas as RSAs, and to avoid Criterion 6.5's clear requirement for the size of RSAs to be proportionate to the scale and intensity of forest management operations, as required by Criterion 6.5. RECOMMENDATION: The option for Organizations to calculate their RSA obligations in terms of numbers of RSAs should either be deleted at Step 1 and Figure 1 – or the option to calculate RSA outcomes in terms of numbers of RSAs should be clearly and narrowly restricted to situations for which is it more appropriate or necessary. Step 4, 2nd Paragraph, Subparagraph "d:" The Board/PSC added this subparagraph, allowing RSAs to not be established for ecosystems that are very common in the landscape. While this appears to make sense in some situations, assuming it frees-up resources for greater conservation of ecosystems in greater need, there are also times it will not make sense. RECOMMENDATION: Edit the subparagraph, so it excludes to situations where it is not suitable. For example, ecosystems may be quite common but in partially or even highly degraded states across much of the landscape, e.g., as "semi-natural" forests. In such contexts, identifying and conserving examples of any relatively intact examples of those ecosystems will continue be important, including as biological refugia, scientific and management planning benchmarks, and perhaps even genetic reservoirs.

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):

a. The international generic indicators provided sufficient guidance on "how much" needs to be set aside as Representative Sample Area – a guidance threshold of percentage or number of Representative Sample Areas does not make sense given the detailed guidance on which ecosystems to emphasize. A certificate holder cannot provide RSA areas on the FMU if they do not exist. The assessment of whether "enough" area has been assigned as RSA can be determined based on the requirements of Annex G. We recommend the Standard Development Group remove Figure 1.

#### **Q221: Do you have any further comments regarding Annex G?**

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

The RSA requirement is burdensome to CH's especially given that off-MU RSA's can no longer be used to demonstrate conformance.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

The requirement to have RSA's established on the MU except for the two exceptions will be a non-starter for many. There are many examples in the eastern US where overtime a patchwork or working lands and conservation lands has developed due to years of collaboration between NGO's and private landowners. Not being able to point to these conservation just because your organization did not directly transfer the land makes no sense. We have completed transactions where portions of a land base stayed as working lands and another portion was transferred to state ownership for permanent conservation under it in state ownership. In this case we would be able to use this area as an RSA but when we sell the property in the future the new organization would not.

Gregory Ward, Evergreen Packaging (email) (Economic-nonmember, ):

The Annex is helpful, but more help is needed. While the guidance talks about light touch management, how do you manage these 10% RSAs? What is expected? How do you show compliance with the level of management that is allowed? For example, in our wood basket we have a lack of young forests and old forests. Does the creation of young forests in the form of regenerating stands count towards RSAs?

Also, we have concerns about the clarity regarding how to determine RSAs. Representative of what? An Appalachian region stand has a lot of natural history of forest management. Is the RSA to be representative of

what it is now? What is was historically? More practical guidance will be necessary.

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
RSA threshold should be 1000 hectares.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):  
Removing acreage out of timber production in a forest management standard does not make a lot of sense.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
no

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):  
It should be clarified in Annex G that this is an outline of a possible process to meet objectives and goals and not a literal requirement for conformance.

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):  
An exception for RSA designation should be made for a certified organization whose certified forests represent an ecosystem that is well protected in the landscape.

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):  
a. The international generic indicators provided sufficient guidance on “how much” needs to be set aside as Representative Sample Area – a guidance threshold of percentage or number of Representative Sample Areas does not make sense given the detailed guidance on which ecosystems to emphasize. A certificate holder cannot provide RSA areas on the FMU if they do not exist. The assessment of whether “enough” area has been assigned as RSA can be determined based on the requirements of Annex G. We recommend the Standard Development Group remove Figure 1.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
“If The Organization\* is able to demonstrate that either of the following scenarios are true, the associated conservation\* areas may be considered in combination with the Management Unit\* in Step 2 (Management Unit\* ecosystem\* assessment) and in Step 4 (RSA\* establishment): a. The Organization\* intentionally scoped conservation zones\* or protected areas\* out of the FSC certificate, but continues to manage them with primarily for long-term\* conservation\* objectives; or b. The Organization\* intentionally transferred ownership of conservation zones\* or protected areas\* previously associated with the Management Unit\* with the primary purpose of long-term\* conservation\* of those lands. With the exception of the above-mentioned interpretation, this is the only scenario in which RSAs\* may be established outside of the Management Unit\*.” - In a. above, replace “with” with “primarily for”, and add primary in point b. This recognizes that there may be multiple objectives, but that long-term conservation was the intent behind transfer. - “b. “Restoration” does not require the creation of a particular pre-existing ecosystem\* when this would be infeasible due to situations such as the following: ii. Presence of an invasive species\*, pest, or disease that makes restoration\* infeasible iii. It is cost prohibitive to restore\* that ecosystem\*” - For point ii., add something to the effect of “based on the best available scientific and economic analyses”. Otherwise, it seems likely to be difficult to audit, since anyone could argue infeasibility. If a FME was not interested in restoration, b. iii. Might be fairly easy to justify, thus undermining all of b. Please consider providing guidance and/or clarity on what prohibitive cost entails. - Figure 1: Please add numbers/percentages to the below empty boxes to make it very clear as to what minimum requirements should (or shall?) be met for each of the total “scores” below. - Step 1 in Annex G should be moved so it occurs after Step 3, the reason being that the FME should have a clear idea of what is on the landscape before trying to assess the minimum number/% of RSAs that should fall on the MU; especially since step 1 includes the text “While Figure 1 suggests a minimum extent of RSA\*, if additional areas qualify as RSA\* (above this minimum), The Organization\* is expected to assess those additional areas as RSA\*, within the context of Step 4.” - “Overall, within The Organization’s\* established RSA\*, the expectation is for a greater emphasis on ecosystems\* and ecological conditions that are in greater need of conservation\* assistance. Regardless of the pathway taken to

estimate the appropriate extent of RSA\* in Step 1, this means emphasizing (i.e., larger examples, higher quality examples, and/or a greater number of examples) ecosystems\* and ecological conditions where the Management Unit\* may provide the greatest conservation\* value, even if this means smaller and/or fewer examples of other ecosystems\* identified in Step 2." - Add higher quality examples to the above paragraph, since a highly functional ecosystem will almost always be preferable to a degraded example that is larger (unless that larger example is not very degraded or has additional value given its connectivity, core size, etc.)

**Q222: Is the guidance provided in Annex H understandable and feasible?**

Kara Wires, NEPCon (Economic-member, Certification Body):

yes. concerns about this being feasible for small MUs

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Yes in terms of the directions, however it is yet to be determined if reserving 10% of an ownership for for "Conservation Area Networks" is feasible operationally or economically.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):

Yes

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):

Yes

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

Yes

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

Yes

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):

Understandable yes; feasible no

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Understandable yes. Feasible will depend on how its audited.

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

The guidance in Annex H is understandable and appears to be feasible. However, 'cultural' should be a defined term so that cultural features can be appropriately identified and included in the CAN calculation.

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):

No

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

In general, the 10% requirement seems straightforward- i.e. it is both understandable and generally feasible (except possibly for SLIMFs). But the bigger issue is this- what is the real fundamental purpose of the CAN? Is it to ensure that some portions of the FMU age naturally? Or is it to ensure some type of connectivity network? Or is it to ensure long-term biological diversity in the forest? As written, it feels a bit like an unorganized set of unrelated goals thrown into one catch-all basket. This issue with this is that if CHs cannot meet the CAN requirements via HCVs, RSAs and protected areas/sites, they may end up making somewhat arbitrary decisions about what is or is not CAN- when clarity about the reason for the requirement would allow them to prioritize selecting remaining lands that truly best serve long term envi. and cultural goals that the CAN is trying to achieve. I'm not sure exactly what those goals are, though- so how can we expect CHs to make decisions about prioritization for inclusion? Once specific goals/objectives for the CAN are better defined, it would also be helpful to include some type of decision tree that shows what a CH might include in CAN- and what to consider if they run out of obvious options like RSAs, HCVs, historic and cultural sites, etc. I believe CAN requirements will be feasible for non-SLIMFs but

will likely have to be tweaked for SLIMFs, especially small SLIMFs.

Gordon Gamble, Wagner Forest Management Ltd. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

For the most part but do have question about previous transfers and is there a statute of limitations on them.

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):

c. The Conservation Area Network guidance is clear and feasible.

Nathan Heibel, Koochiching County (Social-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

As presented in the guidance, these changes related to CANs could potentially not be feasible for some certified organizations.

**Q223: If the guidance in Annex H is followed, will it result in conformance with the Conservation Areas requirement in Indicator 6.5.6?**

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

Yes.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):

Yes

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

Yes

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

Yes

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

This should not be a question. By definition if it's in the standard it must.

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):

See comments provided earlier re: HCVAs, CANs, RSAs. Please refer to the comment letter submitted by the Minnesota Forest Industries (MFI) on December 17, 2020. Pages 5-9. Sappi is a member of MFI and supports these comments and suggestions.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

Right now, the Conservation Areas Network seems almost like a stand-alone requirement (via Annex H) as it is barely referenced in the standard (6.5.5. seems to be the one place I really see it). I have no objection to only auditing to one indicator for this requirement, but the indicator or Annex H should provide more detailed guidance for about how to prioritize inclusion of lands in the CAN once the obvious 'suspects' (RSAs, HCVs, special cultural sites, etc.) are included if the 10% threshold has not yet been met.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):

Landowners who are willing to remove 10 percent of their timberland from production can use the recommendations in the annex to achieve that.

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):

c. The Conservation Area Network guidance is clear and feasible.

**Q224: Do you have any further comments regarding Annex H?**

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):

Why is it necessary to do this? This is just more stuff I have to answer during audit to justify what we are currently doing. This is adding more unnecessary complexities for group managers but more importantly does not add any conservation benefit. I don't need any more help putting together picture of conservation oriented objectives for

the landowners in our group.

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):

There remains some question about whether Conservation Easement areas would fit under Conservation Area Networks, specifically if they require any sort of limit or restriction on harvest activities.

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

The CAN requirement seems to be an accounting exercise, especially since the 10% figure is not based on data but appears to be an arbitrary target. It is not clear how calculating the CAN will improve conservation of forests. We suggest that the SDG eliminate the CAN requirement.

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):

The 10% minimum requirement for designated conservation areas is not feasible.

Gordon Gamble, Wagner Forest Management Ltd. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

See previous comments to indicator 6.5.6

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):

Paragraph 5: This paragraph appears to have been added by the Board/PSC to align with corresponding language that was added to Annex G, at page 158, paragraph 4, regarding RSAs. If that language is retained in Annex G, then it may make sense to also recognize those off-management unit RSAs in Annex H. However, the wording of Annex H, paragraph 5, is not limited to areas outside the management unit recognized for purposes of RSAs, despite the fact that the other types of conservation areas that count towards CANs must, by their very nature, exist within management units. It would be inappropriate and inconsistent with the P&C for conservation of HCVs outside of management units, for example, to substitute for conservation of HCVs that exist within management units. The same goes for stream buffers, old growth, RTE species populations and habitats, rare ecological communities, areas of importance to Native Americans and local communities, and other areas recognized in Annex H. Also note that, as written, paragraph 5 of Annex G suffers from other problems noted with paragraph 4 of Annex G, including potentially violating FSC International best practice regarding the consideration of activities outside of management units during audits. RECOMMENDATION: Correct the scope of the new paragraph, so it is explicitly limited to situations involving RSAs.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
No

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
No

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

I think when it comes to implementation and auditing this is going to be a mess. For the most part I believe this will just be a mapping and documentation exercise with no big changes needed on the ground.

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
I do not see the need for this, especially in Small and Medium size landowners.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):

Almost all of the recommendations for CAN Inclusions are not applicable to forests in the south east US. Of the



five that are applicable to these forests, they require that landowners take land out of timber production to meet them. It will be difficult for small holders to comply with this new requirement.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
"Areas designated as part of the CAN\* should be identified in a single section of the management plan\*." I think the FMP should list all areas that are part of the CAN, but since the list will likely include HCV, RSA, and other areas, I'm not sure that they need to be grouped into a single section of the FMP.

**Q225: Is the guidance provided in Annex I understandable and feasible?**

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
Yes.

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):  
Yes, the guidance is understandable and appears feasible.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
Yes

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
Yes

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):  
Yes

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):  
yes

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
Unknown at this time

Kara Wires, NEPCon (Economic-member, Certification Body):  
It is unclear how the last section (Management Practices Related to Plantations) fits into the rest of the Annex and the PCKE evaluation. Is it "silvicultural treatments" mentioned in the section before the PCKE detail?

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
It is ok, but the PCKE section is a little cumbersome and not always intuitive.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
Inter planting that maintains most of the attributes of a natural forest is not specifically addressed, however it is implied that it would be acceptable if the "Principal Characteristics and Key elements of native Forest Ecosystems" are maintained. This practice should be specifically addressed. Further, the Annex does not address planting for restoration, carbon sequestration or if natural regeneration silviculture fails. These should all be acceptable practices.

Lois Forde-Kohler, Procter & Gamble (Economic-member, Certificate Holder (CoC)):  
Incorporating support for use of plantation standards for large intensive growers would be very advantageous to increase the utility of the standard across US forest managers.

**Q226: If the guidance in Annex I is followed, will it result in clear differentiation of plantations from natural forest/semi-natural forest, and enable a determination of which stands are plantations, when needed for the indicators of Criteria 6.9 and 6.10 and the alternate Plantation Indicators (in development)?**

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):  
Yes. The Annex and Guidance are clear and feasible for this indicator.

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):  
Yes.

Kara Wires, NEPCon (Economic-member, Certification Body):  
Yes, this is great. Thanks!

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Yes, I think so.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
This should not be a question. By definition if it's in the standard it must.

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
Still a bit confusing but its fine.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):  
Overall, the Annex is solid. However, the following provision will be deeply flawed, and not properly distinguish plantations from natural/semi-natural forest, unless the recommended corrections are made. Page 169, Definition of Plantation, first bullet: While the Annex considers the use of non-native species to normally automatically constitute a "plantation," the Board/PSC inserted an exemption for use of non-native species if the Organization can argue they are an adaptive response to climate change, per the new Indicator 10.2.2. This would be reasonable, if Indicator 10.2.2 was still narrowly and carefully written to restrict use of non-natives to a limited basis, and as much or more importantly, to restrict use of non-natives to those still native to North America, as was envisioned in the version of 10.2.2 developed by the WG. However, the Board/PSC's edits to 10.2.2 would allow entire management units to be converted to non-natives, and could even allow those non-natives to originate from outside North America. As a result, 10.2.2 would no longer be focused on supporting the adaptation of natural forests, but would also allow their wholesale conversion to non-native species that serve more to replace natural forests. Such conversion would not only involve a textbook example of plantations, but would be contrary to the P&C's prohibitions on conversion, and also to marketplace and stakeholder expectations for the FSC to serve as a measure of environmentally responsible forest management that supports and conserves natural forests. RECOMMENDATION: If the edits to 10.2.2 are not corrected, then the exemption for use of non-natives per 10.2.2 should be removed from the plantation definition.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
I think it will.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
I believe so.

**Q227: Do you have any further comments regarding Annex I?**

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):  
The second sentence in the definition of Semi-natural forest is a run on sentence. Can a natural forest be regenerated artificially?

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
not at this time

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):  
No.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
Management Practices Related to Plantation: "c. Systematic use of, and reliance on, chemical pesticides\*" add  
"for purposes other than the control of invasive species."

Sam Davis, Dogwood Alliance\*\* (Environmental-member, Social NGO , Environmental NGO):  
Annex I should not give a free pass to non-native species being identified as plantations -- it's not that they aren't  
plantations, but more that \*\*\*plantations with non-native species should not be eligible for FSC. \*\*\*

**Q228: Are there scenarios or other rationale that would justify, for ecological reasons, longer planning periods than would be allowed by Indicator 7.4.1?**

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):

Yes. Historic management or natural disturbance events that shift ability to meet sustained yield in time horizon of indicator

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

Yes, for forest types that are relatively stable or at an age where no management is needed for decades, then the management planning period could be extended to a longer timeframe of up to 25 years or longer as long as the plan and objectives remains appropriate for the forests that it entails.

Robert Hrubes, Individual Member (Economic-member, ):

To my understanding, "planning period" is not the same as plan revision/update frequency. So, the term needs to be defined.

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

Not that we are aware of.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

Not that I can think of.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

None of which I am aware, not in the southeast US.

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

None come to mind

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

No the 10 years with the 15 maximum is very reasonable.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

No Comment.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):

no

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):

No

Galen Smith/ Niel Fischer, Collins Companies (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

California regulations (AB-1160) were changed in 2019 to extend the life of the sustained yield plan permitting document from 10 years to 20. Considering the time scale of tree growth and forest management planning, a 20

year timeframe is advised.

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):  
Based on SIR larger landbases might deserve a longer timeframe.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):  
10 years is too short for meaningful management plan updates in natural hardwood forests. Often, nothing besides monitoring occurs in these forests for 30 and 40 years. Depending on the silviculture and intensity of management, you could easily increase the planning periods/management plan updates to 20 years without any negative impacts.

**Q229: Do you have any comments regarding Principle 7 that are not indicator-specific?**

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
The potential impact of climate change should be addressed at Landscape level.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):  
Overall, aside from the problems and needed improvements and corrections noted in my comments below, the draft Indicators for Principle 7 are essential for ensuring compliance with P7 and its Criteria, and for addressing situations in the US that are not expressly covered by the P&C, and for addressing expectations for credible and effective forest certification in the US. It will be important to retain the Indicators' specificity and clarity regarding required actions and outcomes.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
No

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):  
No

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
I did not have much time to review this principle, so have no comments to share.

Seth Zuckerman, Northwest Natural Resource Group (Environmental-member, ):  
Certificate holders are required to make available summaries of their management plans (excluding confidential information) according to C7.5, and to "proactively and transparently engage affected stakeholders in management planning and monitoring processes" (C7.6). A key part of the ability to monitor is to know the geographic boundaries of the land in question. And yet -- more in keeping with the technology available when the FSC was established in 1994 than with the technologically savvy era we currently inhabit -- the boundaries of a certificate holder's forests under management can be discerned only dimly, through the paper maps included in the summaries of management plans that are available to the public. Thanks to the widespread free availability of satellite imagery, it is now possible to overlay the boundaries of a management unit with its image as seen from space. We applaud the "FSC On the Map" initiative underway, which already makes it possible to see the boundaries of FSC-certified forests in Canada, New Zealand, Russia, and several other European countries.

Accordingly, we propose a new indicator, number 7.5.4, requiring certificate holders to share the boundaries of their certified forestland in digital format with the FSC Open Knowledge Repository. The simple location of an Organization's holdings is not confidential information. In fact, it is usually available in the U.S. from county recorder's

offices. This indicator would simply make that public information accessible in more transparent fashion, to promote stakeholders' ability to meaningfully engage in management planning and monitoring, and to better understand the management plan summaries that are made available under indicators 7.5.1 and 7.5.2.

Draft wording of such an indicator follows:

The Organization provides FSC-US with a digital shape file, updated at least once annually, of the boundaries of its certified forest area.

As FSC, in all its three chambers, we ought to take pride in and be willing to stand behind the choices of what constitutes certified forestry. This simple action will enable us to put a public face on the lands that have earned certification.

Kara Wires, NEPCo (Economic-member, Certification Body):

Add additional cross references to the other parts of the standard if any are missing. These are useful.

Randy Coats, Preferred by Nature (Economic-member, Certification Body):

"proportionate to scale, intensity, and risk" I know that this phrase is used widely in the standard, however, it seems very vague in its usage. What one auditor may see as acceptable under this phrase another may see as not acceptable. Is there a way to be more specific?

\*Sarah Billig, Northern California Certificate Holders (Mixed, Certificate Holder (FM)):

(6) Multiple indicators address climate change assessment and adaptation (Indicators 6.1.1 guidance and 7.2.4). We agree broadly that FSC certificate holders should be aligned with work to adapt in the face of climate change. Further, the sprinkling of climate change requirements throughout the standard makes it difficult to assess in one place, therefore; we recommend that the requirement to assess potential future impacts of climate change (6.1.1.i) be removed and that addressing potential impacts of climate change be specifically addressed in the management plan (via best available information).

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government, Certificate Holder (FM)):

"...The management plan shall cover...social management planning proportionate to scale, intensity, or risk" We are unclear what is being referred to as "social management planning".

**Q230: Please share any additional comments you have regarding Indicator 7.1.1.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM), Certificate Holder (CoC)):  
None

Mickey Rachal, Roy O Martin (Economic-member, Certificate Holder (FM), Certificate Holder (CoC)):  
None

Robert Hrubes, Individual Member (Economic-member, ):

I think it is wholly unnecessary for "visions and values" to be normative requirements. It's how the forests are managed and the resulting forest conditions that matters!

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):

I do not see the point or the benefit of this indicator. Certificate holders know this information and use it daily in their forest management. Asking them to document it is a big administrative task with no benefit. This will be costly. I suggest dropping this indicator. It is not in alignment with the IGI's. It holds US Certificate Holders to a higher standard than the rest of the world for an administrative task.

**Q231: Please share any additional comments you have regarding Indicator 7.1.2.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM), Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

Neither Principle 7, nor Criterion 7.1 mention any requirement to document historic conditions. Subsection (b) should be removed from the Indicator. If subsection (b) is removed then the third paragraph of the guidance box should also be removed.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

Neither Principle 7, nor Criteria 7.1 require documenting historic conditions. Guidance says that the purpose of establishing historic conditions is to create a baseline. What is "historic"? Given climate change, fragmentation, forest structural changes due to insects and wildfire/suppression, establishing a historic condition is not defensible. This should be reworded either to documenting the historic range of variability, or be removed. The baseline should either be current condition, within the historic range of variability, or pick a date such as indicated in Indicator 9.1.2.

Robert Hrubes, Individual Member (Economic-member, ):

Guidance: last paragraph..."...when there is new information...." Any amount of new information? There should be some sort of threshold below which updating the management plan is not triggered (required).

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):

Combine 7.1.2 and 7.2.1 into a single indicator

Kara Wires, NEPCon (Economic-member, Certification Body):

change "compliance" to "conformance". Is there a cross reference to an Indicator in C6.1?

**Q232: Please share any additional comments you have regarding Indicator 7.2.1.**

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

RE C7.2: What is "social management planning"?

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):

Combine 7.1.2 and 7.2.1 into a single indicator

**Q233: Please share any additional comments you have regarding Indicator 7.2.2.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Robert Hrubes, Individual Member (Economic-member, ):

Guidance: last paragraph ".....and other easements or rights....." Is this a term appropriate for the U.S.?

**Q234: Please share any additional comments you have regarding Indicator 7.2.3.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q235: Please share any additional comments you have regarding Indicator 7.2.4.**

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):

Will it be a required for us to go back and update all previously written mngt plans to add language about climate change?

Gregory Ward, Evergreen Packaging (email) (Economic-nonmember, ):

We support the inclusion of climate change-related risks into forest management planning. We hope for more guidance on how to include this issue in our management plans. In addition, it is important that certificate holders are given reasonable time to update older plans with this new requirement.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Kara Wires, NEPCo (Economic-member, Certification Body):

is this linked to an Indicator/Analysis in P5? cross reference somewhere?

amanda naismith, new forests (Economic-member, Investor or Donor):

Certified organisations could also consider climate-related opportunities in their management plans. Guidance could also be provided in the Standard that explains what timescales (i.e. short, medium, and long term) and which climate scenarios (i.e. 1.5C aligned) could be used for this assessment. Annex L does not fully provide this information.

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):

Although we have climate change adaptation and mitigation-specific plans, our present state-wide management plans do not incorporate climate change adaptation in the manner described in the standard and annexes, due to the timing of the plan completion. It is not reasonable for us to incorporate such facets until the regular revision cycle of our state-wide and landscape-level management plans. There should be an allowance for this process to play out in the guidance for this indicator. These new climate change requirements of the standard can be incorporated in the next plan revision. It is not reasonable for us to do a special revision of our plans just to conform with this new part of the standard.

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):

(6) Multiple indicators address climate change assessment and adaptation (Indicators 6.1.1 guidance and 7.2.4). We agree broadly that FSC certificate holders should be aligned with work to adapt in the face of climate change. Further, the sprinkling of climate change requirements throughout the standard makes it difficult to assess in one place, therefore; we recommend that the requirement to assess potential future impacts of climate change (6.1.1.i) be removed and that addressing potential impacts of climate change be specifically addressed in the management plan (via best available information).

**Q236: Please share any additional comments you have regarding Indicator 7.2.5.**

Robert Hrubes, Individual Member (Economic-member, ):

What does it mean to "address" habitat elements? This is another example of this draft Standard being far too prescriptive.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q237: Please share any additional comments you have regarding Indicator 7.2.6.**

Kara Wires, NEPCon (Economic-member, Certification Body):

what are "other special management areas"? examples? cross references to other Indicators?

Andrew Bacon, Michigan Nature Association (Environmental-nonmember, Environmental NGO):

Similar to our comments on Indicator 6.1.1 we feel it would be appropriate to expand the bullet points in this Indicator pertaining to aquatic resources into multiple bullet points to better recognize the different types of aquatic resources that should be identified in the management plans. It seems inconsistent to have so many bullets related to terrestrial impacts while only having one bullet representing all the aquatic impacts. Per our comments above, there could be separate bullets for a.) Riparian systems, b.) Lentic systems including lakes, ponds, isolated wetlands, and vernal pools, and c.) Headwaters and other sensitive aquifer water and wetland features.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q238: Please share any additional comments you have regarding Indicator 7.2.7.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q239: Please share any additional comments you have regarding Indicator 7.2.8.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Robert Hrubes, Individual Member (Economic-member, ):

Is there a management unit anywhere that has no invasive species?

**Q240: Please share any additional comments you have regarding Indicator 7.2.9.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q241: Please share any additional comments you have regarding Indicator 7.2.10.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q242: Please share any additional comments you have regarding Indicator 7.2.11.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None



Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q243: Please share any additional comments you have regarding Indicator 7.2.12.**

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

RE 7.2.12.f: The evaluation of social impacts is very complex. There is no guidance on what type and scale of evaluation would conform to this Indicator.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

Indicator 7.2.12.f – Requires that the management plan incorporates the results of the evaluation of social impacts, including (f) local and regional socioeconomic conditions and economic opportunities, including the creation and/or maintenance of quality jobs, local purchasing opportunities, and participation in local development opportunities. This is overly complex and no guidance is provided as to how this would be done.

Kara Wires, NEPCon (Economic-member, Certification Body):  
cross reference of public access and recreational issues?

**Q244: Please share any additional comments you have regarding Indicator 7.2.13.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q245: Please share any additional comments you have regarding Indicator 7.2.14.**

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):

This is not needed. High grading or any other form of "exploitative harvest" are not considered principles/practices conducive with any form of sustainable forest management at any level, certified or not (because the practice only considers the economics and not other values such as environmental and/or cultural/social). The standard as is clearly requires group members to manage (including how they harvest) all values.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

Indicator 7.2.14 (Guidance Box) – This section is confusing as written, since if done with care, a number of examples listed in the second paragraph of the guidance box could also achieve desired environmental or social outcomes. We recommend limiting the examples to only those practices that have no possible benefits and are truly exploitative.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

Guidance: the text about exploitative adds no value and often may be used to meet social objectives. It should be removed.

Robert Hrubes, Individual Member (Economic-member, ):  
"...describing the relationship....." I think this language will be met with uncertainty as to what is being required.  
Re: 2nd Paragraph Guidance: What is the purpose and necessity of this min-tutorial? The verbosity of the numerous Intent and Guidance notes throughout this draft Standard is way beyond the pale!!

**Q246: Please share any additional comments you have regarding Indicator 7.2.15.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q247: Please share any additional comments you have regarding Indicator 7.2.16.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q248: Please share any additional comments you have regarding Indicator 7.2.17.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
All this gets so confusing for group managers: "sensitive sites" "restoration areas" "RSA" "CAN" "HCVF" , riparian areas, etc

**Q249: Please share any additional comments you have regarding Indicator 7.2.18.**

Kara Wires, NEPCon (Economic-member, Certification Body):  
would be useful to have a cross reference to stakeholder requirements (7.6?)

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q250: Please share any additional comments you have regarding Indicator 7.2.19.**

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):  
What is the intent of this indicator? What is the FSC guidance to certificate holders on how conformance can be achieved?

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):  
We suggest that for public lands the description of externalities can rely on the public comments received during public consultation on the proposed plan. Comments received will be summarized and published as part of the planning record. Comments will also be considered for changes to the plan prior to finalization.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
This is a useless and expensive exercise yielding no meaningful or useful data. These types of cost and benefits cannot be estimated with any degree of accuracy or certainty.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):  
This Indicator is very complex and there is no guidance. Not sure how/why this is separated from 7.2.12f

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):  
This indicator is overly burdensome, complex, and not feasible. Estimating all these externalities for each management activity would require an immense level of effort for the organization. As part of high-level management planning, externalities are considered. The appropriate place for such assessment is at the macro-level, not the management activity level.

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):  
The management plan\* includes estimates of benefits and costs related to social, economic, and environmental impacts of management activities\* (i.e., externalities\* per Indicator 5.3.1). This Indicator lacks intent and guidance on how this would be performed. It is not required at the Principle level, and should be evaluated to determine if it brings value in this context..

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
See previous concern regarding 5.3.1

Scott MacDougall, J.D.Irving, Limited (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Same issue as per comment on 5.3.1. I do not see the point or the benefit of this indicator. Certificate holders know this information and use it daily in their forest management. Asking them to document it is a big administrative task with no benefit. This will be costly. I suggest dropping this indicator. It is not in alignment with the IGI's. It holds US Certificate Holders to a higher standard than the rest of the world for an administrative task.

Robert Hrubes, Individual Member (Economic-member, ):  
Requiring the forest manager to estimate the monetary value of benefits and costs is unreasonable and unnecessary.

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
How much detail is going to be required here?- The management plan\* includes estimates of benefits and costs related to social, economic, and environmental impacts of management activities\* (i.e., externalities\*per Indicator 5.3.1).

Gordon Gamble, Wagner Forest Management Ltd. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
Do not see the value of documenting this in the management plan. Seems repetitive given all the previous indicators i Principle 1-6.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
Determining estimates of the cost and benefits of "social, economic and environmental impacts of management activities." is an unreasonable economic burden on certificates holders. This criteria will be a barrier to entry for many FMU's and result in many certified FMU's leaving FSC Certification.

**Q251: Please share any additional comments you have regarding Indicator 7.2.20.**

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):  
Why is this part of the management plan writing section?

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q252: Please share any additional comments you have regarding Indicator 7.3.1.**

Kara Wires, NEPCon (Economic-member, Certification Body):

Would be good to reference the Indicator where objectives are set

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):

This needs additional analysis to determine the increased burden of proof and costs of measuring verifiable targets for all management objectives.

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):

This is overly prescriptive and not feasible. We do not have verifiable targets for each management objective because some management objectives do not lend themselves to such targets. Also, this is overly burdensome to require in a standard that we monitor for every objective. These elements of the standard are overly focused on process instead of being focused on results. Our monitoring programs focus on resource condition and change, the results of management activities. This indicator and associated indicators on externalities assessment and monitoring would require a major change in our organization as far as resource allocation and effort.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):

How much detail is going to be required related to the development of "verifiable targets for each mngt objective"?

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Establishing and tracking verifiable targets is a costly and unreasonable administrative burden. This criteria will be a barrier to entry for many FMU's and result in many certified FMU's leaving FSC Certification.

**Q253: Please share any additional comments you have regarding Indicator 7.4.1.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Kara Wires, NEPCon (Economic-member, Certification Body):

need additional guidance or clarification on the requirement to review and revise plan. What if upon review the plan doesn't need updates, does it still need to be revised? What is considered review/revision--can sections be updated as needed but still entire plan need a review or update every 10 years? Could be better to have indicator or guidance say "Review process" implemented so every component is reviewed at least once every 10 year and updated, if needed

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):

It is inappropriate for a certification entity to dictate to certified organizations what their planning cycle should be. Planning cycles are affected by many factors, including prioritization of other demands on time, budget cycles, hiring and retention, as well as potentially changing internal administrations and policies. Such a time mandate is overly burdensome and prescriptive.

Robert Hrubes, Individual Member (Economic-member, ):

Intent: "...rigor..." Too vague of a term. "Depth and detail" is more fitting. ".....hard-copy..." In the electronic era, what does this term mean? It seems to be an out of date term.

**Q254: Please share any additional comments you have regarding Indicator 7.5.1.**

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

We are not a public institution and should not be required to make this type of information freely available to the public at no charge.

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):

This language shift is concerning. At a minimum keep the nominal fee option in here please

Robert Hrubes, Individual Member (Economic-member, ):  
re: last paragraph of Guidance: This is entirely too prescriptive and beyond the scope of the Criterion.

Kara Wires, NEPCon (Economic-member, Certification Body):  
please clarify if this is available upon request and does this mean they are expected to have a process to provide public summary or have a summary ready or just the willingness to provide if requested?

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
- 7.5.1 and 7.5.2 feel like the same indicator- how are these different?

**Q255: Please share any additional comments you have regarding Indicator 7.5.2.**

Robert Hrubes, Individual Member (Economic-member, ):  
This is plainly redundant--a repeat of 7.5.1. Delete it.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Kara Wires, NEPCon (Economic-member, Certification Body):  
clarify how this is different that 7.5.1...just one is a summary and one isn't...can we combine these or is this needed?

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
Change "are provided" to "may be provided"

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
- 7.5.1 and 7.5.2 feel like the same indicator- how are these different?

**Q256: Please share any additional comments you have regarding Indicator 7.5.3.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q257: Please share any additional comments you have regarding Indicator 7.6.1.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
its states the the organization must "honestly" consider. Remove the use of the word "honestly" it implies that we would do things falsely.

Robert Hrubes, Individual Member (Economic-member, ):  
Intent: Far to lengthy/wordy, especially considering the fact that this is just one of a large number of excessively wordy Guidance that collectively make this Standard tediously long. Last intent paragraph: Notes of encouragement do not belong in a Standards document.

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):  
Combine 7.6.2 and 7.6.3

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
CH's can't allow others who may not be aligned with our visions, values, goals and objectives to influence our planning process.

**Q258: Please share any additional comments you have regarding Indicator 7.6.2.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Robert Hrubes, Individual Member (Economic-member, ):  
Guidance... Too wordy and prescriptive

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):  
Combine 7.6.2 and 7.6.3

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Big problem for CH's. It is too onerous, burdensome and potentially detrimental to operations. This is too costly and time consuming to be feasible. This allows groups who are not aligned with our objectives to negatively impact operations to suit their own goals and objectives. Many operations are very time sensitive and this could cause delays that will cost time and money. This is a barrier to FSC certification for current and potential CH's.

**Q259: Please share any additional comments you have regarding Indicator 7.6.3.**

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
Please clarify - does the upon request clause imply that affected stakeholders are asked for input when they request to provide input into management planning?

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Again, CH's can't allow others who may not be aligned with our visions, values, goals and objectives to influence our planning process. Time consuming and expensive - we are not a public organization.

**Q260: Please share any additional comments you have regarding Indicator 7.6.4.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q261: Is the guidance provided in Annex L understandable and feasible?**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
Yes, but following/complying with the Annex will be a huge administrative and financial burden on FMU owners, managers and certification organizations. The criteria associated with Annex L, will be a burden to entry to many FMU's and will cause FMU's to exit FSC certification.

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):  
Yes the guidance is understandable and appears feasible.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
Yes- see my remarks under the climate change issue about climate change in the standard. However, I do generally think that the provided guidance is understandable and feasible.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Yes and yes however it will add another layer of work and added expense to complete

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
YEs

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
unknown

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):  
Understandable yes, feasible no

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):  
Overall, the Annex appears to be a great step in the right direction. However, improvements are needed in some areas, as outlined in my other comments below.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
Not sure

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Need more time to consider

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
It appears be helpful.

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):  
I find it the most helpful annex.

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):  
From a certificate holders view, it would seem climate change probably deserves its own principle rather than be scattered throughout four different principles (6,7,8,10) .

**Q262: If the guidance in Annex L is followed, will it result in conformance with the climate change-related consideration and requirements in Indicators 6.1.1, 7.2.4, 8.1.2, and 10.2.2?**

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):  
Yes, following the guidance should result in conformance with the associated indicators.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Yes

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
This should not be a question. By definition if it's in the standard it must.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):  
Probably

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):  
Please refer to the comment letter submitted by the Minnesota Forest Industries (MFI) on December 17, 2020. Sappi is a member of MFI and supports these comments and suggestions.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
It could

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
In general, I do think that following the guidance in Annex L will lead to conformance with the standard- some of the key questions highlighted in the Annex are especially great. In my opinion, 6.1.1.i is currently too vague to be

easily auditable, and 10.2.2. does not mention non-GMO hybrids as an option, so I would focus work in this area more on refining the standard requirements than on the Annex.

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
Fine

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):  
Carbon Storage and Sequestration: The Annex does not appear to recognize the importance of carbon storage and sequestration, including as important ecosystem services that can help minimize the intensity of climate change over time, and thus impacts to natural forests and the need for their adaptation. Nor does the Annex appear to provide any practical guidance to Organizations to consider carbon storage and sequestration as part of their assessments at Principle 6 and elsewhere, when they do not intend to undertake more formal and rigorous carbon assessments for carbon offset credits, ecosystem services certification, or other purposes. Note the Annex references the assessments expected at Indicator 6.1.1, which include ecosystem services including carbon storage and sequestration. RECOMMENDATION: The Annex should be augmented to recognize the role of carbon storage and sequestration, including as a means of helping to minimize the effects of climate change over time and the need for adaptations. And ideally, the Annex would also point to practical guidance for Organizations seeking a basic approach to assessing storage and sequestration as an ecosystem service per Indicator 6.1.1. The external resources that are referenced and linked in the Annex should also be reviewed, and if needed, augmented with this perspective in mind.

**Q263: Do you have any further comments regarding Annex L?**

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

We support connecting climate change response and monitoring to the NIACS toolkit and USFS research and monitoring related to climate change.

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):  
We believe that PA BOF can meet the climate change criteria; however, the guidance in Annex L is very complex and organizations should not be expected to follow this exact process for determining plans for climate change.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):  
Silviculture Versus Other Forest Values: At times, the Annex seems written from an overly narrow silvicultural perspective, e.g., at the third paragraph in the section “Climate Change in Principle 7,” and in the discussion of monitoring in the section “Climate Change in Principle 8.” Climate changes are likely to affect a host of different forest resources and values, not just forests’ productivity for timber. The Standard clearly requires Organizations to maintain environmental values, HCVs, and other values, and the resilience and capacity of wildlife species and ecosystems to adapt to changing climates will be crucial. RECOMMENDATION: Provide a more consistently comprehensive approach to the values that need to be considered in the context of climate change and adaptation, and to the measures needed to address resilience, adaptation, etc., including in key sections such as “Climate Change in Principle 8.” The external resources that are referenced and linked in the Annex should also be reviewed, and if needed, augmented with this perspective in mind. Resilience: At times, the discussion of resilience appears to ignore crucial opportunities and strategies to maintain and enhance forests’ natural reliance to climate change and other disturbances. Rather than being forgotten, such approaches should be the first stop for any adaptation strategy. For example, in the fourth paragraph under the section “Climate Change in Principle 10,” the discussion of resilience is narrowly about altering forests, and not only ignores the strategy of natural forest resilience, but at times could work against it. RECOMMENDATION: More explicitly address and prioritize opportunities and strategies of maintaining and enhancing forests’ natural resilience to climate change and other disturbances, including in the section “Climate Change in Principle 10.” The external resources that are referenced and linked in the Annex should also be reviewed, and if needed, augmented with this perspective in mind.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Not at this time



Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
No

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):  
It's a lot of work for small holder tracts to analyze and develop growth and yield modes based on climate that won't provide meaningful feedback for management considerations.

Caroline Pufalt, Sierra Club (Environmental-member, Environmental NGO):  
Include some guidance and references to managing for carbon conservation.

Carolyn Loeb, NEPCo (Environmental-nonmember, Environmental NGO , Certification Body):  
Consider adding further guidance on how to approach the financial aspects/organizational readiness components of climate change planning, management, and response.

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
All I know this is going to create a significant amount of work for group managers that is not going to really change anything. Everything that I read/understand about how to manage forests in context of climate change is analogous to sustainable forest mgmt anyway. What am i missing here?

**Q264: In the limited situations identified in the Indicator 8.5.3 guidance, where the same entity holds both the FSC Forest Management certificate and the FSC Chain of Custody certificate between which materials are transferred, what kind of documentation is generated that could be used to demonstrate conformance with the intent of the Indicator?**

Robert Hrubes, Individual Member (Economic-member, ):  
This makes no sense to me.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
The same types of documentation required when one entity does not hold both the FMU and CoC certificates.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Scale tickets and trip ticket coupons - that is how we meet this indicator presently.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
Sales contracts are much more common than a sales invoice

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
Records of transfer that document COC (including electronic records) should suffice - i.e. evidence of transfer and maintenance of COC throughout. Trip tickets/scale tickets and people in positions of authority stating that the transfer has been agreed upon. Requiring written documentation seems silly but could be completed if needed.

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):  
Not applicable.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
INDICATOR 8.5.3 Sales invoices for the point of ownership transfer and transport documents are kept for a minimum of five years for all FSC-certified products sold or delivered by The Organization\*. Sales invoices identify, at a minimum, the following information: name and address of purchaser; the date of ownership transfer; species\* name; product name, description, or grade; the volume (or quantity) of product sold; The Organization's\*

certificate code; and the FSC claim “FSC 100%,” identifying products sold as FSC-certified. This works the best.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

I would contest that there is no need to generate a list of document types; rather, let the organization decide how they will compile such documents to demonstrate conformance with the intent of the indicator in this situation type.

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):

I think there is great opportunity here, but not sure how it plays. Perhaps worthy of reaching out to at least to CHs that might fall into this category.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):

Essentially, these organizations are handing materials to themselves, so not much documentation is really needed. A record of sales transaction such as a timber deed or purchase agreement should suffice for this indicator.

**Q265: Do you have any comments regarding Principle 8 that are not indicator-specific?**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
No

Kara Wires, NEPCon (Economic-member, Certification Body):

Include cross references to other parts of the standard as much as possible

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):

I am concerned with the amount of work involved in this level of detail required in the mngt plan this will require

Robert Hrubes, Individual Member (Economic-member, ):

Guidance and intent Way too wordy. The normative/core elements of the Standard are buried underneath a massive excess of Intent and Guidance verbiage.

**Q266: Please share any additional comments you have regarding Indicator 8.1.1.**

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):

This is overly prescriptive and not feasible. We do not have verifiable targets for each management objective because some management objectives do not lend themselves to such targets. Also, this is overly burdensome to require in a standard that we monitor for every objective. These elements of the standard are overly focused on process instead of being focused on results. Our monitoring programs focus on resource condition and change, the results of management activities. Our organization lacks the expertise to monitor social impacts in the ways described. This indicator and associated indicators on externalities assessment and monitoring would require a major change in our organization as far as resource allocation and effort.

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

Not sure what kind of monitoring protocol can assess visions and values which are typically more high level grand ideas and less monitorable.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Kara Wires, NEPCon (Economic-member, Certification Body):  
add cross references to Indicators in P7

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
"Indicator 8.1.1 (Based on existing US Indicator 8.1.a) The Organization\* develops and consistently implements a regular and replicable written protocol to monitor its policies associated with visions and values\*, management objectives\*, and achievement of verifiable targets\* relevant to the Standard." Consistently and regular are synonyms- choose one. Wording- is the monitoring about monitoring the policies, or about monitoring the values, management objectives, and achievement of verifiable targets?

Robert Hrubes, Individual Member (Economic-member, ):  
".....to monitor its policies associated with visions and values\*, management objectives\*, and achievement of verifiable targets\* relevant to the Standard." This is off topic. The focus of this Criterion is on implementation of the management plan.

**Q267: Please share any additional comments you have regarding Indicator 8.1.2.**

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

We suggest changing the reference to effectiveness monitoring to "implementation monitoring". First, the Criterion is about implementation monitoring. Effectiveness monitoring can be satisfied by a research review, or assessment, completed at the beginning and end of the plan. Broad effectiveness monitoring of climate change strategies presents a number of challenges because climate change is gradual, evaluation of our strategies would take a very long time, and it would be difficult to isolate the cause/effects.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):  
This should actually say Implementation Monitoring instead of Effectiveness Monitoring.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
This indicator will be a significant additional administrative and financial burden on landowners, managers and organizations. The indicator will be a barrier to entry for FMU's and result in the exit of FMU's from FSC certification.

Robert Hrubes, Individual Member (Economic-member, ):  
Off topic. with the Criterion

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):  
Move this indicator to climate change section as it is out of place here at this location.

Rebekah Luedtke, Wisconsin County Forests Association (Unknown-nonmember, Government):  
Comment: This may be impossible to quantifiably measure, especially at the management unit level and during the short term. The impacts of climate change to forested settings are not fully known and are likely to be seen over long time periods. Any intensive effort to monitor by an individual organization on a specific management unit is not an effective use of resources. Recommendation: Monitoring for damaging events at the management unit level is much more useful with anticipated impacts and measures of climate change better conducted during management planning.

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):  
(6) Multiple indicators address climate change assessment and adaptation (Indicators 6.1.1 guidance and 7.2.4). We agree broadly that FSC certificate holders should be aligned with work to adapt in the face of climate change. Further, the sprinkling of climate change requirements throughout the standard makes it difficult to assess in one place, therefore; we recommend that the requirement to assess potential future impacts of climate change (6.1.1.i) be removed and that addressing potential impacts of climate change be specifically addressed in the

management plan (via best available information).

**Q268: Please share any additional comments you have regarding Indicator 8.2.1.**

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):  
This is overly prescriptive and not feasible. We do not have verifiable targets for each management objective because some management objectives do not lend themselves to such targets. Also, this is overly burdensome to require in a standard that we monitor for every objective. These elements of the standard are overly focused on process instead of being focused on results. Our monitoring programs focus on resource condition and change, the results of management activities. Our organization lacks the expertise to monitor social impacts in the ways described. This indicator and associated indicators on externalities assessment and monitoring would require a major change in our organization as far as resource allocation and effort.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):  
I do not know how to monitor the effects of forest management on gender equality nor gender discrimination per Annex J. FSC will need to explain how they expect to monitor that and what we need to consider during harvesting operations.

Robert Hrubes, Individual Member (Economic-member, ):  
Guidance last paragraph: This professorial tone and style is largely impenetrable. The Standard is awash in this excessive verbiage, much to the detriment of its utility.

Kara Wires, NEPCon (Economic-member, Certification Body):  
Criterion level: add that as per 7.2.16 all these components (8.2 Indicators) need to be addressed in plan (documented)

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
"Indicator 8.1.2 (New) The protocol, per Indicator 8.1.1, includes specific procedures to monitor and evaluate: a) how climate change impacts may affect achievement of management objectives\* and desired future conditions\*; and b) the effectiveness of climate change adaptation strategies\* implemented to address identified impacts (per Indicator 7.2.4)" Simplify the wording on this indicator- I have suggested an edit above.

**Q269: Please share any additional comments you have regarding Indicator 8.2.2.**

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
This will be expensive, time consuming and potentially cause delays in CH processes. We are not a public organization and this notion of engagement is burdensome. Many of those entities who are not like-minded will use this as a strategy to negatively impact operations and processes.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
This indicator will be a significant additional administrative and financial burden on landowners, managers and organizations. The indicator will be a barrier to entry for FMU's and result in the exit of FMU's from FSC certification.

Robert Hrubes, Individual Member (Economic-member, ):  
Guidance last paragraph: encouragement is out of place in a normative standards document.

Kara Wires, NEPCon (Economic-member, Certification Body):  
cross references?

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
8.2.2. This seems very similar to other indicators that the CB should consider stakeholder input in management. I

wonder if there is a way the requirements could be streamlined or combined for efficiency?

**Q270: Please share any additional comments you have regarding Indicator 8.2.3.**

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):

The language in the existing US Indicator 8.2.d.5 is clear and concise. No changes are needed. Leave as is.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

"8.2.3. Where feasible, the opportunity to jointly monitor other sites and resources of interest to a Native American\* group is also offered to tribal\* representatives." Clarify- is this for resources/locations only pertaining to customary use and tenure rights, or could this be anything on the FMU? 8.3.2 Seems redundant to 8.3.1.

**Q271: Please share any additional comments you have regarding Indicator 8.3.1.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Kara Wires, NEPCon (Economic-member, Certification Body):  
cross references?

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
8.3.2 Seems redundant to 8.3.1

**Q272: Please share any additional comments you have regarding Indicator 8.3.2.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Kara Wires, NEPCon (Economic-member, Certification Body):  
cross references?

**Q273: Please share any additional comments you have regarding Indicator 8.4.1.**

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

We are not a public organization and this type of information that is integral to our operations should not be freely available to the public at our cost.

Kara Wires, NEPCon (Economic-member, Certification Body):

please clarify if this is available upon request and does this mean they are expected to have a process to provide public summary or have a summary ready or just the willingness to provide if requested?

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q274: Please share any additional comments you have regarding Indicator 8.5.1.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Robert Hrubes, Individual Member (Economic-member, ):  
Intent: What tracking and tracing is this sentence talking about?

**Q275: Please share any additional comments you have regarding Indicator 8.5.2.**

Robert Hrubes, Individual Member (Economic-member, ):  
Poor/convoluted sentence structure. Re: item f) None of the preceding bullets is required if the product is not sold as FSC-certified. Guidance "..Per unit sales..." I don't think that this is a commonly used and understood term.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q276: Please share any additional comments you have regarding Indicator 8.5.3.**

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
this indicator and indicator 8.5.2 are very similar and essentially cover the same records. Are both needed?

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Robert Hrubes, Individual Member (Economic-member, ):  
"..or...." ?? shouldn't it be "and"?

Q277: Is the guidance provided in Annex J understandable and feasible?  
Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
Yes. Given details of Annex J, consideration should be given to reduce language in P,C,I's

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):  
Yes, the guidance is understandable and appears to be feasible.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
Yes

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Yes

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):  
Yes

Kara Wires, NEPCon (Economic-member, Certification Body):  
yes

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):  
Understandable yes, mostly feasible

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):  
The requirements in Annex J are not feasible. They would require significant reallocation of work effort, potentially new expertise contracted or hired into the organization, and great expenditure of time. Our monitoring program is results-oriented, focused on resource condition and change. That should be sufficient to meet the intent of the standard.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
It is understandable and doable, but there will be significantly more administrative and financial burden on owners, managers, and organizations to achieve this level of monitoring. Some of the criteria associated with Annex J, will be a burden to entry to many FMU's and will cause FMU's to exit FSC certification.

Scott MacDougall, J.D.Irving, Limited (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
It is not feasible. The list is extremely long. It would be valuable if FSCUS could reduce the list to key elements.

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):  
It is not feasible. The list is extremely long. It would be valuable if FSCUS could reduce the list to key elements.

Carolyn Loeb, NEPCo (Environmental-nonmember, Environmental NGO , Certification Body):  
Generally, yes. I was expecting more of a "how-to" document, and less a list of examples; but it is understandable as written. Whether it is feasible depends on the FME size and available resources.

**Q278: If the guidance in Annex J is followed, will it result in conformance with the monitoring requirements in Indicator 8.2.1?**

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

Yes, following the guidance in Annex J will likely result in conformance with the associated indicator.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
Yes

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Yes

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
This should not be a question. By definition if it's in the standard it must.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):  
Mostly

Carolyn Loeb, NEPCo (Environmental-nonmember, Environmental NGO , Certification Body):  
It's unclear, as the Annex provides examples of the kinds of things may be candidates for monitoring, but does not offer much guidance on how to design monitoring protocols to ensure they meet standard requirements.

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):  
It is not feasible. The list is extremely long. It would be valuable if FSCUS could reduce the list to key elements.

**Q279: Do you have any further comments regarding Annex J?**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

No.

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):

It is not feasible. The list is extremely long. It would be valuable if FSCUS could reduce the list to key elements.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):

I would like to see a guidance document on how to assess gender equality and gender discrimination at the management unit level.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

"2.iii. "Confirmation that genetically modified organisms\* are not being used (Criterion 10.4)". This seems like an odd monitoring example since GMOs are prohibited in the Standard. But, if this is in the annex, maybe monitoring associated with pesticides (reflecting the new pesticide policy) should be in here too?

**Q280: Do you have any comments regarding Principle 9 that are not indicator-specific?**

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

We appreciate the guidance to better define HCVs and help certified organizations better assess and designate HCVs correctly.

Ryan Hilburn, Red River Forests LLC (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

To successfully navigate required stakeholder outreach with the new High Conservation Value Area Framework, we request FSC-US publish simple and clear materials to send with stakeholder input requests that provide context for use with stakeholder outreach on revised assessments to meet the new standard. We also request that FSC-US be prepared to defend and support certificate holders during these re-assessments (including in any formal complaints filed). Further, we request that the exclusion of Riparian Management Zone areas from HCVF designation be reconsidered. The changes made in Principle 9 will result in a significant reduction in High Conservation Value areas across multiple FMUs. Is FSC prepared to accept that based on the new indicators and guidance that some FMUs may no longer have any High Conservation Value areas? FSC should fully consider the ramifications and public perception that will occur if such reductions take place.

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):

This is good.

Sam Davis, Dogwood Alliance\*\* (Environmental-member, Social NGO , Environmental NGO):

The last paragraph says the HCV Framework "may" be used to assess HCVs, etc. This should be updated to "shall" for clarity's sake.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):

Principle 9, Intent Statement: The last paragraph says the HCV Framework "may" be used to assess HCVs, etc. This contradicts the Principle 9 Indicators requiring use of the Framework, and also does not meet FSC International policy expectations for the use of Frameworks. Some certificate holders' past failure to use existing FSC US guidance on HCVs evidences why clear statements about the use of the Framework are necessary.

RECOMMENDATION: The last paragraph should either be revised to clearly require use of the Framework, or it should be deleted. Overall, aside from the problems and needed improvements and corrections noted in my comments above and below, the draft Indicators for Principle are essential for ensuring compliance with P9 and its Criteria, and for addressing situations in the US that are not expressly covered by the P&C, and for addressing expectations for credible and effective forest certification in the US. It will be important to retain the Indicators' specificity and clarity regarding required actions and outcomes.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

P9 General Comments: There should be a requirement that the HCV assessment be reopened/updated every 10 years, including for new stakeholder consultation.



Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
No

Kara Wires, NEPCon (Economic-member, Certification Body):  
Language around use of Annex K in the Intent box could be stronger. change "may" to "should" possibly. 9.1.1 is better in that it says "consistent with Annex K"

Andrew Bacon, Michigan Nature Association (Environmental-nonmember, Environmental NGO):  
It is important to note that lentic/wetland systems such as isolated wetlands, vernal pools, headwaters, karst, seeps and springs also can represent High Conservation Value areas by providing habitats for concentrations of biological diversity, including rare, threatened and endangered species and species that only occur in these habitats, and provide critical ecosystem services. We recommend that the Standards specifically recognize and include protection of these important aquatic and wetland habitats where applicable.

Robert Hrubes, Individual Member (Economic-member, ):  
Intent 2nd paragraph Unnecessary verbiage.

Rebekah Luedtke, Wisconsin County Forests Association (Unknown-nonmember, Government):  
Comment: We support the clarification provided for classifications of HCV 1-6. The rewrite and addition of Annex K provides clearer guidance for both organizations and third party auditors. Also support the change from HCVF to HCV as the diverse ecosystems found within forested landscapes are not always forests and appreciate the intent to increase consistency in what is being classified. Recommendation: None

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):  
b. We note that the draft High Conservation Value Area Framework will result in a drastic reduction of areas designated as High Conservation Value in Northern California. To successfully navigate required stakeholder outreach with the new High Conservation Value Area Framework. To successfully navigate required stakeholder outreach with the new High Conservation Value Area Framework, we request FSC-US publish simple and clear materials to send with stakeholder input requests that provide context for use with stakeholder outreach on revised assessments to meet the new standard. We also request that FSC-US be prepared to defend and support certificate holders during these re-assessments (including in any formal complaints filed). Further, we request that the exclusion of Riparian Management Zone areas from HCVF designation be reconsidered. For coastal timberlands RMZs represent a significant area of unique habitat that provide benefits well beyond stream protection, especially where the RMZ for certificate holders retention standards exceed those of FSC. As an example, Green Diamond has a RMZ network that represents 25% of the FMU with retention standards prescribed by a federal Habitat Conservation Plan. These RMZs are either unharvested or lightly harvested and are limited to one entry per rotation (average 55 years). Over the next 40 years the RMZs will represent nearly 100,000 acres of 100+ year old habitat. The RMZs currently provide nesting/roosting habitat for northern spotted owl and connectivity for travel corridors for coastal marten and Pacific fisher. As these RMZs mature they are expected to provide nesting opportunities for marbled murrelet.

**Q281: Please share any additional comments you have regarding Indicator 9.1.1.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Kara Wires, NEPCon (Economic-member, Certification Body):  
Criterion level Guidance on Annex K could be added as well since all Indicators are covered in the Annex

Indicator: would like to see stronger language on updating HCV. it should be reviewed and updated (if necessary) on the same cycle as the management plan.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

9.9.1. Consider adding a requirement that HCVs be reassessed every 10 years, including reopening stakeholder and expert consultation.

**Q282: Please share any additional comments you have regarding Indicator 9.1.2.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)): None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)): None

Kara Wires, NEPCon (Economic-member, Certification Body):

I don't think this needs to be included as an Indicator since IFLs are covered in HCV definitions now.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

9.1.2. I like this requirement, but since there are known issues with some of the mapped IFLs in the US, the indicator should come with a caveat that if a CH feels that an IFL is incorrectly mapped, and is submitting an alternative assessment to their auditor to demonstrate the the IFL issue is not applicable, what documents and/or evidence would be required.

**Q283: Please share any additional comments you have regarding Indicator 9.1.3.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)): None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)): None

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

Indicator 9.1.3 “ The Organization\* conducts culturally appropriate\* engagement\* with affected rightsholders\*, affected stakeholders\*, and interested stakeholders\* and uses the resulting input in the assessment.” -I would modify this wording to say, “incorporates their input” instead of “uses”. Also, this implies that stakeholder consultation will only occur before the assessment; but I think that collecting follow up input could inform revisions to the assessment over time as well.

Kara Wires, NEPCon (Economic-member, Certification Body):

cross references to where affected stakeholder might be already identified?

**Q284: Please share any additional comments you have regarding Indicator 9.1.4.**

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

The standards should acknowledge that the transparent public review of HCVs, HCVAs, must respect that the specific identity and location of certain resources is confidential and cannot be shared publicly.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)): None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)): None

Robert Hrubes, Individual Member (Economic-member, ):

Guidance: Unnecessary verbiage

**Q285: Please share any additional comments you have regarding Indicator 9.2.1.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Kara Wires, NEPCon (Economic-member, Certification Body):  
add "documented" or "written" to the management strategies.

**Q286: Please share any additional comments you have regarding Indicator 9.2.2.**

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
This type of consultation is burdensome to the CH. Requires input from groups that may not be motivated to respond in a timely and helpful manner, but rather use the opportunity to negatively impact processes of the CH.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):  
Requiring external "experts" may cause an impenetrable roadblock. If a management action is undertaken within the scope of a plan that underwent public and tribal engagement, and the site-specific action is run through the state environmental policy act review process, and other collaboration processes, requiring even processes is burdensome at best.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None.

Robert Hrubes, Individual Member (Economic-member, ):  
Guidance is unnecessary

**Q287: Please share any additional comments you have regarding Indicator 9.2.3.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Robert Hrubes, Individual Member (Economic-member, ):  
If all remaining IFLs in the U.S. are on federal land, this should be clearly stated as otherwise, this Indicator will dissuade any large private landowner from seeking or maintaining FSC FM certification. Where does the number 123,500 acres come from?

Kara Wires, NEPCon (Economic-member, Certification Body):  
Applicability note: "NA if no IFLs"

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
"Indicator 9.2.3 (Based on IGI 9.2.4, 9.2.5, 9.2.7, 9.3.3, and 9.3.4) The vast majority\* of each Intact Forest Landscape\* identified per Indicator 9.1.2 is designated as core area\* and management strategies\* are developed to protect\* these core areas\*. The management strategies\* may allow limited industrial activity\* within core areas\*, but only if all effects of the industrial activity\*, including fragmentation\*: a. are restricted to a very limited portion of the core area\*; b. do not reduce the core area\* below 123,500 acres; and c. will produce clear, substantial, additional long-term\* environmental and social benefits." - Define "very limited" in the above paragraph. c. benefits for who? More generally, assuming that IFLs are correctly designated (see prior comment on IFLs on 9.1.2.), I'm wondering why any industrial activities would be allowed for in the core areas? Under what situations in the US would this make sense?

**Q288: Please share any additional comments you have regarding Indicator 9.3.1.**

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):  
This indicator is too broad as stated and seems to be an overreach. It is unclear what "enhance" the "extent" of

the HCVA means (e.g. expanded?). Too many things seem to be combined under this indicator, e.g. core areas are lumped with HCVs. Regarding the precautionary principle, the bureau does not intend to implement management activities that pose severe or irreversible damage to the environment or human welfare. Originally, HCVA's were described to the Bureau as fitting into existing management. Now it appears that they are being turned into their own management plan/values.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Kara Wires, NEPCon (Economic-member, Certification Body):  
Last sentence of Indicator isn't a requirement/auditable and should be moved to guidance.

**Q289: Please share any additional comments you have regarding Indicator 9.3.2.**

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):  
What is meant by immediately? There needs to be guidance or different word choice.

Sam Davis, Dogwood Alliance\*\* (Environmental-member, Social NGO , Environmental NGO):  
The indicator should say "halt and mitigate" - not just mitigate. Only mitigating damages vs. trying to stop or prevent them are two very different things.

Kara Wires, NEPCon (Economic-member, Certification Body):  
Remove reference to Excision policy and just add "when not in scope"

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Robert Hrubes, Individual Member (Economic-member, ):  
Intent: All verbage after the first sentence is unnecessary

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):  
Indicator 9.3.2: The draft indicator prepared by the WG stated that "activities that harm High Conservation Values cease immediately and actions are taken to restore and protect the High Conservation Values." As revised by the Board/PSC, the Indicator no longer requires any harmful activities to be stopped, despite common sense and the FSC International Generic Indicators' expectation that harmful activities "cease immediately." Instead, the Indicator now just calls for "mitigation" of such activities. This approach is highly inappropriate and likely to be ineffective for two reasons: First, it allows potentially serious and highly harmful activities to continue indefinitely. Second, its focus on "mitigation" unnecessarily and inappropriately introduces a subjective concept, may thus also be difficult to audit, and introduces the potential for Organizations to claim that other HCV occurrences may be substituted for the ones being harmed. Such "offsetting" approaches would be highly inappropriate in the context of HCVs, as they may result in a net loss of HCVs across the landscape and/or rely upon "new" HCV occurrences that inherently lack attributes of existing, naturally occurring ones. Moreover, neither Criterion 9.3 nor the existing FSC US Standard envision such "mitigation" approaches to HCV conservation, but clearly and unequivocally require all HCVs to be maintained or enhanced. RECOMMENDATION: The Indicator should either be returned to the language prepared by the WG, or replaced by the language in the IGIs (i.e., IGI 9.3.5). Indicator 9.3.2, Intent Statement: As amended by the Board/PSC, the Intent language states that Organizations are only required to address harmful activities when they present a "threat of severe or irreversible damage" to HCVs. This would violate Criterion 9.3 and be weaker than the existing US Standard, which both require all HCVs to be maintained and/or enhanced in all situations. It also misconstrues and mischaracterizes the proper approach to the "precautionary approach," by ignoring the IGIs' Instruction to Standards Developers to recognize that any threats to HCVs are to be considered "threats of serious or irreversible damage," when applying the precautionary

approach to P9 Indicators. RECOMMENDATION: The simplest and best solution would be to delete the phrase "that represent a threat of severe or irreversible damage" from the Intent Statement. Alternately, the phrase could be explicitly recognized as being part of the precautionary approach – and then coupled with an explicit recognition that all threats to HCVs are considered "severe or irreversible." However, this latter approach would unnecessarily complicate and lengthen the Standard's language.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

"9.3.2. Intent: The goal of this Indicator\* is to address damaging activities (not just management activities\*) initiated by The Organization\*, or by others, that represent a threat of severe or irreversible damage." - Since HCVs are by definition very important places, would the threat need to be severe or irreversible to merit addressing damage? I would think that any threat to an HCV would merit addressing damage, and that using the precautionary principle would require mitigation of small threats before they become severe or irreversible. (You also say this in 2.f of Annex K; "When implementing the precautionary approach\*, HCVs\* are understood to be critical\*, fundamental, or significant\* and therefore any threat to an HCV\* is considered to be a threat of severe or irreversible damage.") - "In this case, "restore" means to repair the damage done to environmental values that resulted from legal\* or illegal activities. However, The Organization\* is not necessarily obliged to restore those environmental values that have been affected by factors beyond the control of The Organization\*, for example by natural disasters, by climate change, or by the legally\* authorized activities of third parties, such as public infrastructure, mining, hunting, or settlement. FSC-POL-20-003, The Excision of Areas from the Scope of Certification, describes the processes by which such areas may be excised from the area certified, when appropriate". - What about implementing protective/preventative measures, though? Surely the organization has some responsibility to shield such places from the full harmful impacts of others if they are able. And arguably, as is pointed out elsewhere in P6, many organizations can use their sphere of influence with third parties to negate or reduce such impacts. - Additionally, I don't think the excision policy needs to be referenced here, as locations that are not under the CH's control are likely to be excised regardless of their P9 value.

**Q290: Please share any additional comments you have regarding Indicator 9.3.3.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)): None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)): None

Robert Hrubes, Individual Member (Economic-member, ):

Intent: Unnecessary verbiage in light of the edit in the Indicator, replacing "annually" with "periodically."

**Q291: Please share any additional comments you have regarding Indicator 9.4.1.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)): None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)): None

Kara Wires, NEPCon (Economic-member, Certification Body):

Indicator language could be improved. Maybe: Org develops or participates in a documented monitoring program for each HCV that includes periodic monitoring on the status of...

Gordon Gamble, Wagner Forest Management Ltd. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Good change- periodically is more manageable and can be geared more appropriately to a specific threat. Some of these sites are remote and use of periodic remote sensing is more practical.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

9.4.1 "Intent: Except where High Conservation Values\* attributes change rapidly or demonstrate ecological instability, or where site-disturbing management activities\* occur, annual monitoring of all High Conservation Values\* HCVF may not be necessary and/or may be combined with other field activities." - Consider changing the

wording around annual monitoring above- I think that the take home here is that monitoring should be proportionate to potential risk to the HCV, with those HCVs that are more likely to be at risk from impacts of activities/instability/change being monitored more frequently than those that are not.

**Q292: Please share any additional comments you have regarding Indicator 9.4.2.**

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):  
We do not understand the need to continuously engage with stakeholders as part of monitoring if management plans involved stakeholder engagement. This is overly complex and not feasible.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
This type of engagement is burdensome to the CH. Requires input from groups that may not be motivated to respond in a timely and helpful manner, but rather use the opportunity to negatively impact processes of the CH.

Sam Davis, Dogwood Alliance\*\* (Environmental-member, Social NGO , Environmental NGO):  
The guidance statement seems like it has an unnecessary parenthesis on guidance in 5.5.1 being explicitly included. It should be removed.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):  
Indicator 9.4.2, Guidance Statement: The Board/PSC's new guidance language regarding "good faith" efforts to consider monitoring information from stakeholders and rightsholders mostly appears reasonable and helpful. However, the emphasis on Indicator 5.5.1's requirement for economic viability seems odd and problematic. Simply considering monitoring information from stakeholders and rightsholders is unlikely to involve much if any expense. And by flagging Indicator 5.5.1, readers may misunderstand the Guidance as suggesting that HCV conservation strategies need not be adjusted if monitoring shows them to be ineffective, but if more effective approaches are deemed too costly. This would be a serious misunderstanding of the P&C, which clearly require HCVs to be maintained and/or enhanced regardless of cost, and which at Criterion 9.4, clearly require adaptation of management strategies where necessary to "ensure effective protection." Organizations of course have the leeway to seek cost-effective management strategies – but if they wish to be certified, they do not have the option to simply forgo effective strategies. RECOMMENDATION: Simply remove the reference to Indicator 5.5.1 from the Guidance.

Robert Hrubes, Individual Member (Economic-member, ):  
Guidance: Way too wordy. The entirety could be deleted without harm.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
9.4.2. It makes sense that engagement be carried out as a part of monitoring but should relate/be restricted specifically to the identified values and/or their monitoring.

**Q293: Please share any additional comments you have regarding Indicator 9.4.3.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Robert Hrubes, Individual Member (Economic-member, ):  
Intent: This is not the intent of Indicator 9.4.3 2nd paragraph is Outside the scope of this Indicator and Criterion.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):  
Indicator 9.4.3, Intent Statement: The statement that "management measures are adjusted to the extent allowable by law" appears to have been carried forward from the existing Standard. On reflection, it seems an unnecessary and potentially confusing statement to include. The Standard clearly requires legal compliance at Principle 1, and nothing in Principle 9 changes that. Indicator 1.3.2 of the draft revised Standard also already provides the

mechanism for addressing conflicts between laws and compliance with the Standard. Meanwhile, the Intent Statement could be misinterpreted as suggesting the Standard does not require conservation of HCVs beyond legal minimums, which would misconstrue the P&C and be a serious concern, given that some important HCVs are not adequately legally protected, and given that one of the primary values of FSC certification is to identify and support forest management that is more consistently protective of environmental, social, and economic values, including by requiring management above and beyond legal minimums, where necessary.

RECOMMENDATION: Delete the statement. If it is felt to be important to flag this topic in the Intent Statement, then add a cross-reference to Indicator 1.3.2.

**Q294: Are Ecological Provinces (as defined by Cleland 2007) the appropriate scale for consideration of the regional significance of HCV 1 and HCV 2?**

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

Yes, we support the Ecological Province as the appropriate scale for considering the regional significance of HCV 1 and HCV 2.

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):

Yes, this clarification of regional significance is one way for FSC to provide clarity and reduce complexity of the Standard. When Minnesota DNR developed their HCV framework they used Ecological Section or Subsection scales, resulting in hundreds of species and plant communities being designated as HCVs. The vast majority of those species and communities are protected in other Principles and should not have been considered as HCV's.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):

Yes I think so.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

yes

Nathan Heibel, Koochiching County (Social-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

Yes

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

Yes

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

Yes

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

While we agree that Ecological Provinces are an appropriate scale for considering the regional significance of HCVs 1 and 2, FSC needs to provide clear guidance on how an assessment at this scale of landscape is performed and who would be involved. For example, Province 212 covers an area east to west from Michigan to Minnesota. HCV characteristics could vary across that expanse and not all State Natural Heritage programs use the same classification systems or conservation status ranks. As with other parts of the standard, "significance" needs to be defined in this particular context. Clear guidance is needed in order for this clarification of regional significance to be successfully implemented by certificate holders. Without clear guidance at the Province level, a smaller ecological scale may be the more appropriate scale.

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

While some conservation planning has occurred at the province level (e.g. Joint Venture BCR plans), most regional-level planning has occurred at the state level. State is better definition of regional. This approach would require new, multi-state analysis. and will add complexity.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
They are one option that may work well, but it would be nice to see other scientifically-sound options referenced here too, to give CHs broader options around what they use (there is a brief nod to this in TNC's Ecoregion Map, but other options could be emphasized as well).

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
No way to have an opinion since if the definitions were included in the standard or the Annex, they were not readily findable.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):  
In many cases, "no." See below for more detail. Section 2.e, "Threshold for Regionally Significant:" Both the existing FSC US Standard and the draft revised Standard prepared by the WG pointed to ecological "Sections" as the default scale at which "regionally significant" is to be addressed. The Board/PSC shifted this scale to much larger ecological "Provinces," despite the harmful effect this could have on identification and protection of HCV 1 and HCV 2 occurrences. Many Provinces are immense, and thus will be a poor context for HCV assessments. Indeed, some Provinces extend far beyond the range at which some HCVs will ever exist. The "M261 Sierran Steppe... Province," for example, includes both Sierran and Coastal/foothill forests, and extends from the Mexico border into Southern Oregon. The diversity of different forest types and HCVs within this Province is huge, and most HCVs at one side of the Province will have little relationship to those at the other side. A similar situation exists with the "M242 Cascade Mixed Forest... Province," which covers both coastal and Cascade mountain forests though most of Oregon and all of Washington. No doubt similar situations exist with other larger Provinces. Assessing "significance" in the context of such over-sized areas will be difficult at best, and at worst will lead to HCVs being excluded from identification and protection, because potentially unrelated HCVs will be considered to also exist within the Province, or simply because the area covered by the management unit will be considered to be a relatively small portion of these immense areas. RECOMMENDATION: Return to the existing Standard's approach of defining regional significance in the context of ecological Sections. In the case of relatively small Sections, one simple solution would be to allow neighboring Sections to also be included in the analysis, especially if they are part of the same Province -- or to allow the use of other, comparable classification systems, as provided for in the existing Standard and the draft prepared by the WG.

**Q295: Would it be helpful to include examples for some or all of the HCV types (HCV 1-6)? If yes, for which HCV types?**

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
Yes, I think a short list of some common examples would be helpful for all HCV types.

Kara Wires, NEPCon (Economic-member, Certification Body):  
yes, and examples of what isn't an HCV. HCV 5 and 6 in particular--need particular clarification regarding when something is adequately protected by P3 or P4 and when it meets the "critical" threshold.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Yes, all.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
Yes- All of them

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
Yes all

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):  
Yes

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):  
The examples currently scattered throughout Annex K are helpful, particularly in conveying what is meant by "exceptional" and "outstanding significance" and how these HCVs go beyond the values already protected in



Principle 6. These examples and the guidance set forth in the HCV Managers Guide, as well as guidance from Certification Bodies are sufficient.

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

Some HCV's are clear by definition e.g. Intact Forest Landscapes, and Type 1 & 2 old growth) so examples are not needed. We don't have examples to offer for other HCV's and are neutral to the question of whether to include additional examples.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):

No

**Q296: Is the guidance provided in Annex K understandable and feasible?**

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

Yes.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Yes, excepting the that "Ecological Provinces" (as defined by Cleland), are not included in the Annex.

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

Yes sort of. California certificate holders will drastically reduce their HCV acres under new assessments to this guidance. In order to follow it and for it to be feasible, FSC-US will have to provide strong communication and back-up when the inevitable formal complaints come from vexatious complainants regarding this reduction. Can FSC-US provide a fact sheet that can accompany stakeholder input requests that documents the reasoning for the change in HCV standards that will assist with the less FSC knowledgeable stakeholders understand the change? Certificate holders will absolutely need back-up from FSC-US in order to implement this change.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):

Yes

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

Yes

Kara Wires, NEPCon (Economic-member, Certification Body):

yes

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):

Very complicated but understandable for forestry professionals.

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

The guidance is understandable and appears to be feasible.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):

Overall, yes.

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):

b. We note that the draft High Conservation Value Area Framework will result in a drastic reduction of areas designated as High Conservation Value in Northern California. To successfully navigate required stakeholder outreach with the new High Conservation Value Area Framework. To successfully navigate required stakeholder outreach with the new High Conservation Value Area Framework, we request FSC-US publish simple and clear materials to send with stakeholder input requests that provide context for use with stakeholder outreach on revised assessments to meet the new standard. We also request that FSC-US be prepared to defend and support certificate holders during these re-assessments (including in any formal complaints filed). Further, we request that the exclusion of Riparian Management Zone areas from HCVF designation be reconsidered. For coastal timberlands RMZs represent a significant area of unique habitat that provide benefits well beyond stream

protection, especially where the RMZ for certificate holders retention standards exceed those of FSC. As an example, Green Diamond has a RMZ network that represents 25% of the FMU with retention standards prescribed by a federal Habitat Conservation Plan. These RMZs are either unharvested or lightly harvested and are limited to one entry per rotation (average 55 years). Over the next 40 years the RMZs will represent nearly 100,000 acres of 100+ year old habitat. The RMZs currently provide nesting/roosting habitat for northern spotted owl and connectivity for travel corridors for coastal marten and Pacific fisher. As these RMZs mature they are expected to provide nesting opportunities for marbled murrelet.

**Q297: If the guidance in Annex K is followed, will it result in conformance with the relevant indicators in Principle 9?**

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

Yes, following the guidance will likely result in conformance with the relevant indicators.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):

Yes, except with regard to the problems noted in my other comments on the Annex.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

Yes, but see more specific notes on needed changes in P9 and below.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):

Yes

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

Yes

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

Yes

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

This should not be a question. By definition if it's in the standard it must.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):

Probably. I appreciate the guidance and resource sections

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):

b. We note that the draft High Conservation Value Area Framework will result in a drastic reduction of areas designated as High Conservation Value in Northern California. To successfully navigate required stakeholder outreach with the new High Conservation Value Area Framework. To successfully navigate required stakeholder outreach with the new High Conservation Value Area Framework, we request FSC-US publish simple and clear materials to send with stakeholder input requests that provide context for use with stakeholder outreach on revised assessments to meet the new standard. We also request that FSC-US be prepared to defend and support certificate holders during these re-assessments (including in any formal complaints filed). Further, we request that the exclusion of Riparian Management Zone areas from HCVF designation be reconsidered. For coastal timberlands RMZs represent a significant area of unique habitat that provide benefits well beyond stream protection, especially where the RMZ for certificate holders retention standards exceed those of FSC. As an example, Green Diamond has a RMZ network that represents 25% of the FMU with retention standards prescribed by a federal Habitat Conservation Plan. These RMZs are either unharvested or lightly harvested and are limited to one entry per rotation (average 55 years). Over the next 40 years the RMZs will represent nearly 100,000 acres of 100+ year old habitat. The RMZs currently provide nesting/roosting habitat for northern spotted owl and connectivity for travel corridors for coastal marten and Pacific fisher. As these RMZs mature they are expected to provide nesting opportunities for marbled murrelet.

**Q298: Do you have any further comments regarding Annex K?**

Andrew Bacon, Michigan Nature Association (Environmental-nonmember, Environmental NGO):

We would recommend including concentrated complexes of wetlands and vernal pools, large high diversity vernal

pools, and vernal pools with multiple high concentrations of recognized indicator species in the guidance as examples of HCVs as these are unique landscape features which are important for species diversity in forests.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):

Section 4.a.ii Old Growth: The penultimate sentence of the Framework's description of old growth states that they are "always associated with pre-European remnant forests." RECOMMENDATION: This sentence should be deleted outright, as had begun to be recognized by some WG members' comments on the last draft of the Framework reviewed by the WG. The sentence is what remained of draft language originally proposed by a consultant, and which had otherwise been removed as being highly flawed. The sentence is mis-aligned with the WG's proposed edits to the definition of old growth that addressed the same topic (see comments at the Glossary definition of Old Growth). It also does not align with the existing Standard's definition of old growth, nor does it align with existing FSC US guidance on HCVs and old growth. Most importantly, it could inappropriately exclude deserving old growth occurrences from being identified and conserved as HCV, and could also create confusion about when old growth is to be identified and protected per Principle 6. A pre-European threshold will exclude protection for old growth stands which developed naturally in absence of industrial logging or other commercial activity, but which may have been late successional forest or in other successional phases at the time of European settlement. Likewise, the threshold could exclude protection for any old growth in forests areas that may have become established as forests through purely natural ecological processes, such as shifts from grasslands or meadows to forest, subsequent to the pre-European threshold. Moreover, the pre-European threshold will be far more difficult to evaluate and implement in actual forests. Indeed, the threshold begs the question of what is meant by "remnant" and "pre-European." (Does "remnant" refer to current remnants of prior forests, to forests that were "remnants" prior to the presence of Europeans, or...? Does "pre-European" mean control of the management unit by persons of primarily European descent? Does it mean the presence of any persons of European descent anywhere in the United States or North America, even though the old growth in question might be located in a different part of the continent and have a largely unrelated history?) As per the Standard's definition of Type 1 old growth, the WG's proposed clarifications to the definition of Type 2 old growth, and the original definitions of Type 1 and 2 old growth in the old Pacific Coast Standard, the more appropriate threshold for Type 1 and 2 old growth is old growth and old growth remnants that existed prior to introduction of logging to the site in question. Section 4.a.iii, Primary Forests: Edits made by the Board/PSC to the description of primary forests need to be corrected, as they will lead to primary forests not being properly identified and conserved. In the existing FSC US materials and in the draft Framework prepared by the WG, the 3rd and 4th sentences of the description read: "Human impacts in such forest areas have normally been limited to low levels of hunting, fishing, and very limited, non-commercial harvesting of forest products. Type 1 Old Growth would also typically represent primary forest." These sentences have been replaced by the statement that "any evidence or documentation that forest management activities have occurred in an area, even if it is not readily visible, would exclude the area from being primary forest." This new statement fails to properly distinguish between activities (including historic Native American activities) that are consistent with the existence of primary forests, and those activities that degrade and destroy primary forests, e.g., industrial logging. Moreover, "any forest management activity" includes assessments, scientific research, conservation measures, or management planning – all of which are covered by the definition of "management activity." Thus the mere act of assessing a primary forest as HCV could disqualify it as HCV. Likewise, if an organization had merely planned to log a primary forest, this would disqualify it for protection as HCV even though it still remains intact and valuable as primary forest. RECOMMENDATION: The new statement should be deleted, and replaced by the language provided by the WG, which aligns with the existing Standard and proper understanding of primary forests. If the concern with the language from the WG and existing Standard is with regard to the second sentence that references the relationship with Type 1 old growth, then that second sentence per se could probably be omitted.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

No.

Kara Wires, NEPCon (Economic-member, Certification Body):

for the default HCVs, since FSC US has designated them, seems there should be less of an expectation for consultation on identifying these. That should be clarified in the Annex (and maybe the Indicators).

Caroline Pufalt, Sierra Club (Environmental-member, Environmental NGO):

Ecological Provinces are too large a unit to be used here. Landscape views are important. But given all the pressures on species, plant communities, etc due to habitat loss and climate change, we need to look for habitat protections, connections and restoration on a smaller scale too.

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):

b. We note that the draft High Conservation Value Area Framework will result in a drastic reduction of areas designated as High Conservation Value in Northern California. To successfully navigate required stakeholder outreach with the new High Conservation Value Area Framework. To successfully navigate required stakeholder outreach with the new High Conservation Value Area Framework, we request FSC-US publish simple and clear materials to send with stakeholder input requests that provide context for use with stakeholder outreach on revised assessments to meet the new standard. We also request that FSC-US be prepared to defend and support certificate holders during these re-assessments (including in any formal complaints filed). Further, we request that the exclusion of Riparian Management Zone areas from HCVF designation be reconsidered. For coastal timberlands RMZs represent a significant area of unique habitat that provide benefits well beyond steam protection, especially where the RMZ for certificate holders retention standards exceed those of FSC. As an example, Green Diamond has a RMZ network that represents 25% of the FMU with retention standards prescribed by a federal Habitat Conservation Plan. These RMZs are either unharvested or lightly harvested and are limited to one entry per rotation (average 55 years). Over the next 40 years the RMZs will represent nearly 100,000 acres of 100+ year old habitat. The RMZs currently provide nesting/roosting habitat for northern spotted owl and connectivity for travel corridors for coastal marten and Pacific fisher. As these RMZs mature they are expected to provide nesting opportunities for marbled murrelet.

Sam Davis, Dogwood Alliance\*\* (Environmental-member, Social NGO , Environmental NGO):

Annex K, section 4.a.ii should have this sentence removed as it is unnecessarily confusing and restricting: "Old growth\* forest\*, as defined, is always associated with pre-European remnant forests\*". This type of restriction pretends, inaccurately, that old growth forest can not re-establish after some number of centuries, but rather, is a one-and-done. Also, "Pre-European" is not a definitive benchmark, and lots of potential gray areas arise. This sentence doesn't add anything to the context anyway. Similarly, in Annex K, section 4.a.iii, the sentence "Any evidence or documentation that forest\* management activities\* have occurred in an area, even if it is not readily visible, would exclude the area from being primary forest\*." is vague and confusing. For example: what about pre-colonization indigenous forest management? Those activities, under this definition, would wholly eliminate any and all forests from primary status. This sentence is also in direct conflict with the preceding sentence, which states forests have remained "relatively" undisturbed. This sentence should be removed and allow the preceding sentence to give enough clarity.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

- 3.b. Assessment should also include whatever methodology was used to make decisions as to how areas were ultimately selected and delineated. -3. c. "In some cases, resources are of such importance to a Native American\* group that tribal\* representatives are unwilling to share the location of these resources with outside parties. In some cases, the location of particularly important sites are known to only a few tribal\* members. In such situations, one potential approach is to periodically share maps of proposed management activities\* with tribal\* representatives and then leave it to their discretion as to whether to share information regarding potential HCVs\* that might be affected by the management activities\*." - The last sentence makes me a bit nervous, as it seems like it could push people to reveal a cultural resource against their will. Better would be to consult with groups about management on FMUs or portions of FMUs where such HCV resources are likely to exist, and to dialogue about what management would be appropriate on the unit as a whole, thus avoiding the need to reveal specific locations. - 3.d. What kind of delay between learning new information and incorporating it into an assessment would be acceptable? More generally, I think there should be a requirement to update all assessments every 10 years, including reopening stakeholder consultation. - 4.a.1. "Identifying IFLS\*: Global Forest Watch

(<http://www.intactforests.org>) and/or other data that are more recent, accurate and/or refined than those provided by Global Forest Watch, shall be used to identify IFL\* that existed within the Management Unit\* as of January 1, 2017. Areas identified by Global Forest Watch shall be considered IFL\* unless evidence-based assessments determine that the area does not meet the definition of IFL\* (i.e., the methodology used is more recent, accurate and/or refined than the Global Forest Watch methodology1 ). - Related to my notes under P9, can you be clear about what "evidence-based assessments" would be acceptable or unacceptable for determining whether the area meets IFL status or not? How formal do these have to be? -"Areas that have been or continue to be disturbed by commercial or industrial activities\*, developed areas, and areas with infrastructure\* associated with the aforementioned activities and development, should not be included in IFLs\*." - Is there a cut off date for this? For example, when a CH engages in significant industrial development in an IFL, which way does the IFL go- i.e., when does it lose IFL status, v. when does the CH have to mitigate impacts and restore the IFL? What about an IFL that was recently degraded but was degraded prior to entering certification? Can it still be certified? - Areas with evidence of old disturbances and low-intensity disturbances, such as selective logging for non-commercial purposes and hunting, should be included in IFLs\*. How old qualifies as an old disturbance? - 4.a.3. Primary forest- "Maintenance of this HCV\* will focus on conserving\* the principal characteristics and key elements of the native forest\*, and limiting human economic activities." -In primary forest, I would argue that human economic activities should be prohibited, excluding those associated with native peoples rights (mentioned elsewhere in the standard). -4.b.ii. states that "High carbon forests\* are most likely to be found in publicly owned forests\*, especially federally-administered forests\*, where they are normally to be considered HCV 4\*. While old growth\* and other late successional\* forests\* are more likely to have higher carbon levels, stand age alone does not determine carbon levels. Definitions and information on the presence of such forests\* are evolving." -Thus, high carbon forests would qualify for HCV 4 but there is almost no guidance about such forests for HCV 4 in 8.a.1: Can you add some?

**Q299: Indicator 10.11.1: What kinds of site-disturbing management activities should not require written plans prior to implementation?**

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):  
Typical silvicultural and habitat management activities, such as mowing, roying, timber stand improvements, crop tree improvements, herbicide treatments. Also infrastructure maintenance and small scale NTPF harvesting.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Those that impact less than an acre of land

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Those that are small scale and have short term effects

Kara Wires, NEPCon (Economic-member, Certification Body):  
scale intensity risk guidance could be added; CH could set these thresholds in their strategies since they are very case by case

Gordon Gamble, Wagner Forest Management Ltd. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
road grading

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):  
regular road maintenance do not need a plan.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
Most should have a plan in our forest.

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):  
Delete C10.10 since it contains no indicators. Road and trail maintenance

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

Activities related to emergency response to protect life and property should not require written plans prior to implementation. Otherwise small-scale management activities shouldn't require a written plan e.g. culvert replacement, small scale erosion control, trail-clearing, storm response, or other actions to protect public safety, etc.

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

Activities conducted for human health/safety or to prevent irreparable ecological damage should not require a written plan prior to implementation. Examples may include emergency road closures or wild fire response.

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

- Emergency natural disaster response activities such as fire suppression.
- Minor spot hand applications to control invasive species, such as use of buckthorn blasters during forest management activities.
- Minor road maintenance projects, such as repairs to small washouts, or potholes.
- Non-timber forest product harvesting activities that have very little site disturbance, such as balsam bough harvests or firewood permits
- Temporary timber harvest access trail construction. These activities typically only involve disturbance of the duff and brush layer, or are conducted on frozen ground.

**Q300: Indicator 10.11.1: What kinds of site-disturbing management activities should require written plans prior to implementation?**

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):  
There needs to be cleared scale and intensity guidance surrounding these issues in the standard.

Kara Wires, NEPCon (Economic-member, Certification Body):

scale intensity risk guidance could be added; CH could set these thresholds in their strategies since they are very case by case

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

Operational plans that include pre-defined site locations and prescribed activities such as; • All reforestation and invasive species control projects that involve the use of mechanical and/or chemical methods except basal bark applications. • All permanent road construction projects, culvert replacements and rights-of way vegetation removal projects

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

Only those that are of large scale and long lasting in nature

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

New road construction and new permanent stream/water crossings

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

New earth disturbance activities should require a plan. Maintenance of existing activities should not. For example - re-grading an existing road should not require a plan. Building a new road should require a plan.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):

Most would for us.

Robert Hrubes, Individual Member (Economic-member, ):

Clearly, this Standard must address wildfire risks and associated management implications in a much more

aggressive manner than found in this draft.

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

All planned site disturbing activities impacting soil and/or vegetation that may potentially influence water quality, rare species, special sites (cultural, ecological, geological, and historic), or site productivity.

**Q301: Indicator 10.11.4: What kinds of other activities (besides logging) should not occur in areas where risk of landslides is high?**

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):

The risk of landslides is largely a soil type and soil layer function. It also depends on hydrology and how much water is moving through the soil layers. Logging has very little effect on risk of landslides, particularly since the stumps and roots are left intact. The main consideration in areas that have risk of landslides is whether it is dangerous for people or equipment to be operating there.

Sam Davis, Dogwood Alliance\*\* (Environmental-member, Social NGO , Environmental NGO):

Road construction, landing construction, etc.

Randy Coats, Preferred by Nature (Economic-member, Certification Body):

road building

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):

road building

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

Risk of landslides is high - what does that mean exactly? High erosion hazard rating? There is a lot to unwrap here but I think you could fix this by revising to "where risk of significant landslides is high." Perhaps also add the allowance to follow guidance of a professional geologist on this front?

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):

Prescribed fire, ATV or other motorized or non-motorized recreation trails, site development (district offices, etc.)

Robert Hrubes, Individual Member (Economic-member, ):

oadbuilding

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

No Comment

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

New road construction

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

Mechanical site prep and road construction

Kara Wires, NEPCon (Economic-member, Certification Body):

CH could be prepared to make their own determination and justify it.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

Certainly recreational use would have to be assessed for safety. This would also be true of any logging roads being built in the area.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):

Activities that should not be allowed in high landslide risk areas presumably include the construction of roads, landings, etc.

**Q302: Indicator 10.11.4: What kinds of activities should be allowed to occur in areas where risk of landslides is high?**

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Timber harvesting with equipment and tree removal appropriately matched to the site

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

Those that do not involve significant soil disturbance

Robert Hrubes, Individual Member (Economic-member, ):

No ground disturbing activities should be allowed.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

No Comment

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):

limited - maybe replanting and other preventative work i.e. berms?

Kara Wires, NEPCon (Economic-member, Certification Body):

CH could be prepared to make their own determination and justify it.

**Q303: Indicator 10.11.4: What kinds of impacts to health, growth, or values would represent significant damage to residual trees?**

Keith Kintigh, State of Michigan Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

Thresholds of excessive damage should be defined by the certificate holder and include thresholds of damage informed by forest health information (e.g. oak wilt) or knowledge of seasonal/species specific risk of bark slippage.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

This is a tough question with a long list of possible examples!

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

Impacts that result in permanent reduction of health, growth, or quality of trees.

Randy Coots, Preferred by Nature (Economic-member, Certification Body):

fire scars, skidder damage to bark, felling damage to bark and crowns, epicormic branching due to opening up the stand too much.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

Excessive bark skinning or crown damage/breakage

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Damage that is significantly over (could be a %) the industry standard for the type of silviculture the region/locality and the type of equipment used.

Kara Wires, NEPCon (Economic-member, Certification Body):

CH could be prepared to make their own determination and justify it.

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):

are they alive at the next field visit?

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

100 square inches of bark loss in residual trees has often been equated to be a significant impact to tree health,



growth or value.

**Q304: Do you have any comments regarding Principle 10 that are not indicator-specific?**

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):  
The phase-out of pesticides is untenable for sustainable forest management in PA. FSC should cease to seek complete phase-out of pesticides. If phase-out is the intent, then further guidance is necessary on how an organization would demonstrate intent to phase-out. Criterion 10.1. Sometimes an objective is not to return a site to pre-harvesting or natural conditions. For instance, a failed overstory removal may be converted to a food plot. There should be an allowance for such beneficial change in this criterion and indicators. Criterion 10.2 "Local genotype" is not clearly defined. It may be hard to meet in present concept.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

the mixing of terms "chemical pesticide" and "pesticide" is confusing as chemical pesticides are included in the definition of pesticide. If the intent is to call out the difference between biological vs chemical pesticides than the terms should be changed to reflect that intent.

Brendan Grady, SCS Global Services (Economic-member, Certification Body):

The indicators in 10.2. and 10.3 are overlapping and contradictory in the case of whether a non-native species can be used for regeneration. 10.2.2 limits the use of non-native species to only climate change or pest vulnerability concerns, which is more restrictive than the current standard. In particular 10.2.2 would prohibit the use of species from outside North America.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):

Overall, aside from the problems and needed improvements and corrections noted in my comments below, the draft Indicators for Principle 10 are essential for ensuring compliance with P10 and its Criteria, and for addressing situations in the US that are not expressly covered by the P&C, and for addressing expectations for credible and effective forest certification in the US. It will be important to retain the Indicators' specificity and clarity regarding required actions and outcomes.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

None

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

No additional comments.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):

no

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

In general, new indicators/requirements under Principle 10 will add significant administrative and operations cost to the use of pesticides. While it is clear that the the intent is to reduce this use and while we generally agree with this intent, there are instances were the use of chemical pesticides is better than the alternative of doing nothing. Controlling invasives, or spruce bud worm being examples. As written, the indicators will discourage the control of invasives and other forest pest that can only be achieved with chemical pesticides. We don't think this is a desirable or acceptable outcome, therefore collectively the revisions go too far.

Robert Hrubes, Individual Member (Economic-member, ):

Criterion 10.9: It is in this Criterion that a much more affirmative set of requirements regarding reducing risks of catastrophic wildfire must be incorporated. A focused effort involvement an ad hoc working group should be tasked with more effectively and explicitly incorporating wildfire related matters into this Standard.

Kara Wires, NEPCon (Economic-member, Certification Body):

As much as possible cross reference other Indicators. P6 (and others) should be where assessments and identifying is done and P10 is for implementation so there should be clear references to indicators in other parts of

the standard.

**Q305: Please share any additional comments you have regarding Indicator 10.1.1.**

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):  
What is meant by “timely?” More guidance is needed.

amanda naismith, new forests (Economic-member, Investor or Donor):

The Standard may wish to consider if certified organisations should assess climate change in their regeneration plans (i.e. what species will thrive under new conditions).

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
10.1.1- Define “timely”

**Q306: Please share any additional comments you have regarding Indicator 10.1.2.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
In section a., CH should be allowed to change species as long as it is native and ecologically well-adapted - as opposed to only regenerating to the vegetative cover that existed prior to harvest.

**Q307: Please share any additional comments you have regarding Indicator 10.1.2 Regional Supplement1.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
10.1.2. Regional Supplements 1 & 2- What about underplanting of native species that are regionally present and expected to move onto the FMU with climate change for climate change mitigation?

**Q308: Please share any additional comments you have regarding Indicator 10.1.2 Regional Supplement2.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
10.1.2. Regional Supplements 1 & 2- What about underplanting of native species that are regionally present and expected to move onto the FMU with climate change for climate change mitigation?

**Q309: Please share any additional comments you have regarding Indicator 10.2.1.**

Robert Hrubes, Individual Member (Economic-member, ):

This would prohibit the continuance of plantation forest management in circumstances where non-native species are employed. There is no basis in the FSC framework for such a categorical prohibition.

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):

Support comments submitted by suppliers in Maine: "10.2.1 contradicts 10.2.2. Indicator 10.2.1 does not allow

non native species while indicator 10.2.2 allows non native species. This will frustrate CBs trying to audit the two indicators. To correct this contradiction, IGI 10.2.1 should be adopted as is."

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Should be clear that this indicator applies to when artificial/planting regeneration methods are used. If natural regen is the method used this indicator seems not applicable

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
As long as the species is native and well-adapted, the CH should not have to justify using a provenance that is not local.

Kara Wires, NEPCon (Economic-member, Certification Body):  
Applicability: Plantings only. otherwise NA.

Scott MacDougall, J.D.Irving, Limited (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
10.2.1 contradicts 10.2.2. Indicator 10.2.1 does not allow non native species while indicator 10.2.2 allows non native species. This will frustrate CBs trying to audit the two indicators. To correct this contradiction, IGI 10.2.1 should be adopted as is.

**Q310: Please share any additional comments you have regarding Indicator 10.2.2.**

Robert Hrubes, Individual Member (Economic-member, ):

This incorrectly assumes that the FSC framework does not allow plantation forest management employing non-native species principally driven by commercial objectives. But, in fact, it is allowed--look to NZ and Australia for prominent examples.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Should be clear that this indicator applies to when artificial/planting regeneration methods are used. If natural regen is the method used this indicator seems not applicable

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):

It is overly-limiting to only allow non-native (but otherwise harmonized and naturalized) species if native options are not available or not an option due to disease/pest. Support comments submitted by suppliers in Maine:  
"10.2.1 contradicts 10.2.2. Indicator 10.2.1 does not allow non native species while indicator 10.2.2 allows non native species. See comment on 10.2.1 for suggestion. I don't understand how an IGI ( IGI 10.2.2 - Species chosen for regeneration are consistent with the regeneration objectives) can be expanded to 19 lines of text. They don't seem to be aligned. My biggest issue is that in 10.2.2.a it is not clear if species native outside North America are allowed to be planted or not. I, and my auditor, interpret the wording as they not allowed. We also interpret that this would include Norway Spruce not being allowed. I hope this is not the intent, as in the US currently there are 150 FSC FM and 550 FSC CoC certificates that list Norway Spruce as a species. I have no concern that we can make the case that Norway Spruce is an integral part of our climate change adaptation strategy but the indicator needs to be made clear that Norway Spruce is allowed even though it is native outside North America. It has been in North America for over 100 years with no negative environmental effects, maybe it is time FSC recognizes it as native to North America.

Kara Wires, NEPCon (Economic-member, Certification Body):  
insects covered here too?

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):  
Indicator 10.2.2: The Board/PSC's edits to the Indicator are mostly great. However, they include two highly problematic and unacceptable changes to the language prepared by the WG. First, the word "limited" was removed from the beginning of the Indicator, allowing widespread use of non-native species. This is despite the fact that experts on climate-smart forest management recommend incremental and careful approaches where unproven and experimental approaches are used – in other words, not putting all of one's eggs in one basket when using new approaches whose effects and effectiveness may be unknown. Equally important, allowing widespread use of non-natives would fundamentally undermine the expectation that FSC certification focus on identifying and supporting management of natural forest conditions. The simplest solution would be to only allow the "limited use of non-native species" per the wording developed by the WG. Second, the Indicator no longer clearly requires the non-native tree species to be of North American origin. While the prioritization scheme of subparagraph "a" does reference North American origins, the scheme does not clearly and consistently require all use of non-natives to be limited to those of North American origin. For example, the subparagraph does not preclude using non-North American non-natives after the "prioritization" of North American non-natives has been explored. This would be unacceptable – FSC certification should focus on maintaining and restoring natural forests to the extent possible, and there is no need to look beyond North America for species to adapt to climate change. The simplest solution would be to re-insert the phrase "of North American origin" into the main body of the Indicator, per the version that was carefully drafted by the WG. The combined result of the Board/PSC edits is the possibility of virtually entire management units being converted to non-native, non-North American species. In other words, 10.2.2 would no longer be focused on supporting the adaptation of natural forests, but would also allow their wholesale conversion to non-native species that serve more to replace natural forests. This would be unacceptable, and would seriously undermine the Standard's credibility with a marketplace and stakeholders that expect the FSC to be a "gold standard" for natural forest management and conservation. Such outcomes would also no longer be precluded by the Standard's prohibitions on conversion, and would violate at least the spirit of Criterion 6.9, since Annex I was also edited by the Board/PSC to exempt plantings per 10.2.2 from being considered plantations. RECOMMENDATION: Return the words "limited" and "of North American origin" to the main body of the Indicator as described above and per the wording prepared by the WG.

Sam Davis, Dogwood Alliance\*\* (Environmental-member, Social NGO , Environmental NGO):  
Even in the context of climate change, non-native species should not be introduced into FSC-certified forests. That does not support the ecological structure and health of forests. The first sentence should insert the word "limited", e.g., "The Organization\* has the option to develop a plan to allow for the LIMITED use of non-native species\* for..." The use of non-native species should be restricted to non-natives from the continent, e.g., allowing pacific northwest trees to be used in other parts of the country. Non-native species should not be imported from Europe/Asia. Additionally, plantings that are wholly non-native species should be considered as plantations, not as natural or semi-natural forests.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
10.2.2.a. Include options for non-GMO hybrids of native and non-native species, such as may be obtained through cross breeding for disease resistance. 10.2.2.e. add "in the region where use is proposed" to the end of the requirement.

Scott MacDougall, J.D.Irving, Limited (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
10.2.1 contradicts 10.2.2. Indicator 10.2.1 does not allow non native species while indicator 10.2.2 allows non native species. See comment on 10.2.1 for suggestion. I don't understand how an IGI ( IGI 10.2.2 - Species chosen for regeneration are consistent with the regeneration objectives) can be expanded to 19 lines of text. They don't seem to be aligned. My biggest issue is that in 10.2.2.a it is not clear if species native outside North America are allowed to be planted or not. I, and my auditor, interpret the wording as they not allowed. We also interpret that this would include Norway Spruce not being allowed. I hope this is not the intent, as in the US currently there are 150 FSC FM and 550 FSC CoC certificates that list Norway Spruce as a species. I have no concern that we can make the case that Norway Spruce is an integral part of our climate change adaptation strategy but the indicator needs to be made clear that Norway Spruce is allowed even though it is native outside North America. It has been in North America for over 100 years with no negative environmental effects, maybe it is time FSC

recognizes it as native to North America.

**Q311: Please share any additional comments you have regarding Indicator 10.3.1.**

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Should be clear that this indicator applies to when artificial/planting regeneration methods are used. If natural regen is the method used this indicator seems not applicable

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

"Unless evidence suggests otherwise, a species\* that is not identified as being invasive is assumed to not pose a risk to native biodiversity\*." Remove this sentence. Identified by who? State lists often differ, and it is not that hard for the FME to do some basic research to see if a species of interest has a history of acting in an invasive manner elsewhere. The above statement assumes that others in the same geography have used the species in question- this may not be true, and it should not be assumed that the species is benign if there is no history of local use.

**Q312: Please share any additional comments you have regarding Indicator 10.3.2.**

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Should be clear that this indicator applies to when artificial/planting regeneration methods are used. If natural regen is the method used this indicator seems not applicable

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q313: Please share any additional comments you have regarding Indicator 10.3.3.**

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Should be clear that this indicator applies to when artificial/planting regeneration methods are used. If natural regen is the method used this indicator seems not applicable

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):

Indicator 10.3.3, Applicability Statement: Is this Statement necessary, or will it just create confusion as it is worded? I would agree that, literally speaking, an outbreak governed by Indicator 10.3.3 does not necessarily mean the Organization was failing to comply with Indicator 10.3.2 – there is always the possibility that reasonably effective mitigation measures may prove insufficient. But is there a risk that the Statement could also be misunderstood as suggesting that if an outbreak occurs, the Organization is automatically considered in compliance with 10.3.2? That of course would be an unfounded assumption.

Kara Wires, NEPCon (Economic-member, Certification Body):

compliant and compliance should be changed to conformance and conformant

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
Applicability: See my notes regarding 10.3.1. In my opinion, the Organization has the responsibility to research any species they intend to use, for which no local data is already available, in accordance with the precautionary approach.

Robert Hrubes, Individual Member (Economic-member, ):  
Applicability: Unintelligible sentence.

**Q314: Please share any additional comments you have regarding Indicator 10.4.1.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):  
FSC's prohibition of GMOs is problematic for sustainable forest management and restoration. There are beneficial uses of GMOs to deal with extirpation or pests/disease. GMOs are likely to have increasing value as climate changes causes further native species declines. This is something FSC should reconsider.

**Q315: Please share any additional comments you have regarding Indicator 10.5.1.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
Define appropriate.

Kara Wires, NEPCon (Economic-member, Certification Body):  
Additional language on exploitative practices could be added here. at a minimum some of the guidance from 7.2.14 could be put here.

**Q316: Please share any additional comments you have regarding Indicator 10.6.1.**

Randy Coots, Preferred by Nature (Economic-member, Certification Body):  
What about the use of fertilizers used for reclamation of roads and landing sites? In many sites fertilizers are needed for the reclamation of roads and landings due to the compaction of soils and exposure of mineral soils that have less fertile qualities.

Robert Hrubes, Individual Member (Economic-member, ):  
Re: bullet b) This may well amount to a categorical prohibition on the use of fertilizers. And it extends beyond the scope of the Criterion. where "equally beneficial" is the bar that must be cleared. Guidance is Beyond the scope of the Criterion.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):  
Does the definition of fertilizer include lime? This indicator seems to improperly consider the use of fertilizer within management units for improvement of erosion and sedimentation control issues and on food plots where prolific plant growth is needed to stabilize soils or provide nutrient benefits. Further exceptions should be made.

Caroline Pufalt, Sierra Club (Environmental-member, Environmental NGO):  
C 10.6 fertilizer use should be demonstrated to be more beneficial. Not just equally beneficial as other non chemical management.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
"b. The ecological benefits of using fertilizers\* are greater than the benefits of using silvicultural\* systems that do not require their use." This strike me as an odd requirement- especially since it could be compared against poor silvicultural practices, instead of the most appropriate ones, and thus becomes quite subjective. I prefer the old indicator, that reads "Data and/or scientific literature suggest that the response to fertilization is economically and ecologically justified." over b. and c. in the current draft.

**Q317: Please share any additional comments you have regarding Indicator 10.7.1.**

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
The goal to eliminate the use of pesticides, especially in a plantation context, is not feasible.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None.

Rebekah Luedtke, Wisconsin County Forests Association (Unknown-nonmember, Government):  
Comment: The expansion of this criterion, depending on how it's implemented, could lead to a significant increase in time, energy and money both by the organization's personnel but also by the acres which are being treated.  
Recommendation: Leave indicator as is.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
"...and result in non-use or overall reductions in applications [over time]"

**Q318: Please share any additional comments you have regarding Indicator 10.7.2.**

Kara Wires, NEPCon (Economic-member, Certification Body):  
would be clearer to just say ESRA is developed as per 4.12...etc. Would be clearer to say: "The Organization develops ESRAs..." Add guidance on SIR or other considerations.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q319: Please share any additional comments you have regarding Indicator 10.7.3.**

Kara Wires, NEPCon (Economic-member, Certification Body):  
Would be clearer to say "When pesticides are used, The Organization demonstrates: a:...."

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q320: Please share any additional comments you have regarding Indicator 10.7.4.**

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):  
Preparation and implementation of an ESRA should be sufficient to satisfy this indicator without the need for a site-specific plan. Otherwise, this indicator is overly prescriptive, burdensome, and not feasible. Specifically, the written site-specific hazard identification and map are a burden because many treatments are directed at identified stems/plants as encountered for example in Early Detection Rapid Response invasive treatments, or roadside and other infrastructure treatments.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)): None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)): None

**Q321: Please share any additional comments you have regarding Indicator 10.7.5.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)): None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)): None

**Q322: Please share any additional comments you have regarding Indicator 10.7.6.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)): None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)): None

Kara Wires, NEPCon (Economic-member, Certification Body):  
"shown to" language is vague

**Q323: Please share any additional comments you have regarding Indicator 10.7.7.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)): None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)): None

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):  
How does a certificate holder show conformance to this indicator? How does the certificate holder determine if damage to human health from pesticide use has occurred.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
"[Any] Damage to human health from pesticide\* use is mitigated or repaired when it occurs, within The Organization's\* sphere of influence."

**Q324: Please share any additional comments you have regarding Indicator 10.8.1.**

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
Suggest that there be a requirement under 8.1. that the Organization consult with experts regarding the use and appropriateness of biological control agents prior to planning and implementing their use. Biological control agents shall be used only when they are deemed the most ecologically-friendly option.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)): None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)): None

**Q325: Please share any additional comments you have regarding Indicator 10.8.2.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)): None.



Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q326: Please share any additional comments you have regarding Indicator 10.8.3.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q327: Please share any additional comments you have regarding Indicator 10.9.1.**

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Robert Hrubes, Individual Member (Economic-member, ):  
In light of the unprecedented extent and severity of catastrophic forestland wildfire, this Guidance is simply inadequate.

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):  
How does the certificate holder mitigate the impacts of drought and flood? Fire OK. Landslide maybe.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
How can a manager "mitigate" the potential impacts of natural hazards while maintaining the "the ecosystem function of natural disturbances.." By definition natural disturbance are random, often catastrophic ( Mount St Helen being an example) and unpredictable.

Kara Wires, NEPCon (Economic-member, Certification Body):  
any cross references to other Indicators would be helpful for this one to help clarify

**Q328: Please share any additional comments you have regarding Indicator 10.9.2.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):  
How does the certificate holder increase resilience of ecosystems to drought and flood while staying within the context of this standard?

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
Great requirement!

**Q329: Please share any additional comments you have regarding Indicator 10.11.1.**

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):

There is guidance that on public lands operational plans for site-disturbing activities be made available to the public before operations begin. There is an opportunity to clarify if this expectation is at the site level or could be broadened. Is there a value of singling out "public lands" when guidance is non-normative?

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Kara Wires, NEPCon (Economic-member, Certification Body):  
any cross references to other Indicators would be helpful for this one to help clarify

**Q330: Please share any additional comments you have regarding Indicator 10.11.2.**

Kara Wires, NEPCon (Economic-member, Certification Body):  
This seems out of place here and it is already covered in 5.1.1 and 5.1.2. Delete this one. if there are gaps, edits 5.1.1 or 5.1.2 to cover them.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q331: Please share any additional comments you have regarding Indicator 10.11.3.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q332: Please share any additional comments you have regarding Indicator 10.11.4.**

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
Old indicator h.- Whole tree harvesting on any site over multiple rotations is only done when research indicates soil productivity will not be harmed. I liked this indicator, and the new whole-tree harvest indicator in P6 has an applicability opt-out that I like less. I also liked the old indicator i. here- perhaps it could be restated in this draft as "Low impact equipment and technologies are preferentially selected when available". Or, is this now covered elsewhere in the standard?

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Item j. Assumes there will be negative impacts. Should say "If negative impacts occur...".

Tim Beyer, State of Minnesota Department of Natural Resources (Economic-member, Government , Certificate Holder (FM)):  
Indicator 10.11.4(f) - This indicator states that burning is only to be done consistent with natural disturbance regimes. In some instances, natural disturbance regimes may not be related to fire, but fire may be necessary to reduce unnatural fire loads, suppress non-native pests, or to best provide conditions for regeneration success.

**Q333: Please share any additional comments you have regarding Indicator 10.12.1.**

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q334: Please share any additional comments you have regarding Indicator 10.12.2.**

Kara Wires, NEPCon (Economic-member, Certification Body):  
The first part of this Indicator is unclear...do not understand the scope.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
None.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

**Q335: Are there any inherent conflicts between this US legislative definition of ‘child labor’ and the associated definitions of ‘hazardous work,’ ‘heavy work,’ ‘light work,’ ‘minimum age,’ and ‘worst forms of child labor,’ which are all derived from International Labour Organization materials?**

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

We support a US based definition regardless of potential conflicts with international definitions. In particular we have laws that allow in agriculture children of farm families to operate machinery, vehicles and equipment that under normal circumstances wouldn't be allowed until the age of 16 or even 18 in some situations. There have been discussions in Wisconsin to afford the same type of allowance for logging family businesses for the operation of forwarders, harvesters, etc. While not yet in place, it should be allowed if it is legal in the US.

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
This would not pertain to us at all. Can not comment.

Kirk Titus, Cass County Land Dept (Unknown-nonmember, Certificate Holder (FM)):  
These are the types of questions that FSC should be asking of their US Attorneys prior to releasing this document for comment.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
In the US and other developed countries, the standard should simply be that local, state and federal laws are followed.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):  
I think these definitions need to be created within the text of US law and not ILO Conventions

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):  
I have no idea.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
I have no comments, as I did not have time to review the glossary.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
I don't think so but am not sure.

**Q336: Do you have any comments regarding the Glossary that are not term-specific?**

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

We support definitions that make sense in a US context even if different from international definitions.

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):  
This portal page is difficult to understand. Here are our glossary comments: Natural Disturbance Regime – the exclusion of catastrophic disturbance from this definition is wrong for PA; major windstorms/tornados are part of the natural disturbance regime that our even-aged management seeks to mimic. Endangered Species—agree with changing from “a state wildlife program” to “a state agency” for listing T&E species. Plants can be listed as well, and in PA they are not listed by a wildlife agency, but DCNR.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
No

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
no

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
I could not find a definition for environmental values (important in P6) in the glossary. Did I miss it or does it need to be added? I have no other comments, as I did not have time to review the glossary.

**Q337: Please provide any term-specific comments below for Glossary Term #1. (Please limit your comments to one term per comment box):**

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

The definition of worker in a US context must not extend to employees of contractors and sub-contractors. Contractors and sub-contractors in a US context are independent and FSC should respect this independence. The definition as proposed will require that certified organizations treat employees of contractors and sub-contractors in a way that they would be considered employees of the certified organization if the FSC requirements for interacting with employees, monitoring safety and health, and providing Worker's Compensation or like coverage in the case where a contractor or their employee wasn't legally covered.

Gordon Gamble, Wagner Forest Management Ltd. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

Planning unit definition-Should revise last sentence of the definition to "A planning unit may include the entire Management Unit."

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):

Old Growth: The WG had proposed refining the definition of Type 2 Old Growth to read: "20 acres or more, that have been partially logged, but which retain significant old growth structure and functions, which existed prior to the introduction of logging." The revised wording was consistent with the FSC US' original definition of Type 2 old growth in the Pacific Coast Standard, also aligned with the definition of Type 1 old growth, and was intended to address concerns about whether the Standard is meant to require the protection of "new" old growth that might be allowed to develop by forest managers. Subsequent discussions revealed the new wording needed further work, to avoid misinterpretation. Specifically, concerns were raised that "prior to the introduction of logging" could be misunderstood as referring to the introduction of logging to a broader region or locale, rather than the introduction of logging to the site in question, as was intended (since the issue is the condition and history of the stand in question, and not conditions elsewhere). The Board/PSC subsequently removed the WG's clarifications from the definition. While that outcome is not unacceptable by itself, the Board/PSC left in place related but highly problematic language in the description of old growth in the HCV Framework. RECOMMENDATION: As discussed in comments on the HCV Framework, the problematic language there should definitely be removed. If clarification of the scope of Type 2 old growth is still desired, then the Glossary definition of Type 2 should be edited to read: "20 acres or more, that have been partially logged, but which retain significant old growth structure and functions, from prior to the introduction of logging to the site."

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

Local community - needs to include a discussion of who can speak for the local community.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

It is unclear why the expanded definition of "local community" includes all citizens for only public entities and not all landowners.

Richard Taylor, Columbia Forest Products (Economic-member, Certificate Holder (FM) , Investor or Donor):

Gender equality Remove "gender equity" from the definition. Equity has become a political buzz word to justify creating unequal access to law and resources.

Kara Wires, NEPCon (Economic-member, Certification Body):

engagement: references the management plan but most of the Indicators with engagement are in reference to management activities.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Complaint - has no requirement to be of a substantive nature or to be validated. Anyone can register a complaint for any reason with no burden of proof.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
Chemical Pesticide - this is covered in the definition of Pesticide so the overlap is confusing.

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):  
(2) The proposed changes in Principle 2 violates the separation between the Organization and its contactors by directing the Organization to ensure "workers" (as defined to include contactors) rights and employment conditions are consistent under the requirements of Principle 2. If the Organization directly supervises employees of the contactor; the contactor's employees would be reclassified as employees of the Organization. By contractual agreement, the Organization can require contractors to protect their employee rights and employment conditions consistent with Principle 2. We suggest all indicators within Principle 2 be reviewed to ensure separation between the Organization and its contractors (and subcontractors), and independent contractors. Further, we suggest the following change to the definition of "workers": "Workers\*" are defined as "All employed persons, including public employees as well as self-employed persons. This includes part-time and seasonal employees of all ranks and categories, including laborers, administrators, supervisors, and executives of the organization; as well as employees of contractors and their subcontractors, and self-employed contractors."

Robert Hrubes, Individual Member (Economic-member, ):  
"customary law": Does this term exist in U.S. jurisprudence? If not, it should not be employed in this standard  
"Customary Rights": The concept of customary rights, in the FSC system, applies only to indigenous peoples. This definition needs to state that, clearly. Clearly, this standard needs to provide clear/definitive guidance on the circumstances when Native American groups may actually hold customary rights. Leaving it to certificate holders, CABs, or Native Americans to determine when a "potential exception" exists to the baseline assumption that all rights in the U.S. "are established within the legal system." "National Laws" This definition should be reviewed and edited by an American lawyer. "Reasonable": This is not a very helpful definition in the context of this forest management standard. "Use Rights" This definition needs to be carefully reviewed by an appropriately credentialed attorney. As written, it is inviting neighbors and/or activists to assert a use right on the vague notion of "local custom."

**Q338: Please provide any term-specific comments below for Glossary Term #2. (Please limit your comments to one term per comment box):**

Kara Wires, NEPCon (Economic-member, Certification Body):  
workers: see previous comment at P2...should be expanded to include all people implementing management activities on the certified MU.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
Workers - the definition is too broad and should not include contractor and subcontractor employees.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):  
Why is wetland defined differently in the standard than anywhere else?

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):  
Plantation: While the definition considers the use of non-native species to normally automatically constitute a "plantation," the draft revised Standard allows for use of non-native species if the Organization can argue they are an adaptive response to climate change, per the new Indicator 10.2.2. This would be reasonable, if Indicator 10.2.2 was still narrowly and carefully written to restrict use of non-natives to a limited basis, and as much or more importantly, to restrict use of non-natives to those still native to North America. However, the Board/PSC's edits to Indicator 10.2.2 would allow entire management units to be converted to non-natives, and would even allow those non-natives to originate from outside North America. RECOMMENDATION: If the edits at 10.2.2 are not corrected, then the exemption for use of non-natives per 10.2.2 should be removed from the plantation definition, since 10.2.2 would no longer be focused on supporting the adaptation of natural forests, but would also allow their wholesale conversion to non-native species that serve more to replace natural forests. Such conversion would be

a textbook example of a plantation.

**Q357: Do you have any comments regarding Annex B?**

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

We support the change to an ecological boundary for the northern boundary of the Appalachian region.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

This is a long overdue adjustment and makes good sense as it is now based on the best available science and not an political boundary. Thank you! Dry side vs wet side for pacific coast should follow similar approach.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

The MAV encroaches on the SE region on the west side - it is too broad.

Randy Coats, Preferred by Nature (Economic-member, Certification Body):

The map is so broadly drawn it is difficult to distinguish at a smaller level when needed. A qualifier should accompany the map that it is only a guide and not set in stone. For example the new areas created in PA & NY attempt to clarify cross over Forest Management types. There are other locations where this occurs and should be based on the ground management and not map locations. Another example is in Oklahoma, there are a lot of places that are being managed the same as the southeast and not just Ozark-Ouachita. In Mississippi the Mississippi Alluvial Valley may extend further east in locations than is mapped. Western Tennessee is more MAV and SE than APP. In the western states the PC does not get divided by state lines but by the Cascade mountains.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):

Please add sub-regional numbers referenced in the Standard to the map.

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

No

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):

No

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):

It is clear in the map of FSC Regions (Annex B) that political boundaries were used to define regions in the western US instead of ecoregion or other environmental boundaries. As was done with Appalachia, it is more appropriate and defensible to establish boundaries in the west based on internationally agreed-upon ecological regions, such as those designated by the EPA. It appears that, for parts of the Southeast and Midwest, FSC-US has done exactly that; regions in those parts of the country seem to at least partly reflect Level II and Level III Ecoregions. However, within the three states that make up the "Pacific Coast Region," there are four Level I Ecoregions with discrete species compositions, management patterns, climates, and natural disturbance patterns. We are unaware of any ecological or administrative benefits to lumping these three states into one homogenous region for the purposes of risk analysis or forest management practices.

Galen Smith/ Niel Fischer, Collins Companies (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

It appears that about 98% of our Northern Pennsylvania FMU would shift from the Appalachian region into the Northeast Region. In our opinion, it probably would neither make certification nor forest operations significantly easier or harder; however, we would definitely see this new revision of the regions as a positive, and support it. Most of the guidelines specific to the Appalachian region seem to stem mostly from the central part of the region, so adopting an ecological boundary instead of a state boundary makes good sense. We would be interested in how FSC and CBs would treat FMUs that have minority acreage in the new Appalachian region, such as the 2% we would have there in USFS Ecoregion 221Fa.

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):  
I think the Appalachian region change is appropriate on the Northern End.

Brian Gowin, Campbell Global (Economic-nonmember, Certificate Holder (FM)):  
eliminate

**Q358: Do you have any final comments that you would like to share regarding the Draft 1 revised FSC US National Forest Stewardship Standard?**

Lois Forde-Kohler, Procter & Gamble (Economic-member, Certificate Holder (CoC)):  
The prevalence of small holders in the Southeast US should drive a sense of urgency to provide an applicable SLIMF standard. -Additionally, large intensive growers would be greatly assisted by a plantation standard. -Lastly, science based targets for allowable openings in the Pacific NW which mimic natural disturbances should be applied.

Nathan Heibel, Koochiching County (Social-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

While we can appreciate the proposed revision as a continuous improvement process, please consider what these proposed revisions may do to medium and smaller sized organizations in terms of direct/indirect expenses, increased workload, and lost opportunity. Our organization would have a difficult time at current staffing levels to comply with these changes as written. This undoubtedly would add more expense to our small organization and in some instances would go against our charge as managers of public tax-forfeited trust lands. We sincerely appreciate the opportunity to provide comment and feedback on these proposed changes, but strongly encourage consideration for some land manager's such as ours' statutory charge to manage these lands for the benefit of the local taxing district trust, which emphasizes revenues back to the trust while still managing the land in a sustainable manner and for other values. Thank you again for this opportunity.

Mark Heyde, Wisconsin Department of Natural Resources (Economic-nonmember, Government , Certificate Holder (FM) , Certificate Holder (CoC)):

Where possible, we encourage the SDG to eliminate duplication of requirements throughout the standards and eliminate additional requirements unless they have clear added value to FSC and to certified organizations. There is real concern among certificate holders of the increasing cost of conformance to FSC standards.

\*Sarah Billig, NorthernCalifornia Certificate Holders (Mixed, Certificate Holder (FM)):

We are pleased to provide our input on the National Forest Stewardship Standard, Draft 2.0-V1-2020 (NFSS). This letter represents input from a coalition of seven northern California companies holding Forest Management certificates and representing over 1.3 million acres of certified timberlands in California. We look forward to continuing engagement in the development of a standard that works for all parties. (5) Our collective organizations manage our timberlands with a strong conservation ethic, protecting areas of higher conservation value. Yet we have struggled to uniformly assign Representative Sample Areas and High Conservation Value Areas. We appreciate the clarity provided in the new High Conservation Value Framework, Representative Sample Area Annex, and the newly added Conservation Area Network Guidance and provide input below on each element: a. The international generic indicators provided sufficient guidance on "how much" needs to be set aside as Representative Sample Area – a guidance threshold of percentage or number of Representative Sample Areas does not make sense given the detailed guidance on which ecosystems to emphasize. A certificate holder cannot provide RSA areas on the FMU if they do not exist. The assessment of whether "enough" area has been assigned as RSA can be determined based on the requirements of Annex G. We recommend the Standard Development Group remove Figure 1. b. We note that the draft High Conservation Value Area Framework will result in a drastic reduction of areas designated as High Conservation Value in Northern California. To successfully navigate required stakeholder outreach with the new High Conservation Value Area Framework, we request FSC-US publish simple and clear materials to send with stakeholder input requests that provide context for use with stakeholder outreach on revised assessments to meet the new standard. We also request that FSC-US be prepared to defend and support certificate holders during these re-assessments (including in any formal complaints filed). Further, we request that the exclusion of Riparian Management Zone areas from HCVF designation be reconsidered. For coastal timberlands RMZs represent a significant area of unique habitat that provide benefits well beyond stream protection, especially where the RMZ for certificate holders retention

standards exceed those of FSC. As an example, Green Diamond has a RMZ network that represents 25% of the FMU with retention standards prescribed by a federal Habitat Conservation Plan. These RMZs are either unharvested or lightly harvested and are limited to one entry per rotation (average 55 years). Over the next 40 years the RMZs will represent nearly 100,000 acres of 100+ year old habitat. The RMZs currently provide nesting/roosting habitat for northern spotted owl and connectivity for travel corridors for coastal marten and Pacific fisher. As these RMZs mature they are expected to provide nesting opportunities for marbled murrelet. c. The Conservation Area Network guidance is clear and feasible. d. When taken as a whole, the standard expects certificate holders only designate the very best conservation areas as High Conservation Value while providing protection for samples of all ecosystems as Representative Sample Areas; and any additional protected areas would fall under Conservation Area Networks. Please advise if this interpretation is incorrect. Thank you for the opportunity to comment on behalf of the certificate holders in northern California. We look forward to continued engagement with FSC-US; and designate Sarah Billig to enter these comments for our group on the engagement portal.

Ryan Hilburn, Red River Forests LLC (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)): W.M. Beaty & Associates, who manages 271,555 acres of certified lands, we appreciate the opportunity to comment on this revised standard. We look forward to working with you as this consultation continues.

Rebekah Luedtke, Wisconsin County Forests Association (Unknown-nonmember, Government):  
Title Change - Adding the word "National" to the US Forest Stewardship Standard is unnecessary, redundant and confusing. The suggested change as written seems to refer to the USDA Forest Service National Forest System that is not currently certified and most likely won't be under the US Standards. Recommendation: Retain the previous used title, dropping the word "National".  
Economic Analysis - Will there be an economic analysis conducted by FSC to determine the cost vs. benefits to certificate holders and groups if the proposed new indicators are added? There was considerable mention in the webinars and on the website about this revision providing more flexibility and streamlining the process but after further review this is far from accurate. Two changes in particular (Requiring Representative Sample Areas to be established on each management unit and establishing a Conservation Areas Network program) could add substantial cost to certificate holders, some who already see diminishing financial benefits to remain certified. Recommendation: FSC should conduct an economic analysis of the proposed new indicators and make that information available to all.  
International Generic Indicators (IGI's) – Page 3, paragraph 4 outlines how International Generic Indicators (IGI) were intended to incorporate into the FSC US standard, either adopted, adapted, dropped or added. If IGIs are viewed as necessary to incorporate into the FSC US standard, why would they need this level of adjustment to make them fit? Either an indicator is generic internationally or it is not. It could be argued that this process illustrates that IGIs are not international and not generic. Having to adapt, drop or add to the IGIs indicates they are NOT generic to be internationally incorporated, therefore questioning their validity as an IGI. Recommendation: Either the IGIs need to be readdressed to make them generic enough to be adopted as is, or this element should be maintained as is. The Wisconsin County Forests Association represents the 21 counties in Wisconsin with over 1.77 million acres certified under FSC. Thank you for the opportunity to review and comment on the Standards revision. We look forward to the outcome of all the comments and next draft.

Nicole Jacobsen, WA Dept. of Natural Resources (Unknown-nonmember, Government):  
This process was cumbersome and time-consuming, which very likely reduced the number and variety of comments. When extensive changes such as this are made, perhaps having a much longer comment period, or a sequenced period (Issue 1-3 comments due by x date; Issue 4-end due by y date) would help reduce or break up the workload for already heavily overtasked certification program managers. Additionally, having an international process to create the overall framework and criteria, while then having the local/national team create the indicators creates a haphazard process and sometimes irrelevant indicators (see: forest-dependent non-tribal local community rightsholders).

Andrew Goldberg, Rainforest Alliance (Environmental-member, Environmental NGO):  
This is a great lift, thank you. I look forward to the next version and the family forest indicators.

Carolyn Loeb, NEPCon (Environmental-nonmember, Environmental NGO , Certification Body):  
This is a good first draft, and I look forward to seeing how comments and suggestions are incorporated into the next draft. In places where edits are needed and consultation feedback is insufficient or conflicting, I would



recommend looking at the Canada FSC FM Standard to see how Canada adapted the P&C to their needs. Also, the more cross-referencing of indicators that are applicable to other indicators in the Standard, the better, as it makes it easier for both auditors and CHs to understand what the Standard requirements are and how they are divided between different P&C's in the Standard.

Sean Ross, The Lyme Timber Company (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):

The standard continues to become more complex and difficult to implement. At times it feels as if the environmental chamber voices are much louder than the rest and that the standard is trying to become more regulatory in nature. FSC must remember that at its core this is a Voluntary standard and landowners can drop it at anytime.

Andrew Bacon, Michigan Nature Association (Environmental-nonmember, Environmental NGO):

The Michigan Nature Association (MNA), a Michigan nonprofit founded in 1952, is a statewide conservation organization dedicated to the protection of rare, threatened and endangered species; imperiled natural communities; and unique geological features. MNA owns and manages over 175 nature sanctuaries throughout Michigan, many of them occupied by federal threatened and endangered species. MNA has extensive experience with habitat management and restoration to protect rare plants and animals, working closely with conservation partners such as the US Fish and Wildlife Service, Michigan Department of Natural Resources, conservation districts, neighboring landowners and others. Our long history and experience confirm that our natural heritage is at risk at state, national and international scales and strongly supports conservation actions to help address threats to our biodiversity. Vernal Pools MNA has a particular interest in vernal pools as eastern woodland vernal pool is a globally ranked G3 ecological community according to NatureServe. We know that forestry is a leading contributor to the loss of wetlands of all types, according to the US Environmental Protection Agency, hence our specific interest in making certain wetlands and vernal pools are adequately addressed in the FSC Standards. Not only does MNA manage natural lands containing vernal pools, our experience also includes serving as a lead partner of the Michigan Vernal Pools Partnership, along with the Michigan Department of Environment, Great Lakes and Energy and the Michigan Natural Features Inventory. Riparian Area Management Fails to Address Other Wetlands MNA specifically wants to comment on the portion of the Standards that address protection of riparian areas and other wetlands, finding that the draft tends to lump all aquatic features and wetlands into a riparian zone context. We believe that addressing aquatic resources only through a riparian zone context is problematic given the number of aquatic and wetland systems in North America that are classified as lentic or palustrine systems rather than lotic systems.

Rebecca Barnard, Sappi North America, Inc. (Economic-member, Certificate Holder (CoC)):

Please refer to the comment letter submitted by the Minnesota Forest Industries (MFI) on December 17, 2020. Sappi is a member of MFI and supports these comments and suggestions. The Standard's complexity and length is already too daunting to entice new landowners to enroll in FSC-certification. We are also concerned about the level of increased workload and expense imposed upon existing Certificate Holders, especially those with small staff and budgets, by imposing new programs that require actions, monitoring and justifications. There is a steady creep of workload, documentation, monitoring and expenses related to certification without adding commensurate value. Current financial conditions within the forest products industry are putting heavy pressures on already stressed forest management organizations. Any additional burdens on these organizations should be carefully considered as to avoid the potential for them to withdraw lands from the FSC program. Forest Management Standards that are complex and unclear can result in auditors having a different interpretation of the Standard than the Certificate Holder. It is important that expectations are articulated in such a way that both certified organizations and auditors can easily interpret the intent the Standard. In closing, we encourage FSC-US to consider that the forest products industry needs a steady supply of sustainably managed and certified fiber in order to remain competitive in the global marketplace and maintain access to certain markets. "Continuous improvement" should not necessarily mean higher costs and more workload to Certificate Holders. Please review the draft new Standard and add up the number of new requirements for analysis, planning, documentation and monitoring imposed by them. We recommend that FSC-US then perform an economic and workload analysis to quantify the impacts of these changes upon Certificate Holders. FSC and Minnesota have a long history of sustainable forest management together. MN DNR and Aitkin County were two of the first FSC certificates in the country. And we have one of the oldest Chain of Custody certificates as well. Together the counties and State of Minnesota form one of the largest concentrations of FSC certified lands in the US. Several individuals with strong

ties to the state hold FSC board seats and are involved in setting the Standards. And FSC maintains its US office in Minneapolis! We would hope that this deep connection would result in greater emphasis placed on our concerns. And we encourage FSC to perform field testing of any new changes here in the state. We cannot emphasize enough that we are very concerned that the increasing cost and burden of certification will force some to consider withdrawing from the FSC program, which would be very detrimental to Minnesota Forest Industries' members.

Mickey Rachal, RoyOMartin (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):  
None

NELS HUSE, MENOMINEE TRIBAL ENTERPRISES (Economic-member, Indigenous Peoples):  
No, only the comments I made in the previous questions.

Rick Horton, MN Forest Industries\*\*\* (Economic-nonmember, Environmental NGO):  
Minnesota Forest Industries, Inc. (MFI) is an association representing Minnesota's primary forest product companies. MFI and its member companies encourage conservation, proper forest management, and industry development that foster sound environmental stewardship, multiple use of timber lands, and sustainable, long-term timber supply. MFI members include Bell Timber Inc., Boise Paper a subsidiary of Packaging Corporation of America, Hedstrom Lumber Company, Louisiana-Pacific Corporation, Minnesota Power, Molpus Timberlands and Management LLC, Norbord Minnesota, Pottlatch Deltic Land and Lumber, Sappi North America, Savanna Pallets and UPM Blandin. MFI members are part of a nearly \$10 billion per year forest products industry in Minnesota which provides livelihoods for more than 30,000 families. Some MFI members are FSC Certified under the Chain of Custody Standard, and as such rely upon FSC Forest Management-certified entities to supply certified fiber to their mills. It is difficult to compete in a global environment if the supply of certified material is insufficient. Therefore, it is in the mill's best interest that the FSC-certified acreage in Minnesota be maintained or increase. Following are our comments on the first draft revision of the FSC Indicators for the first consultation period. A. General The Standard's complexity and length is already too daunting to entice new landowners to enroll in FSC-certification. We are also concerned about the level of increased workload and expense imposed upon existing Certificate Holders, especially those with small staff and budgets, by imposing new programs that require actions, monitoring and justifications. There is a steady creep of workload, documentation, monitoring and expenses related to certification without adding commensurate value. Current financial conditions within the forest products industry are putting heavy pressures on already stressed forest management organizations. Any additional burdens on these organizations should be carefully considered as to avoid the potential for them to withdraw lands from the FSC program. Forest Management Standards that are complex and unclear can result in auditors having a different interpretation of the Standard than the Certificate Holder. It is important that expectations are articulated in such a way that both certified organizations and auditors can easily interpret the intent the Standard. F. Summary In closing, we encourage FSC-US to consider that the forest products industry needs a steady supply of sustainably managed and certified fiber in order to remain competitive in the global marketplace and maintain access to certain markets. "Continuous improvement" should not necessarily mean higher costs and more workload to Certificate Holders. Please review the draft new Standard and add up the number of new requirements for analysis, planning, documentation and monitoring imposed by them. We recommend that FSC-US then perform an economic and workload analysis to quantify the impacts of these changes upon Certificate Holders. FSC and Minnesota have a long history of sustainable forest management together. MN DNR and Aitkin County were two of the first FSC certificates in the country. And we have one of the oldest Chain of Custody certificates as well. Together the counties and State of Minnesota form one of the largest concentrations of FSC certified lands in the US. Several individuals with strong ties to the state hold FSC board seats and are involved in setting the Standards. And FSC maintains its US office in Minneapolis! We would hope that this deep connection would result in greater emphasis placed on our concerns. And we encourage FSC to perform field testing of any new changes here in the state. We cannot emphasize enough that we are very concerned that the increasing cost and burden of certification will force some to consider withdrawing from the FSC program, which would be very detrimental to Minnesota Forest Industries' members. Sincerely, Rick Horton Director of Forest Policy Minnesota Forest Industries 218-244-5207 rhorton@mfitpa.com

Jack Santamour, LandVest, Inc. (Economic-nonmember, Certificate Holder (FM) , Certificate Holder (CoC)):  
Many of the revisions will put additional and significant administrative and financial burdens on landowners, managers, and certified organizations. As noted in our indicator specific comments, when these specific changes

are considered in total they will become a significant barrier for entry into FSC Certification for many landowners and will lead to landowners already enrolled in FSC Certification leaving the program. Without enrolled FMU's the whole system could potentially collapse. We don't believe that this potential outcome is in the best interest of FSC, landowners that want to be certified, users of FSC certified wood and products and ultimately society.

Caroline Pufalt, Sierra Club (Environmental-member, Environmental NGO):

Indicator 6.8.3 we should not be weakening regional or other opening limits as a trade off for longer rotations. This violates the value of regional requirements and is a step backward in better management. C4.6, dispute process should be made available and accessible. This additional language guards against unreasonable literal interpretations of available. Thank you for consideration of our comments. these comments are submitted on behalf of the Sierra Club, US. We also added our support to comments submitted by the Dogwood Alliance\*\*. Sincerely, Caroline Pufalt Sierra Club US

Ryan Szuch, Pennsylvania Bureau of Forestry (Economic-nonmember, Government , Certificate Holder (FM)):

In general, we find that the revised standard is becoming too prescriptive and inflexible. We are disturbed by the frequent dictation of processes as opposed to a focus on results. Conforming with these revisions will necessitate significant, possibly untenable, changes to our organization – an organization that has maintained FSC certification for 25 years. Conforming with some parts of the revised standard may not be possible under existing state laws, regulations, policies, and procedures. As has been the case during those 25 years, we can readily demonstrate our conformance with the Principles of the FSC Standard; however, the shifts we are seeing in this revision will make it harder to conform with what are becoming overly-prescriptive Indicators and Annexes.

Bill Hayne, International Paper (Economic-member, Certificate Holder (FM) , Certificate Holder (CoC)):

I would have hoped that the revision of the FSC US FM standard would have been a more streamlined approach. I do not see this revision in its current form helping to expand the FSC certification of landowners.

Jeremy Poirier, International Paper (Economic-member, Certificate Holder (FM)):

I am a group manager for a large US based FSC group comprised mainly of small family forest landowners. We enroll tens of thousands of acres every year. I realize a significant amount of my concerns may be addressed with the upcoming standard applicable for those types of landowners. However, overall I am concerned that the new revisions/additions in this standard will add a significant amount of work for a group manager (documenting/addressing/monitoring items we are already addressing) and at the same time not add any real/tangible benefits on the ground. In addition, I would caution FSC to be extremely careful in how some of the new proposed language/tones could be perceived with infringing on private forest landowners private property rights. Be glad to talk through any of my concerns.

Kara Wires, NEPCon (Economic-member, Certification Body):

Great job. It is an impressive collection of hard work. Thanks.

Sarah Billig, Mendocino Redwood Company (Economic-member, Certificate Holder (FM)):

Good start. Lots of work to do here. Focus on streamlining, improving clarity, and reducing complexity in the next draft.

Daniel Hall, Guide Environmental (Environmental-member, Environmental NGO):

Aside from the problems and needed corrections and improvements noted in my comments, I strongly support the draft revised Standard's content, and would urge that its specificity and rigor be maintained, including with regard to protections for environmental and social values, and to providing indicators that are as objective and truly outcome-oriented as possible. The FSC's value as a marketplace tool and a conservation strategy hinges upon its Standards providing clear metrics for the maintenance and restoration of relatively natural forests held to high environmental, social, and economic standards. To remain credible and successful, the FSC must audit to standards that minimize subjectivity and provide a clear, common understanding of what outcomes are expected in the forest. Standards and policies that are overly process-based or that otherwise leave crucial interpretations and determinations to the organizations being certified will take the FSC closer to discredited first- and second-party certification approaches, and will poorly position the FSC when it is evaluated by forest product purchasers and other marketplace influencers.

## Annex B: Draft 1 (Phase 2) Comments on the Family Forest Indicators

\*\* UMP\*\* Comments are endorsed by: Quintin Legler, Blandin Paper Company

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**Q3: Do any of the proposed Family Forest Indicators fail to adequately address the decreased risk of negative impacts on environmental or social values associated with the smaller size and less intensive management within Family Forest management units?**

No comments, Louis Guane (, I am not an FSC member):  
Yh

Social - member, Angela Wells (, I am not an FSC member):  
Yes; 1.6.2, 1.6.3, 1.7.1, 4.3.1, 6.2.1, 8.2.1, 9.1.3. Related input is provided elsewhere in the comments.

Economic - member, Kara Wires (, Economic North):  
Yes, RSA requirements (and CAN) seem unreasonable for some FF MUs--the bar is quite high and the requirements are overly complex. Annex G is overwhelming. I suggest taking the same about as was done for HCV and create a simplified RSA assess for FF MUs.

Economic - member, Rebecca Barnard (, Economic North):  
Overall well done.

Propose that the following supplemental FF indicators be changed to not applicable or low-risk based on FSC-US Controlled Wood National Risk Assessment conclusions and FF scope/intensity, thereby only requiring an audit to these indicators if there is evidence or concern raised:

- o 1.7.1 (bribery and corruption) – low risk
- o 3.1.1 (identifying Native American groups affected) – low risk o 3.1.2(NativeAmericanrights)–lowrisk
- o 4.1.1 (community rights) – low risk
- o 5.4.1 (local services) – NA (although currently proposed as low-risk due to inability to affect local service due to scope/scale of FF ... so in this case one questions how compliance or non-compliance could be achieved and resolved. Suggestion simply stating NA due to the reasons given.) It is very likely FF will use local services anyway.
- o 6.1.1 (env values) – As with the Tribal resources, the availability of RTE and other environmental information varies state by state. Some states provide this information via online resources. Other states take weeks/months before responding to inquiries and even then do not provide location-specific information to private landowners. It

is not reasonable to expect FFs to have the knowledge or resources to investigate beyond what is commonly-available via online resources, State Forest Action Plans, landscape-level plans developed via stakeholder input (where available), landowner outreach materials developed by SFI Implementation Committees, etc. Focus should be on auditing to confirm that the FF landowner made a reasonable effort to obtain this information and incorporated the information they were able to find into their management. Also, drop inclusion of climate change impacts due to the complexity, lack of agreement and scope/scale/intensity of FF management.

o 6.2.1 (informal impact assessment) – although certainly better than the base standard, this indicator will still prove very costly, time-consuming and a barrier to entry/maintenance of FSC certification for most small FF. This requirement for informal impact assessment should be limited to site-disturbing activities that are likely to negatively impact the values identified in 6.1.1. Many site-disturbing activities may have no impact at all on present values due to location in the FMU or intensity and FF should not need to conduct impact assessments (formal or informal) and document effects unless there is a likely negative impact from the specific activity. Focus on risk as opposed to any/all activities and impacts. This is one place that could benefit from leveraging the FSC-US NRA conclusions to help target FF attention to those values identified as regional risks.

Economic - nonmember, Mark Heyde (, I am not an FSC member):  
No.

Economic - member, Christopher Reeves (, I am not an FSC member):  
No, a few changes I really like that I will note. Sustained yield rate calculation requirement is removed. This seemed like a box checking exercise for FF as the calculation was determined from USFS FIA data for the region the FF was located. It was then immediately ignored because it isn't realistic for FF. Direct statement of not showing personal finances in 5.5.1 guidance. This was always a random point brought up by FF when they read the old standard. It was never interpreted this way during actual audits but I got very many questions from FF and their foresters about this indicator.

Economic - member, Dana Doran (, Economic North):  
I think this is well done.

Economic - member, Inka Musta (, Economic North):  
FF Indicator 7.6.2 fails to take into account the low impact, low intensity, and small size operations of family forest owners. This indicator puts undue burden on the landowner to conduct a public input process for extremely low risk activities on private lands.

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):  
FF Indicator 7.6.2 fails to take into account the low impact, low intensity, and small size operations of family forest owners. This indicator puts undue burden on the landowner to conduct a public input process for extremely low risk activities on private lands.

**Q4: Are there any additional base indicators where the size of and/or less intensive management within Family Forest management units may result in a low risk of non-conformance and/or low risk of negative impacts on environmental or social values?**

No comments, Louis Guane (, I am not an FSC member):  
Yh

Environmental - member, Seth Zuckerman (, Environmental North):  
Yes. In our opinion, the implementation of the ESRA process described in section 10.7.2 would benefit from a Family Forest Indicator. While the intent of the ESRA documentation process is appropriate for larger landowners, it represents overkill for family forests. For the members of our group certificate who use pesticides, there is a “low risk of negative impacts to social or environmental values due to the scale of the Management Unit.” except for a very few larger landowners. Even the international FSC Pesticide Policy recognizes that an ESRA should be undertaken “according to scale, intensity and risk” posed by the proposed chemical application. (section 4.12, p. 21 of FSC-POL-30-001 v3-0). Instead, we propose that this requirement may be met by site-specific justifications and precautions that the Organization describes in the course of satisfying Indicators 10.7.3 and 10.7.4.

Economic - member, Dana Doran (, Economic North):

Yes. I believe P3 could use some work. Some states have great resources and staff available for searching tribal claims, resources, etc. Others do not. This makes the task of conformance very different by state- through no fault of the certificate holder. • Some states/region/areas have very high levels of indigenous culture, history, artifacts on the land. Obviously in these areas a thorough check is the right thing to do. In other states/region/areas Indigenous cultures, history, artifacts sites may be less common. Can we account for these changes in intensity?

Social - member, Angela Wells (, I am not an FSC member):

Yes. 4.2.1, 9.1.2, 10.2.1, 10.2.2, 10.3.1, 10.3.2, 10.3.3, 10.4.1, 10.6.1, 10.7.2, 10.8.1, 10.8.2, 10.8.3. Related input is provided elsewhere in the comments.

Economic - member, Kara Wires (, Economic North):

Yes, Criterion 2.2 should be "low risk" for the same reasons that Criterion 2.1 is. FF MUs have limited employees, works and contracts so limited risk and limited ability to conform to these Indicators.

Economic - nonmember, Mark Heyde (, I am not an FSC member):

Related to RSAs?

Economic - member, Rebecca Barnard (, Economic North):

I have not had sufficient time to read all of the indicators in the base standard in detail but wherever possible I encourage SDG to err on the side of less is more. The increase in indicators from 70 (currently) to 102 (proposed) presents an even higher barrier to entry into the FSC system for family forests. Given the limited uptake (and in many places total lack of success) with the current standard, any increase from the current standard will not be palatable and only result in continued exclusion of family forestlands in the FSC certification portfolio. I encourage leveraging conclusions from the FSC-US National Risk Assessments to determine what specific portions of the standard need attention on family forests and minimizing all other indicators to the bare minimum in other sections of the standard. For example, the entire U.S. was determined to be low-risk for illegal activity. That is one place in the standard (as an example) that should be reduced to the barest bones for cost effectiveness and efficiency. I could envision a construct whereby other portions of the standard are significantly minimized except for Regions where the FSC-US National Risk Assessment has determined risk. This multi-prong risk assessment and standard revision approach takes into account the inherent reduced risk on family forestlands due to scope/intensity and also leverages the hard work and consensus reached in the National Risk Assessment. For portions of the standard without a corresponding element in the National Risk Assessment, encourage reducing the number of indicators wherever possible.

P3 and P6 need additional streamlining and scoping to reflect private landowner rights within the U.S. and scope/scale of FF lands. These sections could and should vary based on risk identified within a particular region (per FSC-US Controlled Wood Risk Assessment). In Regions where there is low-risk, additional base and supplemental indicators should be determined to be low-risk to mirror the conclusions of the NRA. Some states have great resources and staff available for searching tribal claims, cultural resources, environmental values, etc. Others do not. This makes the task of conformance very different by state- through no fault of the certificate holder. Some states/region/areas have very high levels of indigenous culture, history, artifacts on the land. Obviously in these areas a thorough check is the right thing to do. In other states/region/areas Indigenous cultures, history, artifacts sites may be less common. P3 can be time-consuming and require financial resources that Small FF's do not have or do not wish to spend on FSC because of the cost/benefit equation. If we want to see the FSC standard drive more protection of Indigenous sites and collaboration with tribes on small lands then we need to make this less burdensome. Sometimes states have great online resources, other states do not. This can be the difference between hiring an expensive consultant (diverting resources that could be used to join FSC) to a simple online check for tribal resources. Is there a way to be flexible to those who cannot easily assess tribal claims due to inadequate state resources?

Propose that the following base indicators are either NA or low-risk, leveraging FSC-US National Risk Assessment conclusions and FF scope/intensity:

o 3.2.2 – low-risk in specific regions to align with FSC-US NRA conclusions. Also problematic to expect / audit FPIC on FF lands.

- o 3.2.3 – low risk by nature of previous indicators in specific regions per FSC-US NRA o 3.2.5 – NA (refers to Tribal Lands which follow the base indicators, correct?)
- o 3.3.1–low-riskbynatureofpreviousindicatorsinspecificregionsperFSC-USNRA o 3.3.2 - low-risk by nature of previous indicators in specific regions per FSC-US NRA o 4.2.1 – low risk by nature of previous indicator's (4.1.1) low-risk as proposed above

Economic - member, Christopher Reeves (, I am not an FSC member):  
1.3.2 as similar to 1.5.1, 10.9.1, & 10.9.2

**Q5: Are there any base indicators that do not currently have proposed Family Forest Indicators that are not feasible for Family Forest management units?**

No comments, Louis Guane (, I am not an FSC member):  
Yh

Social - member, Angela Wells (, I am not an FSC member):  
Yes; 2.6.1, 6.5.3, 6.5.6, 6.6.4, 6.7.1, 6.7.5, 6.10.1, 9.1.1, 9.2.2. Related input is provided elsewhere in the comments.

Economic - member, Kara Wires (, Economic North):  
See above: 2.2.5, 6.5.3, 6.5.6

Economic - nonmember, Mark Heyde (, I am not an FSC member):  
RSA's for groups.

Economic - member, Rebecca Barnard (, Economic North):  
Needs another review to ensure that all sections of the standard are consistent with each other. For instance there are indicators that have been deemed NA in one principle that then re-appear in a different manner in latter principles. See specifically principles 5-8.

Propose that the following base indicators need supplemental FF indicators, leveraging FSC-US Controlled Wood National Risk Assessment conclusions and FF scope/intensity:

- o 6.3.1 – modify to focus on the mitigating the negative impacts to mirror the changes proposed to the FF 6.2.1 indicator to narrow assessment on risk of negative impacts. Scope/intensity of FF management suggests that other values will either not be impacted or will be inherently positively impacted. This is one place that could benefit from leveraging the FSC-US NRA conclusions to help target FF attention to those values identified as regional risks.

- o 6.4.1 – modify to focus intent on only those values where there is a risk posed by proposed management activities. This is one place that could benefit from leveraging the FSC-US NRA conclusions to help target FF attention to those values identified as regional risks. Also provide greater flexibility to forgo formal surveys by biologists, as resources may be constrained to conduct official surveys. Perhaps create flexibility to use trained resources professionals (foresters and loggers) who have been trained in identification during operations and implementation of appropriate site-specific management approaches.

- o 6.4.2 – similar comments as above. Focus on values identified as risks in FSC NRAs and/or focus on values identified as potentially at-risk from management via the assessment in 6.1.1.

- o Criteria 6.5 and related indicators – see specific consultation question.

- o 6.6.2 – This needs to be balanced with landowner objectives and the current

condition of the FMU and the feasibility with limited resources of the FF to maintain/enhance the myriad of species that would naturally occur on the site. Despite best intentions this may not be feasible.

o 6.6.3-This needstobebalancedwithlandownerobjectivesandthecurrent condition of the FMU and the feasibility with limited resources of the FF to maintain/enhance the myriad of habitats and associated stand structures that would naturally occur on the site. Despite best intentions this may not be feasible.

o 6.7.1 – see specific consultation question

o P7 and related indicators – see specific consultation question

o P8 and related indicators – see specific consultation question

o P9 and related indicators – see specific consultation question

o P10 may have some indicators (or sub indicators) that were already deemed NA or

low-risk in previous portions of the standard and this should be re-evaluated and clarified so as to not add back in requirements that are unnecessary.

Economic - member, Dana Doran (, Economic North):

I feel there are many positive changes made in this revision. However, it appears where some changes are made other areas still require the same verification, just asked in a different way. Specifically, this occurs in P5, P6, P7, P8. Can we streamline this? If we did it would be much more effective.

Economic - member, Christopher Reeves (, I am not an FSC member):

10.7.4. Consider leaving a portion of the guidance when it comes to allowing brief and less technical procedures for pesticide use similar to monitoring and recordkeeping portion (10.7.5)

**Q6: Do you have any evidence that the SDG's intent for Family Forest Indicators is not being followed?**

Economic - member, Dana Doran (, Economic North):

No. None at all

Economic - member, Kara Wires (, Economic North):

No. I think this is low risk.

Economic - nonmember, Mark Heyde (, I am not an FSC member):

No.

Environmental - member, Seth Zuckerman (, Environmental North):

No, we have every indication that lands classified as SLIMF are in line with the intent of the classification, and on average are being managed to a much higher than average standard.

Environmental - member, Andrew Goldberg (, None):

No evidence - indeed in many parts of the country historic parcellization (sp) has resulted in very few tracts larger than the FF threshold.

Economic - member, Inka Musta (, Economic North):

No

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):

No

Economic - member, Brendan Grady (, Economic North):

No

Economic - member, Rebecca Barnard (, Economic North):  
No

Social - nonmember, Joan Asiimwe (, Economic South):  
No

Social - member, Angela Wells (, I am not an FSC member):  
AFF agrees with the SDG's position that federal lands do not represent similar risk profile as small landowners and other forests managed at low intensity. There are examples of federally owned and managed lands that may, generally, meet the SLIMF eligibility requirements. One such example is Marsh-Billings-Rockefeller (MBR) National Historical Park in VT, which is operated by the National Park Service, a large federal agency with over 400 parks and 85 million acres under management. However, MBR is a unique property and meets SLIMF eligibility requirements. MBR shares a history of family ownership and conservation in practice. Given the specific conditions, the risk profile of MBRs forest management i.e., risk of negative environmental impacts, likely aligns with the definition of SLIMF, . However, MBR is operated by a federal agency that is not confronted with resource constraints typical of small family forest lands. Similarly, there are additional stakeholder interests and concerns, and consequently risks, that are specific to federal lands and their management that uniquely distinguish federally owned lands from other SLIMF qualifying forests.

**Q7: Are there specific Family Forest Indicators for which small Federal management units should be eligible?**

Economic - member, Dana Doran (, Economic North):  
Yes- the Rockefeller Forest in VT.

Economic - nonmember, Mark Heyde (, I am not an FSC member):  
We disagree with the SDG that federal ownership per se is in conflict with the Family Forest Indicators. If public lands are allowed to be certified under the FF definition, then federal lands that meet the definition of small or low intensity should also be considered. In any case, I believe that this will rarely be used for public lands and the additional complexity of holding federal lands separate from other public lands is not necessary for FF standards.

Economic - member, Kara Wires (, Economic North):  
The landscape level requirements (i.e. 6.6.1) should be NA or low risk for small federal lands. And possibly some of the economic requirements (i.e. C5.1).

Economic - member, Inka Musta (, Economic North):  
No, keeping all federal lands separate under the Federal Lands Supplementary Requirements is much more applicable.

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):  
No, keeping all federal lands separate under the Federal Lands Supplementary Requirements is much more applicable.

Social - member, Angela Wells (, I am not an FSC member):  
No additional comment.

Social - nonmember, Joan Asiimwe (, Economic South):  
No

Environmental - member, Andrew Goldberg (, None):  
no

Environmental - member, Seth Zuckerman (, Environmental North):  
It's essential to retain the credibility of FSC certification. The management of forests under the supervision of the principal federal land management agencies are diverse and many do not approach, nor do they aim to approach, FSC standards. Certifying a particular ranger district or national forest would create confusion in the minds of the public between that wood and other wood from federal lands produced without meeting the standard. As such, we

support a continuation of the present policy, under which family forest indicators are not applicable to federal management units.

Economic - member, Rebecca Barnard (, Economic North):

All, potentially, based on the specifics of the federal management unit. See approach proposed below – meaning that the focus should not be on the administering/managing agency but rather on the scale and intensity of the unit in question.

Economic - member, Christopher Reeves (, I am not an FSC member):

All of them

**Q8: Should eligibility for the above specific Family Forest Indicators differ depending on the administering Federal agency or on the principle management objectives for the management unit (i.e., limited to conservation objectives vs. multiple use objectives vs. other objectives)?**

Economic - member, Rebecca Barnard (, Economic North):

Yes, but perhaps the question should not be focused on the management agency but rather the size and management objectives of the property. Some USFS National Forests are quite small and managed at low-intensity / infrequent intervals for similar goals as private lands (recreation, wildlife habitat, forest health and regeneration, etc.). Family Forest Indicators should be open to all lands that are low-risk and managed on lower-intensity levels than lands managed for timber product and other multiple uses. The management agency should not be the determining factor. If the manager of the property (etc., National Park, National Forest, etc.) can justify based on size and scope/intensity of management that they meet the same criteria outlined here for family forests then this standard should be able to be applied.

Economic - member, Kara Wires (, Economic North):

While I see value in this, it could be really complicated to implement. A possible solution is to develop a process for fed lands to do a risk assessment (like what is currently required for group certs) to justify their reasons for using some of the FF indicators. This could be reviewed and approved by CB or by FSC US.

Social - nonmember, Joan Asiiimwe (, Economic South):

Shouldn't differ

Economic - member, Dana Doran (, Economic North):

Perhaps. I have still not found the need to certify Federal Forests when the Federal Forests agencies are not specifically asking for this. It seems they are uninterested. Who is interested in this and why? I am waiting to find this out.

Environmental - member, Seth Zuckerman (, Environmental North):

No. As we state above, we do not believe federal agencies should qualify to use the FFIs.

Economic - member, Christopher Reeves (, I am not an FSC member):

No, there should be no difference of applicable public forest indicators between state and federal lands or among federal agencies

Social - member, Angela Wells (, I am not an FSC member):

No additional comment.

Economic - member, Inka Musta (, Economic North):

No

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):

No

Environmental - member, Andrew Goldberg (, None):

Maybe? When the land managers discretion is restrained and focused on a sympathetic value like conservation,

there is probably less risk to those FSC values.

Economic - nonmember, Mark Heyde (, I am not an FSC member):

If considered then, the principle management objectives could indicate a similar risk profile as other small/SLIMF ownerships.

**Q9: Please provide any further comments you may have regarding the Family Forest content for the standard's Introduction.**

Economic - nonmember, Mark Heyde (, I am not an FSC member):

We support the expansion of the FF content in the draft standard as a way to appropriately encourage small or low intensity forests to be certified.

Environmental - member, Andrew Goldberg (, None):

The 1000 hectare threshold is quite large and in regard to some criteria and indicators the SIR calculation at area sizes that are smaller (up to 100 or 200 hectares) versus larger tracts.

Economic - member, Dana Doran (, Economic North):

Please focus on the Family landowners who are not in business as landowners, who more than likely have another profession, yet value stewardship as much as a large landowner with many resources.

Economic - member, Brendan Grady (, Economic North):

Non-Federal Public lands Pg 3: "City and county parks and forests are eligible, as well as other non-Federal public lands that are determined by the Certification Body to be within the definition of the 'Small' component of SLIMF, but not the 'Low Intensity' component" Aside from the federal land issue, the SLIMF eligibility requirements for non-federal public lands need to be clarified as well. The clause reads "City and county parks and forests are eligible, as well as other non-Federal public lands that are determined by the Certification Body to be within the definition of the 'Small' component of SLIMF, but not the 'Low Intensity' component..." Does it mean that only non-federal public lands that are small are eligible, or are city and county forests eligible regardless of their size? For example, a county forest that is 5000 acres (e.g. not small), but harvests below the low intensity threshold. Is this eligible or not? This has been a point of confusion in the past.

Environmental - member, Seth Zuckerman (, Environmental North):

Let's keep our eyes on the prize: Family Forest Indicators are intended to reduce the burden of compliance on forests where there is a low risk that an unnoticed deviation from certification standards will have a significant impact. FSC adopts FFIs out of a recognition that forests in this category garner a small economic benefit at best from being certified; thus, FFIs serve to bring the cost and hassle of compliance into proportion with the potential benefit the forest manager may reap. We recognize the desire to make sure that every landowner and forest manager using the FSC label has crossed every 't' and dotted every 'i' in earning certification. However, for the FSC designation to be accessible to smallholders, those instincts must be tempered with reason. In sum: Given the need to keep certification accessible for family forests and the low impact risk of lands classified as SLIMF, we support inclusion of family forest indicators that reduce the reporting burden on certified family forests. In general, we believe that the current draft accomplishes this, although we have identified three places (identified below, concerning ESRAs for pesticides, engagement with Native American groups, and HCVs) where we would like to see a greater effort made in this regard.

Economic - member, Christopher Reeves (, I am not an FSC member):

Is it possible to convert cubic meters to more common units used in the US (cubic feet or board feet)?

Social - member, Angela Wells (, I am not an FSC member):

In general, the Introduction section is helpful. In particular, the explanations provided under the heading "Terminology for Family Forest Indicators and Guidance" are clear and quite helpful. Recognizing the SLIMF eligibility requirements are established by FSC International and not subject to modification by FSC US, the thresholds relating to intensity of management, particularly relating to MAI, are technical and not well aligned with the FF demographic.



Economic - member, Kara Wires (, Economic North):  
I like that the group risk assessments are no longer required.

**Q10: Do you have any comments regarding the Family Forest elements (i.e., indicators, guidance, intent, applicability notes) in Principle 1 that are not indicator-specific?**

Economic - nonmember, Mark Heyde (, I am not an FSC member):  
We support all of the proposed low risk and non-applicability designations for family forests.

Social - member, Angela Wells (, I am not an FSC member):  
We note the P1 requirements for family forest owners have been substantially modified. Overall, the revised P1 is simpler, less demanding, and less burdensome in terms of documentation for FFs. On balance, the FF requirements for P1 are reasonable, appropriate, and well aligned with the FF demographic. One exception relates to requiring FFs to demonstrate compliance with bribery and anti-corruption laws which we consider to be very low risk for FFs.

Environmental - member, Andrew Goldberg (, None):  
Overall I support the FF indicators for Principle 1, but I do think that there is more risk the larger the size of the tract.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Economic - member, Dana Doran (, Economic North):  
I think there were very positive changes in this section. Many of these indicators, while important, apply to large corporate ownerships that are in the business of owning forests and have staff and resources to carry-out functions. The N/A changes reflect the fact that small family forest owners more than likely have distinct and separate occupations from owning forests. Therefore, do not have resources available to meet these requirements, but still may be applying excellent practices on their forest. The low-risk designations recognize the fact that most family forests have low-risk non-conformance and impacts. Good job.

Economic - member, Kara Wires (, Economic North):  
All good in this Principle

**Q11: Please share any additional comments you have regarding FF Indicator 1.2.1.**

Social - member, Angela Wells (, I am not an FSC member):  
The low risk designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

Economic - member, Kara Wires (, Economic North):  
none

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Environmental - member, Andrew Goldberg (, None):  
Common practice includes timber deeds and/or timber contracts as well as a title search to make sure the landowner has these rights. I think that CH will continue to take those steps and probably would need to for other ISO standards etc. So I think this is a low burden requirement and should be maintained.

**Q12: Please share any additional comments you have regarding FF Guidance for Indicator 1.3.1.**

Social - member, Angela Wells (, I am not an FSC member):  
The guidance for FFs is reasonable and appropriate.

Economic - member, Kara Wires (, Economic North):  
none

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q13: Please share any additional comments you have regarding FF Indicator 1.3.3.**

Social - member, Angela Wells (, I am not an FSC member):

The low risk designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

Economic - member, Kara Wires (, Economic North):  
none

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Environmental - member, Andrew Goldberg (, None):  
Agree

**Q14: Please share any additional comments you have regarding FF Indicator 1.4.1.**

Social - member, Angela Wells (, I am not an FSC member):

The low risk designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

Economic - member, Kara Wires (, Economic North):  
none

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q15: Please share any additional comments you have regarding FF Indicator 1.4.2.**

Social - member, Angela Wells (, I am not an FSC member):

The low risk designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None, good to see this as low risk as I have seen FF take action against trespass that actually made the situation worse (eg. more vandalism, more trash, greater disturbance area). Local conditions/situation might warrant doing nothing.

Economic - member, Kara Wires (, Economic North):  
none

Environmental - member, Andrew Goldberg (, None):  
Disagree if illegal use is found, then there is a risk to FSC values and the CH Organization needs to act with consideration of available resources. Particularly thinking of ORV use which can have a very detrimental impact on tracts. There are some simple things that can often reduce this illegal use. - But of course not all.

**Q16: Please share any additional comments you have regarding FF Indicator 1.5.1.**

Social - member, Angela Wells (, I am not an FSC member):

The low risk designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

Economic - member, Kara Wires (, Economic North):  
none

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q17: Please share any additional comments you have regarding the FF Indicator Intent statement for Criterion 1.6.**

Economic - member, Kara Wires (, Economic North):  
none

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Social - member, Angela Wells (, I am not an FSC member):  
AFF agrees with the stated premise that dispute resolution is critically important regardless of scale and intensity of operations. However, we do not believe the risk of non-conformance for FFs is impacted by the importance of dispute resolution.

**Q18: Please share any additional comments you have regarding FF Indicator 1.6.1.**

Economic - member, Kara Wires (, Economic North):  
none

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Social - member, Angela Wells (, I am not an FSC member):  
FF owners should not be expected to develop a formal dispute resolution system and therefore the designation of "not applicable" for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

**Q19: Please share any additional comments you have regarding FF Indicator 1.6.2.**

Economic - member, Kara Wires (, Economic North):  
none

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Economic - member, Inka Musta (, Economic North):  
As written, this indicator does not adequately define the necessary actions of the organization. It is unclear what would fulfill the requirement to "seek" resolution of disputes out of court.

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):  
As written, this indicator does not adequately define the necessary actions of the organization. It is unclear what would fulfill the requirement to "seek" resolution of disputes out of court.

Social - member, Angela Wells (, I am not an FSC member):  
An alternative FF indicator is proposed for 1.6.2 requiring CAB auditors to confirm FFs resolve disputes out of court and in a timely manner. While we do not disagree that disputes should be resolved as quickly and informally as possible, we believe there is a low risk of non-conformance to these expectations (see our input for FF 1.6.4). Requiring CABs to investigate FF conformance with this indicator unnecessarily adds to the cost burden associated with the audit process. And we do not believe the base indicator, with its emphasis on a publicly available process, is reasonable for FFs. Further, given that FSC has appropriately determined the requirement to develop a formal dispute resolution process (FF 1.6.1) is not applicable for FFs, it follows that the requirement for a publicly available dispute resolution process (FF 1.6.2) should also be designated as not applicable for FFs. Additionally, we note that FSC US has a low risk designation for FF Indicator 2.3.a in the current standard, which aligns with proposed alternative FF 1.6.2. As such, FF 1.6.2 imposes an increased degree of rigor for FFs as compared to the current requirement. It is unclear what data may be informing this direction. FFs should not now

be required to demonstrate conformance to this Indicator.

**Q20: Please share any additional comments you have regarding FF Indicator 1.6.3.**

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):

The indicator could be strengthened by requiring the documentation of the disputes themselves. Suggested rewording: "The Organization documents disputes and the steps taken to resolve them."

Economic - member, Inka Musta (, Economic North):

The indicator could be strengthened by requiring the documentation of the disputes themselves. Suggested rewording: "The Organization documents disputes and the steps taken to resolve them."

Economic - member, Kara Wires (, Economic North):

none

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Economic - member, Brendan Grady (, Economic North):

Does this refer to documenting disputes which have occurred? Or a documenting the steps to resolve disputes, e.g. dispute resolution process? It should be clarified to avoid potential conflicts with 1.6.1 and 1.6.2.

Social - member, Angela Wells (, I am not an FSC member):

As with 1.6.2, an alternative FF indicator is proposed for 1.6.3, in this case requiring documentation of steps taken to resolve disputes. Formal documentation of steps taken to resolve disputes is part and parcel of a formal dispute resolution system, which FSC has appropriately deemed not applicable for FFs (FF 1.6.1.). Therefore, given the small scale and low intensity of forest management activities typically associated with family forests, it is reasonable and appropriate for this indicator to also be designated as not applicable for FFs. Further, we note FSC US employed a low risk designation for FF Indicator 2.3.b in the current standard which means FSC is imposing an increased degree of rigor for FFs as compared to the current requirement. It is unclear what data may be informing this direction. FFs should not now be required to demonstrate conformance to this Indicator. Requiring CABs to investigate FF conformance with this indicator in all instances unnecessarily adds to the cost burden associated with the audit process.

**Q21: Please share any additional comments you have regarding FF Indicator 1.6.4.**

Economic - member, Kara Wires (, Economic North):

none

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Social - member, Angela Wells (, I am not an FSC member):

AFF agrees with the stated premise that dispute resolution is critically important regardless of scale and intensity of operations. We also agree that disputes should be resolved as quickly and informally as possible. As such, these concepts are applicable to FFs. However, we believe there is a low risk of non-conformance to these expectations, which is consistent with FSC's use of low risk designations for FF 2.3.a and FF 2.3.b in the current standard. Unless contradictory evidence is discovered or provided to auditors, FFs should be assumed to be in conformance with 1.6.4. Therefore, we suggest changing the current designation of "not applicable" to a low risk designation given the small scale and low intensity of forest management activities typically associated with family forests. Results from the USFS National Woodland Owner Survey indicate that a majority of FF owners with at least 10 acres are concerned or greatly concerned about misuse of woodlands (71%), trespass or poaching (76%), and have a strong attachment to their lands (72%). These results suggest FFOs are strongly motivated to avoid or resolve disputes involving their FF lands.

**Q22: Please share any additional comments you have regarding FF Indicator 1.7.1.**

Social - member, Angela Wells (, I am not an FSC member):

Requiring auditors to investigate compliance with laws regarding bribery and anti-corruption among FF owners

doesn't align well with the contextual reality of the FF demographic, adding cost to the process with immaterial additional benefit to the process. Further, FSC has deemed Indicator 1.5.1, which requires compliance with all national laws, to be low risk for FF. As such, FF 1.7.1 is both redundant with, and contrary to, FF 1.5.1. Therefore, a low risk designation is reasonable and appropriate for this indicator.

Economic - member, Kara Wires (, Economic North):  
none

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Economic - member, Inka Musta (, Economic North):  
How will this be assessed by auditors? This seems to be low-risk for family forest owners, I would suggest considering to re-rank the associated risk.

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):  
How will this be assessed by auditors? This seems to be low-risk for family forest owners, I would suggest considering to re-rank the associated risk.

**Q23: Please share any additional comments you have regarding FF Indicator 1.8.1.**

Economic - member, Christopher Reeves (, I am not an FSC member):  
None, is this requirement also still in the group management standard? Previously, commitment to sign off on FSC policies had to be part of the some type of membership agreement to join a group. I'm not sure of the current status.

Economic - member, Kara Wires (, Economic North):  
none

Social - member, Angela Wells (, I am not an FSC member):  
No comments for FF 1.8.1.

Economic - member, Inka Musta (, Economic North):  
Given the demonstration of this indicator can be informal, how will it actually be assessed by an auditor? Would continued implementation of the management plan qualify as evidence?

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):  
Given the demonstration of this indicator can be informal, how will it actually be assessed by an auditor? Would continued implementation of the management plan qualify as evidence?

**Q24: Please share any additional comments you have regarding FF Indicator 1.8.2.**

Social - member, Angela Wells (, I am not an FSC member):  
The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

Economic - member, Kara Wires (, Economic North):  
none

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q25: Please share any additional comments you have regarding FF Indicator 1.8.3.**

Economic - member, Kara Wires (, Economic North):  
none

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Social - member, Angela Wells (, I am not an FSC member):  
Alternative language in FF 1.8.3 is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

**Q26: Do you have any comments regarding the Family Forest elements (i.e., indicators, guidance, intent, applicability notes) in Principle 2 that are not indicator-specific?**

Economic - nonmember, Mark Heyde (, I am not an FSC member):  
We support all of the low risk and non-applicability designations proposed in Principle 2.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Social - member, Angela Wells (, I am not an FSC member):  
FSC's use of low risk and N/A designations are appropriate for the FF demographic, and alternative language used for adapted indicators is reasonable. Requiring conformance with base Indicator 2.2.5 is appropriate and reasonable for FFs. In general, conformance requirements are appropriately adapted for family forests throughout Principle 2. There is, however, one important exception. Indicator 2.6.1, which is a new requirement and applies to all certificate holders, requires certificate holders to ensure all workers are covered by Workers Compensation insurance. The FSC definition for forest workers includes "... self-employed contractors and sub-contractors". It is common practice in the US for loggers to employ independent sub-contractors in lieu of employees. Workers Compensation insurance is typically not provided to sub-contractors. Particularly in the context of family forest owners who have little leverage over employment practices of contract loggers, strict conformance with this criterion is expected to be prohibitive for FFs.

Economic - member, Kara Wires (, Economic North):  
Criterion 2.1--all good. I agree with the low risk designation due to SIR and "very few workers".

Economic - member, Dana Doran (, Economic North):  
• The positive changes here reflect the fact that Family Forest owners are typically not in the business of owning forests, therefore they do not have Human Resources staff or resources to manage these sorts of requirements. • The low-risk designations recognize the fact that most family forests have low-risk non-conformance and impacts. Good job. \*\*\*\*\*Note: 2.5.1---- I think this section needs to be updated in the NFSS. It is very prescriptive and singles out programs by name. There are other programs that exist that should be noted or the listed should be removed completely. • Guidance: Adequate training and supervision measures may include but are not limited to: • employers actively train employees in the goals and requirements of this and other applicable FSC Standards; • loggers and other operators participate in informal and formal training, such as Forest Industry Safety Training Alliance, Game of Logging, and similar programs; • professional foresters and resource managers meet continuing education standards, such as Society of American Foresters "Certified Forester" program; • foresters, loggers, and other relevant employees are trained to understand riparian management zone\*, rare, threatened, and endangered species\*, and High Conservation Value\* protection requirements for the forest\*, as well as safeguards relating to chemical pesticide\* applications; • field personnel are provided with written harvest plans and/or maps that clearly guide actions required to implement the management plan\*; and • meetings occur as needed to review operations and make any necessary adjustments. Regardless of the training and supervision measures taken, The Organization\* maintains up-to-date training records for all relevant workers\*. FF Indicator Guidance: Demonstration of knowledge may be informal.

**Q27: Please share any additional comments you have regarding FF Indicator Intent statement for Criterion 2.2.**

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Economic - member, Kara Wires (, Economic North):  
Criterion 2.2 should be treated the same as Criterion 2.1. Based on SIR, there are few (if any) workers. These

should be considered "low risk" and if any issues arise, the base indicator will be evaluated. Indicator 2.2.5 will be very hard to audit for FF MUs.

Social - member, Angela Wells (, I am not an FSC member):

AFF agrees with the statement that gender equality is essential in all aspects of employment, regardless of the scale or intensity. We further concur with and support the overall approach taken for Criterion 2.2.

**Q28: Please share any additional comments you have regarding FF Indicator 2.2.1.**

Social - member, Angela Wells (, I am not an FSC member):

The alternative language proposed in FF 2.2.1 is reasonable and appropriate.

Economic - member, Kara Wires (, Economic North):

should be "low risk" and FF Indicator deleted as per above comment. The current language is not auditable and if they Indicator has to stay additional guidance is needed. Current language could result in a wide variety of audit techniques and little value toward improvements.

Economic - member, Christopher Reeves (, I am not an FSC member):

None

**Q29: Please share any additional comments you have regarding FF Indicator Intent statement for Criterion 2.1.**

Social - member, Angela Wells (, I am not an FSC member):

The low risk designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests. The intent statement is appropriate and consistent with guidance provided in the Introduction section ("Terminology for Family Forest Indicators and Guidance").

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Economic - member, Kara Wires (, Economic North):

agree this is low risk

**Q30: Please share any additional comments you have regarding FF Indicator 2.2.2.**

Social - member, Angela Wells (, I am not an FSC member):

The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Economic - member, Kara Wires (, Economic North):

agree

**Q31: Please share any additional comments you have regarding FF Indicator 2.2.3.**

Social - member, Angela Wells (, I am not an FSC member):

The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Economic - member, Kara Wires (, Economic North):

agree

**Q32: Please share any additional comments you have regarding FF Indicator 2.2.4.**

Social - member, Angela Wells (, I am not an FSC member):

The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Economic - member, Kara Wires (, Economic North):  
agree

**Q33: Please share any additional comments you have regarding FF Indicator 2.3.1.**

Social - member, Angela Wells (, I am not an FSC member):  
The low risk designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Economic - member, Kara Wires (, Economic North):  
agree

**Q34: Please share any additional comments you have regarding FF Indicator 2.3.2.**

Social - member, Angela Wells (, I am not an FSC member):  
The alternative language proposed in FF 2.3.2 is reasonable and appropriate.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Environmental - member, Andrew Goldberg (, None):  
I like the existing language better. The CHs and industry are very good at plans and training. And that has improved performance and safety in the field. The proposed language "demonstrate safe worker habits" makes no sense and a performative standard does not replace the impact and risk reduction of injury from training and a well developed program.

Economic - member, Kara Wires (, Economic North):  
agree

**Q35: Please share any additional comments you have regarding FF Indicator Intent statement for Criterion 2.4.**

Social - member, Angela Wells (, I am not an FSC member):  
The low risk designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests. The intent statement is appropriate and consistent with guidance provided in the Introduction section ("Terminology for Family Forest Indicators and Guidance").

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Economic - member, Kara Wires (, Economic North):  
agree

**Q36: Please share any additional comments you have regarding FF Indicator 2.5.1.**

Social - member, Angela Wells (, I am not an FSC member):  
The alternative language proposed in FF 2.5.1 is reasonable and appropriate.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None



Environmental - member, Andrew Goldberg (, None):

I like the current language better. Like above, not sure what "demonstrate knowledge" means. I think this is a key part of the job that CHs and industry does that really improves things. The workers should be trained and the CHs should have that in their system.

Economic - member, Inka Musta (, Economic North):

Here and elsewhere, FF Guidance indicates that evidence may be informal. It would be helpful to have additional information to better outline what informal means.

Economic - member, Kara Wires (, Economic North):

agree

**Q37: Please share any additional comments you have regarding FF Guidance for FF Indicator 2.5.1.**

Social - member, Angela Wells (, I am not an FSC member):

The FF guidance proposed for FF 2.5.1 is reasonable and appropriate.

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):

Here and elsewhere, FF Guidance indicates that evidence may be informal. It would be helpful to have additional information to better outline what informal means.

Economic - member, Kara Wires (, Economic North):

agree

**Q38: Please share any additional comments you have regarding FF Indicator 2.3.2.**

Social - member, Angela Wells (, I am not an FSC member):

The alternative language proposed in FF 2.3.2 is reasonable and appropriate. Note this question is repeated.

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Economic - member, Kara Wires (, Economic North):

agree

**Q39: Do you have any comments regarding the Family Forest elements (i.e., indicators, guidance, intent, applicability notes) in Principle 3 that are not indicator-specific?**

Economic - nonmember, Mark Heyde (, I am not an FSC member):

We support all of the low risk, non-applicability and alternative indicators as proposed.

Environmental - member, Andrew Goldberg (, None):

Support new language

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Economic - member, Dana Doran (, Economic North):

I think this is a state by state issue (or non-issue) Some states have free, online resources that can be accessed by professionals. Other states have archaic data that is hard to access and requires a professional with distinct skill sets to navigate efficiently. • I am not sure the changes here go far enough. P3 can be time-consuming and require financial resources that Small FF's do not have or do not wish to spend on FSC because of the Cost/benefit equation. • If we want to see the FSC standard drive more protection of Indigenous sites and collaboration with tribes on small lands then we need to make this less burdensome. • Sometimes states have great online resources, other states do not. This can be the difference between hiring an expensive consultant (not joining FSC) to a simple online check for tribal resources (more likely to join FSC). So I see this being a

hinderance on a state by state level. My organization sees this as we work in 7 states. • Is there a way to be flexible to those who cannot easily assess tribal claims due to inadequate state resources?

Economic - member, Kara Wires (, Economic North):

Annex F is really complicated and overwhelming. Can there be a FF version (like HCV Annex) or have guidance point to specific sections for the Indicators that are applicable.

Social - member, Angela Wells (, I am not an FSC member):

AFF agrees that respecting the rights of Native American groups is essential, regardless of the scale or intensity of forest management operations. However, consideration must be given to the risk as well as scale of potential negative impacts on tribal rights associated with FFs. Overall, particularly if tribal rights are potentially affected, conformance to Principle 3 will be more complex and more demanding on FF owners with the draft revised standard than under the current standard. Our understanding is that FPIC is applicable for FFs when private properties are located within the boundaries of treaty areas wherein tribes have retained certain rights in exchange for 'title' of the land. Although it may be unlikely tribes will be interested in engaging family forest owners in forest management decisions on family forests, or that family forest management activities would materially affect tribal rights, as currently stipulated in the draft standard, FFs will still need to demonstrate they have met the requirements during audits. The burden of conformance for FFs is not consistently aligned with the scale and intensity of operations, nor with the resource capacity typical of family forests. Additionally, due to a lack of familiarity with tribal rights and FPIC, some P3 requirements are likely to be viewed as complex and extraneous, and therefore function as a deterrent to FFs pursuing FSC certification. While the intent in producing Annex F as guidance and support for certificate holders is admirable, it is more appropriate for larger forest management enterprises with access to more robust resources than a typical family forest owner. For the vast majority of FF owners, the six step process for pursuing FPIC consent will likely be prohibitively complex and burdensome. Guidance tailored specifically for FFs should be developed, with careful consideration for probability and scale of potential impact, to align with the contextual reality of the FF demographic. Development of one or more practical tools tailored for the FF demographic to assist in identifying potentially affected tribes and their rights, contacting tribes as necessary, and navigating FPIC could help familiarize FF owners with these topics and reduce any intimidation experienced. Guidance and intent should be provided at the level of Principle 3 to provide context and general expectations, particularly for the FF demographic. FF owners in general, who tend to value private property rights, are not familiar with FPIC. Additional FF guidance should also be considered for indicators associated with criteria 3.2 and 3.3

**Q40: Please share any additional comments you have regarding FF Indicator 3.1.1.**

**Social - member, Angela Wells (, I am not an FSC member):**

The alternative language for FF 3.1.1 appears to deliberately drop the requirement for revisiting the assessment whenever the management plan is reviewed. Given the unlikelihood of change in tribes potentially impacted by management activities, this is appropriate. The base indicator has no requirement for a "formal" assessment, and therefore the last sentence of the FF Indicator can be removed. Consider combining 3.1.1 and 3.1.2 in a single indicator since it is the combination of potentially affected tribes and their rights as they apply within the FMU that set the context for conformance with P3.

Economic - member, Christopher Reeves (, I am not an FSC member):

None, appreciate previous addition of Annex F even more for FF

Economic - member, Inka Musta (, Economic North):

Given the small and often very local scale of family forest ownership and management, landowners should be able to rely up personal knowledge to identify Native American groups that may be affected in addition to the resources outlined in Annex F.

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):

Given the small and often very local scale of family forest ownership and management, landowners should be able to rely up personal knowledge to identify Native American groups that may be affected in addition to the resources outlined in Annex F.

Environmental - member, Seth Zuckerman (, Environmental North):

[This comments pertains to 3.1.2, but that text block is too short to accommodate it.] Expectations under this indicator should take into account the Organization's size and capacity. For instance, the expectations of a family that owns 100 acres of upland forest should be less rigorous than a 5,000-acre municipal watershed. Even though the proposed indicator says that "the engagement may be informal," it is unclear what form that could reasonably take. Compliance with this indicator should also take into account statewide legal and regulatory processes. In Washington state, for instance, statewide engagement with treaty rights occurred through a consultation process that led to the 1986 Timber Fish and Wildlife agreement, and the Forests & Fish Law of 1999, which apply to all timber harvests on state-regulated lands.

Economic - member, Kara Wires (, Economic North):

"reasonable efforts" needs additional clarity and guidance.

**Q41: Please share any additional comments you have regarding FF Indicator 3.1.2.**

Social - member, Angela Wells (, I am not an FSC member):

The alternative language for FF 3.1.2 provides some acknowledgement of the limited resources available to FF owners. However, the indicator also explicitly references Annex F creating the expectation that FFs consider the Annex in their effort to conform to the indicator. Alternatively, the reference to Annex F could be placed in the guidance for the indicator, along with the specific location of the resources provided (FPIC, Step 1 Guidance) or by listing the resources directly in the guidance.

Economic - member, Kara Wires (, Economic North):

none

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Economic - member, Inka Musta (, Economic North):

Given the small and often very local scale of family forest ownership and management, landowners should be able to rely up personal knowledge to identify Native American groups that may be affected in addition to the resources outlined in Annex F. Engagement from individual landowners to Native American groups has the potential to overwhelm the resources of tribal agencies/organizations. Engagement could potentially be limited to instances when management practices will materially impact the identified rights.

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):

Given the small and often very local scale of family forest ownership and management, landowners should be able to rely up personal knowledge to identify Native American groups that may be affected in addition to the resources outlined in Annex F. Engagement from individual landowners to Native American groups has the potential to overwhelm the resources of tribal agencies/organizations. Engagement could potentially be limited to instances when management practices will materially impact the identified rights.

**Q42: Please share any additional comments you have regarding FF Indicator Intent statement for Criterion 3.2.**

Social - member, Angela Wells (, I am not an FSC member):

We fully agree that respecting rights held by Native American groups is essential, regardless of the scale or intensity of forest operations. We also agree with excluding 3.2.1 and 3.2.4 from FF conformance requirements. However, consideration should be given to development of streamlined alternative FF indicators for 3.2.2 and 3.2.3, with guidance, using language more familiar to FF owners and managers. Consider also removing direct reference to Annex F from Indicator 3.2.1 text and instead placing the reference in FF Guidance. Indicator 3.2.a and 3.2.b of the existing FSC US FM standard may provide examples of the use of more familiar language.

Economic - member, Kara Wires (, Economic North):

There are references in this section to Criterion 1.6 (which is partially NA). Should be some additional guidance on what parts of C1.6 would need to be address if rights are on the MU (all of C1.6 or just the FF requirements?).

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q43: Please share any additional comments you have regarding FF Indicator 3.2.1.**

Social - member, Angela Wells (, I am not an FSC member):

The N/A designation is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

Economic - member, Kara Wires (, Economic North):  
none

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q44: Please share any additional comments you have regarding FF Indicator 3.2.4.**

Social - member, Angela Wells (, I am not an FSC member):

The N/A designation for engaging tribes in management planning FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

Economic - member, Kara Wires (, Economic North):  
none

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q45: Please share any additional comments you have regarding FF Indicator 3.5.1.**

Economic - member, Kara Wires (, Economic North):  
none

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Environmental - member, Andrew Goldberg (, None):

Based on the low risk of these FF sites, it is totally appropriate to place the burden on CHs to maintain an up to date list or work with appropriate agencies to determine any of these sites on the tract.

Social - member, Angela Wells (, I am not an FSC member):

Alternative language in FF 3.5.1 is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

**Q46: Please share any additional comments you have regarding FF Indicator Applicability note for FF Indicator 3.5.1.**

Social - member, Angela Wells (, I am not an FSC member):

The applicability note for FF Indicator 3.5.1 is helpful and appropriate.

Economic - member, Kara Wires (, Economic North):  
none

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q47: Please share any additional comments you have regarding FF Indicator Guidance for FF Indicator 3.5.1.**

Social - member, Angela Wells (, I am not an FSC member):

The guidance for FF Indicator 3.5.1 is helpful and appropriate.

Economic - member, Kara Wires (, Economic North):  
none

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q48: Please share any additional comments you have regarding FF Indicator 3.5.2.**

Economic - member, Christopher Reeves (, I am not an FSC member):  
None, good to note that consultation with experts must occur when Native America areas are identified

Economic - member, Kara Wires (, Economic North):  
none

Social - member, Angela Wells (, I am not an FSC member):  
Alternative language in FF 3.5.2 is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

**Q49: Please share any additional comments you have regarding FF Indicator Guidance for FF Indicator 3.5.2.**

Social - member, Angela Wells (, I am not an FSC member):  
The guidance for FF Indicator 3.5.2 provides a useful reminder

Economic - member, Kara Wires (, Economic North):  
none

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q50: Please share any additional comments you have regarding FF Indicator Intent statement for Criterion 3.6.**

Social - member, Angela Wells (, I am not an FSC member):  
The low risk designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

Economic - member, Kara Wires (, Economic North):  
none

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q51: Do you have any comments regarding the Family Forest elements (i.e., indicators, guidance, intent, applicability notes) in Principle 4 that are not indicator-specific?**

Economic - nonmember, Mark Heyde (, I am not an FSC member):  
We support all of the low risk, non-applicability and alternative indicators as proposed.

Economic - member, Dana Doran (, Economic North):  
Positive changes made in P4.

Economic - member, Christopher Reeves (, I am not an FSC member):  
Generally difficult to assess appropriate engagement levels with local communities as FF are local communities themselves by definition. But, there are still communities that might need to be identified outside the FF owners (inholdings, cemeteries, etc)

Social - member, Angela Wells (, I am not an FSC member):  
Although not specific to FFs, the principle-level guidance regarding the rights of non-tribal traditional peoples and local communities in the US context is very helpful. Low risk designations should be considered for FF on

additional indicators (see indicator-level comments). In light of FSC's conclusion that there is a very limited existence of rights held by non-tribal traditional communities, Indicator 4.2.1 should be designated as low risk for FFs.

Economic - member, Kara Wires (, Economic North):  
Agree with the edits. No additional comments.

Environmental - member, Andrew Goldberg (, None):  
"sphere of influence" approach is good!

**Q52: Please share any additional comments you have regarding FF Indicator 4.1.1.**

Social - member, Angela Wells (, I am not an FSC member):

The definition for local communities included in Annex A: Glossary uses the word "significant" to describe impact and affect associated with management activities (i.e., "... significantly affected by the management activities ..."), yet this word is not used in FF Indicator 4.1.1. We suggest that the indicator language should be modified to provide appropriate context for identifying local communities, i.e., "... local communities that may be significantly affected ...". The alternative language for FF 4.1.1 requiring FFs to make "reasonable efforts" to identify local communities and to conduct "informal" assessments of rights is appropriate.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Economic - member, Inka Musta (, Economic North):  
Given the small scale and low intensity of operations on Family Forest lands engagement with communities is unnecessary . Given the large number of potential landowners, this has the potential to put un necessary strain on local government units.

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):  
Given the small scale and low intensity of operations on Family Forest lands engagement with communities is unnecessary . Given the large number of potential landowners, this has the potential to put un necessary strain on local government units.

**Q53: Please share any additional comments you have regarding FF Indicator Intent statement for Criterion 4.3.**

Social - member, Angela Wells (, I am not an FSC member):

We agree that supporting local communities is important regardless of scale and intensity of forest management operations. However, we do not believe the risk of non-conformance with Indicator 4.3.1 is affected by its importance. Rather than applying alternative language for FF 4.3.1, we believe the indicator should be designated as low risk for family forests. The current alternative indicator language - "Within its sphere of influence, the organization supports local services." – accurately describes typical FF owner behavior. Unless contradictory evidence is discovered or provided to auditors, FFs should be assumed to be in conformance with 4.3.1.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q54: Please share any additional comments you have regarding FF Indicator 4.3.1.**

Economic - member, Christopher Reeves (, I am not an FSC member):

None, good to remove guidance as it was redundant with regular indicator guidance

Social - member, Angela Wells (, I am not an FSC member):

Due to the small scale and infrequency of forest management operations on FFs, they have limited ability to materially affect local commerce. This argument is similar to the one FSC uses for justifying an N/A designation for FF 4.4.1, FF 4.5.2, FF 5.1.1, FF 5.1.2, 5.4.1, 5.4.2. Additionally, FFs typically do not generate sufficient volumes of work to attract vendors from distant locations. Most FF owners are, in fact, members of the local community, and therefore tend to work with other local people. Therefore, rather than using a modified indicator, a low risk designation for FFs is reasonable and appropriate for FF 4.3.1. As stated above, the alternative language

contained in the proposed FF 4.3.1 nicely describes typical FF behavior, and requiring auditors to seek evidence of conformance is not warranted considering the low risk and small potential impact of potential non-conformance.

**Q55: Please share any additional comments you have regarding FF Indicator 4.3.2.**

Social - member, Angela Wells (, I am not an FSC member):

The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

Economic - member, Christopher Reeves (, I am not an FSC member):

None

**Q56: Please share any additional comments you have regarding FF Indicator 4.4.1.**

Social - member, Angela Wells (, I am not an FSC member):

The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests. We could also agree with a low risk designation.

**Economic - member, Christopher Reeves (, I am not an FSC member):**

None

**Q57: Please share any additional comments you have regarding the FF Indicator Intent statement for FF Indicator 4.4.1.**

**Economic - member, Christopher Reeves (, I am not an FSC member):**

None

Social - member, Angela Wells (, I am not an FSC member):

No additional comment. The intent statement is consistent with the "Terminology for Family Forest Indicators and Guidance" provided in the Introduction section of the standard.

**Q58: Please share any additional comments you have regarding FF Indicator 4.5.1.**

Economic - member, Inka Musta (, Economic North):

Suggest replacing "informal evaluation" with awareness.

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Social - member, Angela Wells (, I am not an FSC member):

Alternative language in FF 4.5.1 is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests. However, we suggest the addition of the words "... as appropriate" to the end of the indicator, i.e., mitigation measures are applied as appropriate.

**Q59: Please share any additional comments you have regarding FF Indicator Guidance for FF Indicator 4.5.1.**

Social - member, Angela Wells (, I am not an FSC member):

The guidance provided is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):

Suggest replacing "informal evaluation" with awareness.

Economic - member, Christopher Reeves (, I am not an FSC member):

None

**Q60: Please share any additional comments you have regarding FF Indicator 4.5.2.**

Social - member, Angela Wells (, I am not an FSC member):

The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest

management activities typically associated with family forests.

Economic - member, Inka Musta (, Economic North):  
The Criterion has been addressed appropriately.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q61: Considering the scale, intensity and risk associated with family forest management units, have sustained yield and conformance with Criterion 5.2 been addressed appropriately in this draft? Are these requirements achievable (i.e., considering available technical and financial resources) for family forests? Please explain.**

Economic - member, Christopher Reeves (, I am not an FSC member):  
Yes, as a FM Group Manager I used USFS FIA data to determine annual growth levels for a region. This was used to calculate the potential sustained yield calculation. Foresters then had to write a brief statement why it was not feasible because it was too small or not silviculturally justified. It was almost impossible to stay in the 10 year requirement especially with smaller FF.

Social - member, Angela Wells (, I am not an FSC member):  
Yes, absolutely. Calculation of AAC is not applicable to the family forest context due to the small size, infrequent harvest and general lack of alignment with family forest owners who typically do not prioritize commercial timber harvesting and revenue generation. Alternatively, family forest owners do prioritize conservation values with aligns well with the approach of linking timber harvest to attainment of desired future conditions.

Economic - nonmember, Mark Heyde (, I am not an FSC member):  
We support the proposed language that focuses on "achieving desired conditions and improve or maintain health and quality across the Management Unit\*" because the small scale of many or most family forests doesn't support traditional sustained yield calculations. The proposed language is sufficient for FSC family forests (SLIMFs).

Economic - member, Inka Musta (, Economic North):  
The Criterion has been addressed appropriately.

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):  
The Criterion has been addressed appropriately.

Environmental - member, Andrew Goldberg (, None):  
No, I think there is a big difference in SIR across from small tracts to 1000 hectares. On the larger side, I think it is important to consider requiring some sort of sustained yield guidance. A heavy harvest across a large FF tract can have large impacts on local sometimes even regional wood supply. And there is public concern about over harvesting.

Environmental - member, Seth Zuckerman (, Environmental North):  
It seems appropriate to us.

Economic - member, Rebecca Barnard (, Economic North):  
I think these changes will be very positive. FF's with 100 acres cannot feasibly break up their land in units to conform to sustainable harvest levels over a rolling period. Economies of scale are at play here: Let the well-executed harvest prove the long-term sustainability, not the calculations of volumes. This has been one of the biggest hurdles to the FSC FF successful uptake.

Economic - member, Dana Doran (, Economic North):  
I think these changes will be very positive. FF's with 100 acres cannot feasibly break up their land in units to conform to sustainable harvest levels over a rolling period. (this realistically can't happen until at least 1000 acres is obtained. and if the 1000 acres is even aged this rolling average would be unfeasible as well) Economies of scale are at play here: Let the well-executed harvest prove the long-term sustainability, not the calculations of



volumes. This has been one of the biggest hurdles to the FSC FF successful uptake. Good job with this.

Economic - member, Kara Wires (, Economic North):

I agree with the approach. I do think additional guidance and intent would be useful for the 2 FF Indicators since they are both a bit vague and open to interpretation.

**Q62: Do you have any comments regarding the Family Forest elements (i.e., indicators, guidance, intent, applicability notes) in Principle 5 that are not indicator-specific?**

Economic - nonmember, Mark Heyde (, I am not an FSC member):

We support the low risk, non-applicability and alternative language as proposed.

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Social - member, Angela Wells (, I am not an FSC member):

In general, P5 requirements are well-adapted to the contextual reality of the FF demographic. Achieving conformance will be less burdensome for family forests under the draft revision than under the current standard, without compromising the integrity of the standard. The proposed requirements are reasonable and achievable.

Economic - member, Dana Doran (, Economic North):

I think these changes will be very positive. FF's with 100 acres cannot feasibly break up their land in units to conform to sustainable harvest levels over a rolling period. (this realistically can't happen until at least 1000 acres is obtained. and if the 1000 acres is even aged this rolling average would be unfeasible as well) Economies of scale are at play here: Let the well-executed harvest prove the long-term sustainability, not the calculations of volumes. This has been one of the biggest hurdles to the FSC FF successful uptake. Good job with this.

Economic - member, Kara Wires (, Economic North):

I agree with edits.

Environmental - member, Andrew Goldberg (, None):

For smaller tracts I think the new indicators and guidance are great. I have concerns for larger FF tracts.

**Q63: Please share any additional comments you have regarding FF Indicator Intent statement for Criterion 5.1.**

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Social - member, Angela Wells (, I am not an FSC member):

No additional comment. The intent statement is consistent with the "Terminology for Family Forest Indicators and Guidance" provided in the Introduction to the standard.

**Q64: Please share any additional comments you have regarding FF Indicator 5.1.1.**

Social - member, Angela Wells (, I am not an FSC member):

The low risk designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

Economic - member, Christopher Reeves (, I am not an FSC member):

None

**Q65: Please share any additional comments you have regarding FF Indicator 5.1.2.**

Social - member, Angela Wells (, I am not an FSC member):

The low risk designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q66: Please share any additional comments you have regarding FF Indicator Intent statement for Criterion 5.2.**

Social - member, Angela Wells (, I am not an FSC member):

We fully agree with the assertion that sustainable harvest is essential, regardless of the scale or intensity of management operations. Conformance with 5.2.3 and 5.2.4 is appropriate for FFs. The remainder of the intent statement is consistent with the "Terminology for Family Forest Indicators and Guidance" provided in the Introduction section of the standard.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Economic - member, Dana Doran (, Economic North):

I think these changes will be very positive. FF's with 100 acres cannot feasibly break up their land in units to conform to sustainable harvest levels over a rolling period. (this realistically can't happen until at least 1000 acres is obtained. and if the 1000 acres is even aged this rolling average would be unfeasible as well) Economies of scale are at play here: Let the well-executed harvest prove the long-term sustainability, not the calculations of volumes. This has been one of the biggest hurdles to the FSC FF successful uptake. Good job with this.

Environmental - member, Andrew Goldberg (, None):  
agree for smaller tracts with maybe a threshold of 500 hectares.

**Q67: Please share any additional comments you have regarding FF Indicator 5.2.1.**

Social - member, Angela Wells (, I am not an FSC member):

The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests. FSC is commended for making this adjustment in recognition of the inapplicability of sustained yield calculations on FFs.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q68: Please share any additional comments you have regarding FF Indicator 5.2.2.**

Social - member, Angela Wells (, I am not an FSC member):

The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests. Again, this is a positive development for FSC in recognizing the specific context of managing small wood lots.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None, good to see as low risk. Was rarely applicable for low ownerships. Auditors understood and essentially ignored for FF.

**Q69: Please share any additional comments you have regarding FF Indicator 5.2.4.**

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Environmental - member, Andrew Goldberg (, None):

I am concerned that "maintain health and quality" is not rigorous enough and should have language for NTFP similar to the proposed 5.2.3

Social - member, Angela Wells (, I am not an FSC member):

Alternative language in FF 5.2.4 is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

**Q70: Please share any additional comments you have regarding FF Indicator 5.3.1.**

Social - member, Angela Wells (, I am not an FSC member):

The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

Economic - member, Christopher Reeves (, I am not an FSC member):

None

**Q71: Please share any additional comments you have regarding the FF Indicator Intent statement for FF Indicator 5.3.1.**

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Social - member, Angela Wells (, I am not an FSC member):

No additional comment. The intent statement is consistent with the “Terminology for Family Forest Indicators and Guidance” provided in the Introduction to the standard.

**Q72: Please share any additional comments you have regarding FF Indicator 5.4.1.**

Social - member, Angela Wells (, I am not an FSC member):

The low risk designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

Economic - member, Christopher Reeves (, I am not an FSC member):

None

**Q73: Please share any additional comments you have regarding the FF Indicator Intent statement for FF Indicator 5.4.1.**

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Social - member, Angela Wells (, I am not an FSC member):

No additional comment. The intent statement is consistent with the “Terminology for Family Forest Indicators and Guidance” provided in the Introduction to the standard.

**Q74: Please share any additional comments you have regarding FF Indicator 5.4.2.**

Social - member, Angela Wells (, I am not an FSC member):

The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

Economic - member, Christopher Reeves (, I am not an FSC member):

None

**Q75: Please share any additional comments you have regarding the FF Indicator Intent statement for FF Indicator 5.4.2.**

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Social - member, Angela Wells (, I am not an FSC member):

No additional comment. The intent statement is consistent with the “Terminology for Family Forest Indicators and Guidance” provided in the Introduction to the standard.

**Q76: Please share any additional comments you have regarding FF Indicator Guidance for FF Indicator 5.5.1.**

Social - member, Angela Wells (, I am not an FSC member):

The guidance provided is reasonable and appropriate for the small scale and low intensity of forest management

activities typically associated with family forests.

Economic - member, Christopher Reeves (, I am not an FSC member):

None, good to see not sharing personal finances mentioned. It was never interpreted this way during audits but FF owners and foresters sometimes asked about personal information when they reviewed the standard.

Economic - member, Inka Musta (, Economic North):

In addition to financial investment in management activities, demonstrable investment in terms of time/labor toward management activities should be included as an example.

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):

In addition to financial investment in management activities, demonstrable investment in terms of time/labor toward management activities should be included as an example.

**Q77: Considering the scale, intensity and risk associated with family forest management units, have RSAs and conformance with Criterion 6.5 been addressed appropriately in this draft? Are these requirements achievable (i.e., considering available technical and financial resources) for family forests? Please explain.**

Economic - member, Christopher Reeves (, I am not an FSC member):

Yes, I would wish FSC IN would allow the Conservation Area Network FF guidance to go further and not be applicable to FF at all. RSAs and HCVs conservation should be enough for FF because of the low scale, risk, and intensity.

Economic - nonmember, Mark Heyde (, I am not an FSC member):

While we recognize the good faith effort of the SDG to address RSA's for SLIMFs in a meaningful way, it is our opinion that RSA designations on these small or low intensity forests is not achievable. Resources are insufficient for the assessment and designation of RSAs on the thousands of FSC family forests and will likely be a barrier to certification of additional SLIMFs. Because of the small scale and low intensity of most family forests, we submit that they are being managed as native ecosystems by definition. Some of the biggest threats to natural conditions are exotic invasive plants, insects, and diseases that in many, many cases are beyond management in any meaningful way. The RSA exercise will likely be expensive and take resources away from more meaningful management such as assessment and designation of HCVs or just basic forest management.

Environmental - member, Seth Zuckerman (, Environmental North):

We believe this treatment of RSAs will be feasible for the members of our group certificate.

Economic - member, Kara Wires (, Economic North):

The RSA section is confusing and a bit overwhelming. A simplified Annex would be useful for FF MUs. Also, the ability to designed RSA on each MU and have 10% CAN is a very high bar. This will be a challenge to implement. CAN sharing across MUs for groups is a great option but also very complicated to implement.

Social - member, Angela Wells (, I am not an FSC member):

The RSA requirements likely will not be achievable for the majority of FFs. The RSA concept is quite technical, particularly for a lay person, and it is likely most FF owners will be challenged to navigate and implement requirements without specialized professional assistance. The degree of complexity alone is sufficient to significantly dampen FF participation in FSC. Previously, RSAs could be located outside FMUs; now, under the proposed standard, RSAs must be located within FMUs (with limited exceptions), and further must comprise at least 1% of the FMU (with limited exceptions). There is no de minimis consideration for small FMUs (with limited exceptions), which strikes us as unnecessarily rigid considering the ecological viability and value of small areas. The application of the RSA concept on family forests is generally misaligned with the scale of the desired outcome (restoration of native ecosystems). FF's should be exempt from the requirement to establish RSAs in light of the small scale and low intensity of operations typical of family forest operations, and in consideration of the marginal ecological viability of exceedingly small areas. This approach is consistent with the N/A designation taken with other indicators where FFs are prevented by their small size from materially impacting certain conservation values. At minimum, a de minimis rule should be included for exemption of FMUs under a certain

size.

Economic - member, Inka Musta (, Economic North):

The requirements for RSAs and conformance with Criterion 6.5 are still overly complex considering the resources available to the majority of family forest owners. In particular, requirements for RSAs are very hard to decipher making it likely that landowners will be unsure of 1) necessity for RSAs, 2) the extent required.

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):

The requirements for RSAs and conformance with Criterion 6.5 are still overly complex considering the resources available to the majority of family forest owners. In particular, requirements for RSAs are very hard to decipher making it likely that landowners will be unsure of 1) necessity for RSAs, 2) the extent required.

Environmental - nonmember, Carolyn Loeb (, Environmental North):

The requirements for "Considerations for each RSA" as found in Annex G are likely to be too difficult for Family Forests. For example, with regards to 6.5.2 FF Guidance: "Considerations for which ecosystems to emphasize", part d. ("Establishment of RSA\* for an ecosystem\* that is very common within the landscape\*, even if not well protected\*, is not essential") is likely to be the most common way for small forests to select RSAs, so they may be confused by this. b. "...Generally the size should be large enough to be viable\* may be unattainable given the small forest size, and d. "For ecosystems\* that would naturally occur in mosaics, identifying RSAs\* that are adjacent to other RSAs\* is preferable to establishing RSAs\* in isolation" may be impractical unless the small forest abuts public land. 6.5.2 also uses the word "restore" but restoration is unlikely to be feasible for very small forests; is there a way to indicate that restoration is desirable but should be considered optional in these cases? 6.5.3: What is the justification for the 124 acre cut-off? I would also include the referenced interpretation directly in the standard here for clarity. Overall, with respect to 6.5 and the current RSA Annex, I would suggest creating a new RSA annex specifically for SLIMFs that would simplify the intent and process of designating RSAs for forests that meet the FF designation requirements. 6.5.6. My one concern is that in a group certificate, if a group can "outsource" the CAN requirement to a large group member, and then the large group member leaves the group, the remaining small FMUs will be scrambling to fulfill this goal. Perhaps additional guidance here would be good. If a group member meeting the CAN requirements for much of the group or the group as a whole exits, how long do the remaining group members have to demonstrate conformance with the CAN requirement?

Economic - member, Dana Doran (, Economic North):

The new changes to the NFSS, in regard to RSA's, which have not been assessed on the ground, makes this tricky to assess for FF's. Any way that FSC can make available clear goals of the RSA and how to achieve conformance would be very helpful to FF and groups. The entire RSA process is very complex and is highly variable by region. I feel the more that RSA's located outside of the MU or Group can be used on FF's the better. NOTE: Within FSC Forest Management Groups, conformance with RSA requirements may be reduced for family forest group members by shifting the responsibility to other group members (per the FSC Forest Management Groups Standard, FSC-STD-30-005 V2-0). Decent change. This could work well for some groups and poorly for others, depending on their amount of RSA's or if a group member with the RSA were to drop out.

Economic - member, Rebecca Barnard (, Economic North):

No. This will still be a barrier for FF and not feasible for many due to scope/size/intensity. Focus on those NPCs that are identified as at-risk in the FSC NRAs (or other publicly available data sources such as State Forest Action Plans which are required in all states so as to set an even playing field for FF in the USA). Suggest the following changes:

- o 6.5.1 - focus RSA requirement on NPCs that are at-risk AND currently occur on the FMU.
- o 6.5.2 - focus RSA requirement on NPCs that are at-risk AND currently occur on the FMU.
- o 6.5.3 - focus RSA requirement on NPCs that are at-risk AND currently occur on the FMU.

There should be no standard expectation (e.g., "at least one RSA") that is arbitrary and not scientifically-based on risk. Given FF scope/intensity and resources/knowledge it is unlikely that FF owners will be willing/able to establish RSAs for each existing NPC much less able to restore NPCs that currently don't exist.

- o 6.5.4 & 6.5.5 – if the previous indicators in Criterion 6.5 are based on risk and currently existing NPCs, then

these are appropriate.

o 6.5.6 – NA for FF given scope/scale/intensity. There should not be an arbitrary expectation for RSAs on FF lands. This could be applicable for public lands that apply this standard. Applying this to even groups of private, small FF owners is problematic especially given the landowner tenure /ownership transition that is expected in the coming decade or two.

Overall, the new changes to the NFSS, in regard to RSA's, which have not been assessed on the ground, makes it difficult to assess these indicators for applicability to FF's. FSC needs to find a way for FF to leverage the successes of landowners within their region (especially public landowners) to decrease expectations for RSAs and Conservation Areas on FF lands. Needs to be focused only on those at-risk (rare) NPCs. Clearer goals and methods to achieve conformance are needed. The entire RSA process is very complex and the true need for RSAs in order to maintain a NPC should be taken into consideration on FF lands especially.

Environmental - member, Andrew Goldberg (, None):

Good compromise! Yes, at the group scale is best place to achieve environmental impact for those small tracts.

**Q78: Considering the scale, intensity and risk associated with family forest management units, have requirements for written guidelines and conformance with Criterion 6.7 been addressed appropriately in this draft? Are these requirements achievable (i.e., considering available technical and financial resources) for family forests? Please explain.**

Economic - nonmember, Mark Heyde (, I am not an FSC member):

Yes, we believe that the requirements for written guidelines and conformance with Criterion 6.7 have been addressed appropriately. In particular, implementation of state's BMP's for water quality with a focus on transportation systems will largely address concerns about erosion into water bodies and wetlands.

Economic - member, Kara Wires (, Economic North):

Yes

Economic - member, Christopher Reeves (, I am not an FSC member):

Yes

Social - member, Angela Wells (, I am not an FSC member):

Two indicators associated with Criterion 6.7 are not well-aligned with the scale and intensity of operations on FFs, or with resource limitations typical of FFs. As written, these indicators are not practicable and not achievable for many FFs. Specifically, 6.7.1 should be designated as N/A with the rationale that FF conformance with 6.7.2 and with supplemental regional requirements for riparian zones stipulated in 6.7.5 are sufficient to demonstrate conformance with 6.7.1. In addition, an alternative FF indicator should be created for 6.7.5 that removes the requirement for developing and documenting RMZ guidelines and stating that FFs need only to meet the supplementary regional requirements.

Economic - member, Rebecca Barnard (, Economic North):

Most is applicable. However, 6.7.1 will not be feasible for FF owners, especially small FMUs, to achieve. This is an example of a Criterion and indicators that could and should be based on risk within the region/state. Additionally these indicators need to take into account the current condition of the FMU and the scope/intensity of the proposed management. Should be focused on risk and opportunity to maintain/enhance/restore habitat and function of riparian areas through proposed management. FF owners do not have endless resources or opportunity, outside of harvesting and other targeted management activities, to restore or enhance such values/areas.

Environmental - member, Andrew Goldberg (, None):

I think they are achievable and necessary for FSC.

Economic - member, Inka Musta (, Economic North):

As written, Criterion 6.7 adequately considers the associated risk and intensity of family forest operations.

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):  
As written, Criterion 6.7 adequately considers the associated risk and intensity of family forest operations.

Economic - member, Dana Doran (, Economic North):  
. Yes. They have been addressed. This is achievable in the Northeast region.

**Q79: Do you have any comments regarding the Family Forest elements (i.e., indicators, guidance, intent, applicability notes) in Principle 6 that are not indicator-specific?**

Economic - nonmember, Mark Heyde (, I am not an FSC member):  
We support the low risk, non-applicability and alternate language proposed for Principle 6 indicators.

Economic - member, Kara Wires (, Economic North):  
There are some cross references to other Indicators and Criterion. It would be good to have clarified that the cross reference is to FF Indicators in those sections vs. the base Indicators (if that is the case).

Social - member, Angela Wells (, I am not an FSC member):  
Principle 6 is comprehensive and scientifically complex and unfortunately, it generally does not align well with the contextual reality of a typical FF owner. P6 is not written for a layperson, or for non-industrial, part time forest managers. By itself, P6 is 40 pages long and is likely to be seen as daunting and intimidating by FF managers. In total, there are 10 criteria and 42 indicators. Only 11 of those 42 indicators are adapted for family forests with only 6 indicators designated as low risk or N/A. Indicators modified for family forests generally reduce documentation requirements and allow for less formal and streamlined processes. Enhancements and new requirements associated with Criterion 6.10 could be prohibitive for FF owners who have acquired forest land with plantations established by the previous owner on natural forests after 1994, particularly if the entire FMU is comprised of plantation and the FFO intends to continue to manage the plantation intensively. The requirement to document stand conditions before and after conversion is viewed as impractical and likely unachievable for FFs. Specific FF guidance could be provided for 6.10.1 and 6.10.3, if not alternative FF indicator language. FSC has admirably created several annexes as guidance and support to certificate holders for particularly challenging issues, but even the guidance is relatively complex for FF owners. Our general assessment is that, even with the considerations provided for reducing the burden of conformance for family forests, P6 has become considerably more challenging for FFs with the draft revision. Principle 6 is a heavy lift for FF owners, and with the particularly challenging issues such as RSAs and Conservation Area Networks it is likely to be prohibitive for the majority of FFs.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Economic - member, Inka Musta (, Economic North):  
Much of requirements outlined in Principle 6 are overly complex and labor intensive given the low intensity management of family forests, and the technical resources accessible to them.

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):  
Much of requirements outlined in Principle 6 are overly complex and labor intensive given the low intensity management of family forests, and the technical resources accessible to them.

Economic - member, Dana Doran (, Economic North):  
• As with the Tribal resources, the availability of RTE and other environmental information varies state by state. Some states this information could be found within an hour using online resources. Other states this may take weeks of queries with different state agencies. Weeks of quering state agencies may be the tipping point between becoming FSC or not. I think we need to consider fact when evaluating FF's.

**Q80: Please share any additional comments you have regarding FF Indicator 6.1.1.**

Social - member, Angela Wells (, I am not an FSC member):  
When compared to the base indicator, FF 6.1.1 is certainly more streamlined. Except for the addition of requiring an assessment of impacts from climate change, requirements for FFs are essentially equivalent to those in the current standard. FF 6.1.1 is reasonable and appropriate for the small scale and low intensity of forest

management activities typically associated with family forests.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Economic - member, Inka Musta (, Economic North):  
A summarization of the successional stages within the management unit is unnecessary given the small size of Family Forests. Additionally, available regional assessments of potential listed species and their habitats should qualify in place of Natural Heritage databases in cases where they are difficult to access.

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):  
A summarization of the successional stages within the management unit is unnecessary given the small size of Family Forests. Additionally, available regional assessments of potential listed species and their habitats should qualify in place of Natural Heritage databases in cases where they are difficult to access.

Q81: Please share any additional comments you have regarding the FF Guidance for Criterion 6.2.

Social - member, Angela Wells (, I am not an FSC member):  
The FF guidance provided for Criterion 6.2 is appropriate and helpful

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q82: Please share any additional comments you have regarding FF Indicator 6.2.1.**

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Economic - member, Inka Musta (, Economic North):  
Given that the necessary assessment is informal, this Indicator may be difficult to audit to. The indicator could simply read: "Management plan and operations plans (or prescription) adequately address potential adverse impacts to environmental values identified in 6.1.1.

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):  
Given that the necessary assessment is informal, this Indicator may be difficult to audit to. The indicator could simply read: "Management plan and operations plans (or prescription) adequately address potential adverse impacts to environmental values identified in 6.1.1."

Social - member, Angela Wells (, I am not an FSC member):  
Alternative language provided in FF indicator allowing informal assessment of impacts is appropriate. Since the purpose of conducting an assessment is to inform appropriate adaptations to management, as long as results from the assessment are reflected in instructions provided to contractors or others performing associated management activities as required in Criterion 10.11, it should not be necessary to document the expected effects on environmental values. Additionally, the language of the indicator should be modified to specifically reference FF Indicator 6.1.1 (currently references base Indicator 6.1.1).

**Q83: Please share any additional comments you have regarding the FF Indicator Guidance for FF Indicator 6.2.1.**

Social - member, Angela Wells (, I am not an FSC member):  
The guidance provided is appropriate for family forests. Emphasis is appropriately placed on how assessments are used to inform management activities, i.e., impacts. However, it should not be necessary to document the results of these assessments since they should be reflected in instructions provided to those carrying out the related management activities as required in Criterion 10.11.

Economic - member, Inka Musta (, Economic North):  
The guidance is much more clear than the indicator. The Indicator should be re-written to align better with the guidance.



Economic - nonmember, Sawyer Scherer (, I am not an FSC member):

The guidance is much more clear than the indicator. The Indicator should be re-written to align better with the guidance.

Economic - member, Christopher Reeves (, I am not an FSC member):

None

**Q84: Please share any additional comments you have regarding FF Indicator 6.4.4.**

Social - member, Angela Wells (, I am not an FSC member):

The low risk designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

Economic - member, Christopher Reeves (, I am not an FSC member):

None

**Q85: Please share any additional comments you have regarding the FF Indicator Intent statement for FF Indicator 6.4.4.**

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Social - member, Angela Wells (, I am not an FSC member):

No comment.

**Q86: Please share any additional comments you have regarding FF Indicator 6.5.1.**

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Social - member, Angela Wells (, I am not an FSC member):

Alternative language in FF 6.5.1 is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

**Q87: Please share any additional comments you have regarding FF Indicator 6.5.2.**

Social - member, Angela Wells (, I am not an FSC member):

The streamlined language provided in FF 6.5.2 is appropriate for family forests. However, unless eligible RSAs are already present on their property, the requirement to establish RSAs on the FMU that maintain or restore viable samples native ecosystems that would naturally occur on the FMU could be challenging for FFs, and exceedingly so for smaller ownerships. According to the US Forest Service FIA NWOS, 85% of FF ownerships (10+ acres) are less than 100 acres in size, and 70% of FF acres are on properties less than 500 acres in size. We note that FSC has designated Indicator 6.6.1 as N/A for FFs due to “due to the limited capacity of management activities to affect well-distributed populations of animal species”. An equivalent determination was made for C6.8 which requires maintenance of “... varying mosaic of species, sizes, ages, spatial scales, and regeneration cycles ...”. Realizing the issues addressed by C6.5 and C6.6/C6.8 are not entirely equivalent, there does appear to be some overlap. FSC should consider a similar approach for applicability of RSA requirements to FFs. FF indicator 6.5.1 should be designated N/A for family forests given the small scale and low intensity typical of FF operations, and in consideration of the marginal ecological viability of exceedingly small areas. This approach is consistent with the N/A designation taken with other indicators where FFs are prevented by their small size from materially impacting certain conservation values. At minimum, a de minimis rule should be included for exemption of FMUs under a certain size.

Economic - member, Inka Musta (, Economic North):

RSA requirements are byzantine. Family forest landowners need clear, easily understood requirements for implementation. Additionally, many family forest owners (i.e. those with < 124 acres) would not necessarily require RSAs, so this adds more complications.

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):

RSA requirements are byzantine. Family forest landowners need clear, easily understood requirements for

implementation. Additionally, many family forest owners (i.e. those with < 124 acres) would not necessarily require RSAs, so this adds more complications.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Economic - member, Kara Wires (, Economic North):  
Annex G is long and overwhelming. Would be good to have a FF version like was developed for HCV. The language of this Indicator is a bit vague and is linked to 6.5.3--can they just be combined into one Indicator?

**Q88: Please share any additional comments you have regarding the FF Indicator Guidance for FF Indicator 6.5.2.**

Social - member, Angela Wells (, I am not an FSC member):  
Providing specific direction for FFs to focus on a small number of elements of Annex G is helpful. However, in contrast to the base indicator, since Annex G is not specifically referenced in FF Indicator 6.5.2, FF owners are not "expected to consider" the annex in the process of identifying RSAs. Presumably this would mean, for example, a FF comprised entirely of a naturally occurring but very common forest type would meet the requirements of FF 6.5.2 by maintaining that forest type on their FMU. This may generate confusion for some users. Although not subject to stakeholder comment at this time, the following text taken from the Introduction section of the standard under the heading "Structure of the Standard" provides useful context vis-à-vis potential confusion. § "Annexes (with the exception of Annex A, the Glossary) do not represent normative requirements, but instead provide guidance. When an annex is referenced in an Indicator, the Organization is expected to consider the guidance provided in the annex as they work to conform with the Indicator, but the Organization is not required to conform to all aspects of the annex." § "Guidance statements and guidance in annexes are intended to help the Organization and the Certification Body to understand how the Principles, Criteria, and Indicators should be applied in practice. Certification Bodies are expected to use the guidance language associated with each Indicator when seeking and weighing evidence and assessing conformance with the indicator. Individual elements within the guidance when considered separately are not requirements of this Standard. However, it may be possible for lack of performance relative to an individual guidance element to be interpreted to mean noncompliance if, when considering the sum of the evidence, the Certification Body finds that there is clear evidence that the indicator has not been met."

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Economic - member, Inka Musta (, Economic North):  
Far to complicated for family forest owners to effectively implement.

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):  
Far to complicated for family forest owners to effectively implement.

**Q89: Please share any additional comments you have regarding the FF Indicator Guidance for FF Indicator 6.5.3.**

Economic - member, Inka Musta (, Economic North):  
Requiring RSAs for all management units over 124 acres is burdensome for the level of management seen on family forests. Other retention focused requirements within the standard (i.e. old growth, green-up requirements) as well as standard state level BMPs (i.e. RMZs, protection of rare habitats, leave tree retention) more than adequately provided the service of RSAs on the small, low-intensity management units of Family Forest owners.

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):  
Requiring RSAs for all management units over 124 acres is burdensome for the level of management seen on family forests. Other retention focused requirements within the standard (i.e. old growth, green-up requirements) as well as standard state level BMPs (i.e. RMZs, protection of rare habitats, leave tree retention) more than adequately provided the service of RSAs on the small, low-intensity management units of Family Forest owners.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Economic - member, Kara Wires (, Economic North):  
I disagree with the FSC Interpretation and think there should be flexibility and exceptions.

Social - member, Angela Wells (, I am not an FSC member):  
As previously stated in our comments for FF Indicator 6.5.2, unless eligible RSAs are already present on their property, FFs will be challenged to meet the RSA requirements. This is increasingly true for smaller FMUs. Our understanding of the standard is that a FF

**Q90: Please share any additional comments you have regarding the FF Indicator Guidance for FF Indicator 6.5.4.**

Social - member, Angela Wells (, I am not an FSC member):  
Please refer to input provided for FF Indicator Guidance for FF Indicator 6.5.3.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q91: Please share any additional comments you have regarding the FF Indicator Guidance for FF Indicator 6.5.6.**

Economic - member, Inka Musta (, Economic North):  
This is helpful for group members. Does not help individual landowners.

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):  
This is helpful for group members. Does not help individual landowners.

Social - member, Angela Wells (, I am not an FSC member):  
The FF guidance serves as a useful reminder to group managers that flexibility is provided in the FSC FM Group Standard, which allows RSAs to be designated unevenly among group members such that the group as a whole meets minimum requirements for the area designated and managed as RSAs. However, as is the case with minimum requirements for RSAs, we are concerned that many or most FFs will be challenged with the requirement of establishing at least 10% of the FMU in conservation areas unless eligible areas are already present and are not excluded from existing management plans.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None, recommend FSC allow FF to be low risk for the Conservation Area Network

**Q92: Please share any additional comments you have regarding FF Indicator 6.6.1.**

Social - member, Angela Wells (, I am not an FSC member):  
The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q93: Please share any additional comments you have regarding the FF Indicator Intent statement for FF Indicator 6.6.2.**

Social - member, Angela Wells (, I am not an FSC member):  
We do not see FF Indicator 6.6.2, nor an associated intent statement. No comment on the intent statement for FF Indicator 6.6.1.

Economic - member, Christopher Reeves (, I am not an FSC member):  
I didn't see an Intent Statement in 6.6.2 in the track changes document

**Q94: Please share any additional comments you have regarding the FF Indicator Guidance for FF Indicator 6.6.4.**

Social - member, Angela Wells (, I am not an FSC member):

The guidance provided is appropriate and reasonable for FFs. However, the requirement to develop a written strategy for prevention and control of invasive species is overly prescriptive for family forests. An alternative FF indicator should be developed for 6.6.4 without the requirement of a written document.

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Environmental - member, Andrew Goldberg (, None):

Is there a way to apply SIR to the invasive species strategy in this indicator? Maybe CH's can seek to identify priority measures across different areas or regions of their groups to have larger impact or perhaps they can use actions prioritized by stakeholders or expert agencies? Not much invasive work has happened with smallholder in my experience and if we want more than risk mitigation we need to give strong encouragement. And that might give enough scale to actually make a difference. Or perhaps focus on protecting regionally critical resources found on the tracts?

**Q95: Please share any additional comments you have regarding FF Indicator 6.7.3.**

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Environmental - member, Andrew Goldberg (, None):

I like the existing 6.7.3 There are huge impacts in the woods from the transportation system. This is high risk to important values. There needs to be some responsibility to plan a transportation system that minimizes negative impacts. Also would like to see guidance on using existing roads if there is an environmental benefit even if out of compliance. Also more than roads, new indicator should include consideration for rehabilitation of more than degraded road like log landings, skid trails, crossings, etc.

Social - member, Angela Wells (, I am not an FSC member):

Alternative language in FF 6.7.3 is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

**Q96: Please share any additional comments you have regarding FF Indicator 6.8.1.**

Social - member, Angela Wells (, I am not an FSC member):

The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

Economic - member, Christopher Reeves (, I am not an FSC member):

None, good to see low risk with added RSA and CAR requirements

**Q97: Please share any additional comments you have regarding the FF Indicator Intent statement for FF Indicator 6.8.1.**

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Social - member, Angela Wells (, I am not an FSC member):

No comment.

**Q98: Considering the scale, intensity and risk associated with family forest management units, have the management plan and conformance with Principle 7 been addressed appropriately in this draft? Are these requirements achievable (i.e., considering available technical and financial resources) for family forests? Please explain.**

Economic - nonmember, Mark Heyde (, I am not an FSC member):

Yes, we believe that this draft appropriately considers SIR associated with family forests and that these requirements are achievable. The requirements are flexible to reflect the differing management intensity found on

family forests.

Economic - member, Christopher Reeves (, I am not an FSC member):

Yes, requirements match the scale and intensity of FF and are feasible. Appreciate seeing the management plan indicators still combined into one with the complexity of some indicators being relevant to FF and some not. It would be difficult to go through each individual one.

Economic - member, Kara Wires (, Economic North):

Yes, all good.

Economic - member, Inka Musta (, Economic North):

Yes

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):

Yes

Economic - member, Rebecca Barnard (, Economic North):

This principle and associated criteria and indicators will only be feasible if adjustments are made throughout the rest of the standard, specifically P3, 5 and 6. This principle could be streamlined more and focused on risk, intensity and scale, as this will vary even within FF FMUs. It is unclear with the base or alternative FF indicators the extent to which desired future conditions addressing all previous elements in the standard need to be included in the plan. The changes here seem rather duplicative. Where a change may be made to relieve some requirements, the requirement is then found in another principle written a slightly different way. I think this needs to be flushed out so stakeholders can see real change in this revision. 7.2.1 may not be feasible, especially as it relates to statistical analysis of data which takes specialized knowledge/skill and resources to retrieve and analyze. Suggest 7.2.1 allow FF to make use of landscape-level plans that have been developed via stakeholder input (where they exist), State Forest Action Plans, etc. Should also be focused on scale and intensity of management, landowner objectives and risk (e.g., monitoring requirements). Clarify this can be done informally.

• 7.2.1d Not feasible. What is the definition of assessment? Can it be informal? Simplify to something such as:

1) Look at harvest map and identify the stream source and its mouth. 2) Identify legal setbacks and residual stand volumes

3) Assess stream at the stream bank

4) Decide on approach for harvest operations

5) Decide on what kind of closeout will be needed to protect water resource.

• 7.2.1f – Not appropriate to ask this of FF's unless it can be an informal assessment.

• 7.2.1i- unnecessary to require FF's to comply with climate change strategies. They are not in the business of owning forests and do not have the resources to implement this sort of strategy. This type of complex assessments is what has kept FF's with minimal resources to devote to the forest out of the FSC system.

7.5.2 – Unclear how this would be accomplished ... how do FF determine who are affected stakeholders? This should be low risk or NA. Clarity on how to determine affected stakeholders needs to be provided, especially given that no public summary of the management plan is required (which is a good change).

7.6.2 – focus on notifying affected stakeholders prior to activities. Remove requirement for opportunity to offer input and including said input in management planning. This conflicts with changes made elsewhere in this principle that removes the requirement for public management planning review / input. Given FF scope and intensity, in most cases by the time affected stakeholders are notified prior to activities, the opportunity to reverse course is limited and certainly too late to include in management planning. I feel this was an ill-conceived compromise to try to appease those who want stakeholders to be able to influence the management decisions on

FF FMUs, the majority of which will be privately-owned and held by individual landowners. This is not compatible with private landowner tenure/rights in USA and not necessary. Focus should be on prior notification for safety reasons and risk to affected stakeholders. The guidance clarifies that the focus is for the next iteration of the management plan, which is OK, but the indicator suggests otherwise.

Environmental - member, Andrew Goldberg (, None):

This is still onerous for small tracts. Perhaps consider a stepped approach based on tract size. Less required for up to 100 hectares and more required for over 500 hectares.

Economic - member, Dana Doran (, Economic North):

The changes here seem rather duplicative. Where a change may be made to relieve some requirements, the requirement is then found in another principle written a slightly different way. I think this needs to be flushed out so stakeholders can see real change in this revision.

Social - member, Angela Wells (, I am not an FSC member):

Management plan requirements have generally been appropriately adapted for the size and intensity typical of FF management operations. Although, as noted in the indicator-level comments for FF Indicator 7.2.1, we think management plan content requirements are overly prescriptive and can be streamlined. Principle 7 conformance requirements are generally achievable for FFs. However, our research and experience indicate that the convention of creating lengthy and highly technical written management plans result in a product that is not valued, or used, by most FF owners. More importantly, there is no evidence that suggests management plans change FF behavior at all. In fact, the US Forest Service and others have recommended other interventions to more effectively precipitate behavioral change in FFs. As such, any requirement for a property level management plan is certain to significantly limit the scale of engagement for the FF demographic. We have concluded that innovative approaches, and potentially new models, that are more purposefully designed for the unique needs and interests as well as the scale and intensity of operations associated with FF owners are required to effectively engage this demographic at scale.

Environmental - member, Seth Zuckerman (, Environmental North):

In our experience, these requirements are feasible, particularly in light of federal cost-share programs that subsidize the cost of management planning, and the financial returns available from certifiable management in our region.

**Q99: Do you have any comments regarding the Family Forest elements (i.e., indicators, guidance, intent, applicability notes) in Principle 7 that are not indicator-specific?**

Economic - nonmember, Mark Heyde (, I am not an FSC member):

We support the non-applicability and alternate indicators proposed for Principle 7.

Social - member, Angela Wells (, I am not an FSC member):

Our research and experience indicate that highly technical and complex written management plans are not valued, or used, by most FF owners. More importantly, there is no evidence that suggests management plans change FF behavior at all. In fact, the US Forest Service and others have recommended other interventions to more effectively precipitate behavioral change in FFs. As such, any requirement for a property level management plan is certain to significantly limit the scale of engagement for the FF demographic. The resulting lost opportunity to engage FFs in conservation and stewardship of their lands is unfortunate. We have concluded that innovative approaches, and potentially new models, that are more purposefully designed for the unique needs and interests as well as the scale and intensity of operations associated with FF owners are required to effectively engage this demographic at scale.

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Economic - member, Kara Wires (, Economic North):

Ensure the language in the indicators is correct for the edits in other sections (i.e. "description of harvest limits" vs. "Rate and methods" for C5.2)

**Q100: Please share any additional comments you have regarding FF Indicator 7.1.1.**

Social - member, Angela Wells (, I am not an FSC member):

The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

Economic - member, Christopher Reeves (, I am not an FSC member):

None

**Q101: Please share any additional comments you have regarding the FF Indicator Intent statement for FF Indicator 7.1.1.**

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Social - member, Angela Wells (, I am not an FSC member):

No comment.

**Q102: Please share any additional comments you have regarding FF Indicator 7.1.2.**

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Social - member, Angela Wells (, I am not an FSC member):

Alternative language in FF 7.1.2 is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

**Q103: Please share any additional comments you have regarding the FF Guidance for Criterion 7.2.**

Social - member, Angela Wells (, I am not an FSC member):

The guidance is useful and appropriate.

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Economic - member, Dana Doran (, Economic North):

Criterion 7.2 – • I feel much of the easing of requirements that are found throughout the FF standard are brought back in this criterion. 7.2.1 is very heavy and complex. • The removal of AFF is positive development because many FF do not have the resources to retrieve data and calculate.

**Q104: Please share any additional comments you have regarding the FF Indicator Intent statement for Criterion 7.2.**

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Social - member, Angela Wells (, I am not an FSC member):

No comment.

Economic - member, Dana Doran (, Economic North):

• 7.2.1a quantitative data in mind is looking for statistical analysis of the resource. This sort of data can be time-consuming and expensive to retrieve, and most landowners will not participate if they need updated data that does fit their scale and resources. • 7.2.1d These are pretty heavy requirements for FF's. What is the definition of assessment? Can it be informal? Riparian assessment to me is 1. Look at harvest map and identify the stream source and its mouth. 2. Identify legal setbacks and residual stand volumes 3. Assess stream at the stream bank 4. Decide on approach for harvest operations 5. Decide on what kind of closeout will be needed to protect water resource. • 7.2.1f – This is very very heavy stuff. I don't think its appropriate to ask this of FF's unless it can be an informal assessment. • 7.2.1i- unnecessary to require FF's to comply with climate change strategies. They are not in the business of owning forests and do not have the resources to implement this sort of strategy. This type of complex assessments is what has kept FF's with minimal resources to devote to the forest out of the FSC system. • 7.2.11- Good change on pesticides. • 7.2.12 Good change • 7.2.15 Good change • 7.5.1- Public availability of

Mngt. Plan. Now N/A. Good change

**Q105: Please share any additional comments you have regarding FF Indicator 7.2.1.**

Environmental - member, Andrew Goldberg (, None):

This is still a lot. Perhaps more guidance about use of simple language where appropriate

Economic - member, Christopher Reeves (, I am not an FSC member):

None, good to see all the FF management plan components are still group together

Social - member, Angela Wells (, I am not an FSC member):

Alternative language in FF 7.2.1 is useful in that all required elements of management plans are aggregated in one indicator. Required elements are generally appropriate for the small scale and low intensity of forest management activities typically associated with family forests. However, we find the FF Indicator to be overly prescriptive and believe a more streamlined version could be created without removing key elements of an FMP

**Q106: Please share any additional comments you have regarding FF Indicator 7.2.2.**

Social - member, Angela Wells (, I am not an FSC member):

The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests and is consistent with consolidation of key FMP components in FF 7.1.2 and FF 7.2.1.

Economic - member, Christopher Reeves (, I am not an FSC member):

None

**Q107: Please share any additional comments you have regarding FF Indicator 7.2.3.**

Social - member, Angela Wells (, I am not an FSC member):

The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests and is consistent with consolidation of key FMP components in FF 7.1.2 and FF 7.2.1.

Economic - member, Christopher Reeves (, I am not an FSC member):

None

**Q108: Please share any additional comments you have regarding FF Indicator 7.2.4.**

Social - member, Angela Wells (, I am not an FSC member):

The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests and is consistent with consolidation of key FMP components in FF 7.1.2 and FF 7.2.1.

Economic - member, Christopher Reeves (, I am not an FSC member):

None

**Q109: Please share any additional comments you have regarding FF Indicator 7.2.5.**

Social - member, Angela Wells (, I am not an FSC member):

The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests and is consistent with consolidation of key FMP components in FF 7.1.2 and FF 7.2.1

Economic - member, Christopher Reeves (, I am not an FSC member):

None

**Q110: Please share any additional comments you have regarding FF Indicator 7.2.6.**

Social - member, Angela Wells (, I am not an FSC member):

The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests and is consistent with consolidation of key FMP



components in FF 7.1.2 and FF 7.2.1

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q111: Please share any additional comments you have regarding FF Indicator 7.2.7.**

Social - member, Angela Wells (, I am not an FSC member):

The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests and is consistent with consolidation of key FMP components in FF 7.1.2 and FF 7.2.1

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q112: Please share any additional comments you have regarding FF Indicator 7.2.8.**

Social - member, Angela Wells (, I am not an FSC member):

The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests and is consistent with consolidation of key FMP components in FF 7.1.2 and FF 7.2.1

Environmental - member, Andrew Goldberg (, None):  
see comments in other places about invasives

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q113: Please share any additional comments you have regarding FF Indicator 7.2.9.**

Social - member, Angela Wells (, I am not an FSC member):

The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests and is consistent with consolidation of key FMP components in FF 7.1.2 and FF 7.2.1

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q114: Please share any additional comments you have regarding FF Indicator 7.2.10.**

Social - member, Angela Wells (, I am not an FSC member):

The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests and is consistent with consolidation of key FMP components in FF 7.1.2 and FF 7.2.1

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q115: Please share any additional comments you have regarding FF Indicator 7.2.11.**

Social - member, Angela Wells (, I am not an FSC member):

The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests and is consistent with consolidation of key FMP components in FF 7.1.2 and FF 7.2.1

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q116: Please share any additional comments you have regarding FF Indicator 7.2.12.**

Social - member, Angela Wells (, I am not an FSC member):

The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest

management activities typically associated with family forests and is consistent with consolidation of key FMP components in FF 7.1.2 and FF 7.2.1

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q117: Please share any additional comments you have regarding FF Indicator 7.2.13.**

Social - member, Angela Wells (, I am not an FSC member):

The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests and is consistent with consolidation of key FMP components in FF 7.1.2 and FF 7.2.1

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q118: Please share any additional comments you have regarding FF Indicator 7.2.14.**

Social - member, Angela Wells (, I am not an FSC member):

The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests and is consistent with consolidation of key FMP components in FF 7.1.2 and FF 7.2.1

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q119: Please share any additional comments you have regarding FF Indicator 7.2.15.**

Social - member, Angela Wells (, I am not an FSC member):

The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests and is consistent with consolidation of key FMP components in FF 7.1.2 and FF 7.2.1

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q120: Please share any additional comments you have regarding FF Indicator 7.2.16.**

Social - member, Angela Wells (, I am not an FSC member):

The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests and is consistent with consolidation of key FMP components in FF 7.1.2 and FF 7.2.1

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q121: Please share any additional comments you have regarding FF Indicator 7.2.17.**

Social - member, Angela Wells (, I am not an FSC member):

The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests and is consistent with consolidation of key FMP components in FF 7.1.2 and FF 7.2.1

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q122: Please share any additional comments you have regarding FF Indicator 7.2.18.**

Social - member, Angela Wells (, I am not an FSC member):

The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests and is consistent with consolidation of key FMP

components in FF 7.1.2 and FF 7.2.1

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q123: Please share any additional comments you have regarding FF Indicator 7.2.19.**

Social - member, Angela Wells (, I am not an FSC member):

The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests and is consistent with consolidation of key FMP components in FF 7.1.2 and FF 7.2.1

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q124: Please share any additional comments you have regarding FF Indicator 7.2.20.**

Social - member, Angela Wells (, I am not an FSC member):

We do not see FF Indicator 7.2.20.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q125: Please share any additional comments you have regarding FF Indicator 7.3.1.**

Social - member, Angela Wells (, I am not an FSC member):

The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q126: Please share any additional comments you have regarding the FF Indicator Intent statement for FF Indicator 7.3.1.**

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Social - member, Angela Wells (, I am not an FSC member):  
No comment.

Environmental - member, Andrew Goldberg (, None):

comments on 7.4.1 How about some more SIR guidance on FF tracts - like "often times management plans may not need to be revised"

**Q127: Please share any additional comments you have regarding FF Indicator 7.5.1.**

Social - member, Angela Wells (, I am not an FSC member):

The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q128: Please share any additional comments you have regarding the FF Indicator Intent statement for FF Indicator 7.5.1.**

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Social - member, Angela Wells (, I am not an FSC member):  
No comment.

**Q129: Please share any additional comments you have regarding FF Indicator 7.6.1.**

Social - member, Angela Wells (, I am not an FSC member):  
The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q130: Please share any additional comments you have regarding the FF Indicator Intent statement for FF Indicator 7.6.1.**

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Social - member, Angela Wells (, I am not an FSC member):  
No comment.

**Q131: Please share any additional comments you have regarding FF Indicator 7.6.2.**

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Social - member, Angela Wells (, I am not an FSC member):  
Alternative language in FF 7.6.2 is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

**Q132: Please share any additional comments you have regarding the FF Indicator Intent statement for FF Indicator 7.6.2.**

Social - member, Angela Wells (, I am not an FSC member):  
The intent statement is useful and appropriate for FFs.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q133: Please share any additional comments you have regarding FF Indicator 7.6.3.**

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Social - member, Angela Wells (, I am not an FSC member):  
Alternative language in FF 7.6.3 is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

**Q134: Please share any additional comments you have regarding the FF Indicator Applicability note for FF Indicator 7.6.3.**

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Social - member, Angela Wells (, I am not an FSC member):  
No comment.

**Q135: Please share any additional comments you have regarding the FF Indicator Intent statement for FF Indicator 7.6.3.**

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Social - member, Angela Wells (, I am not an FSC member):  
No comment.

**Q136: Considering the scale, intensity and risk associated with family forest management units, have monitoring and conformance with Principle 8 been addressed appropriately in this draft? Are these requirements achievable (i.e., considering available technical and financial resources) for family forests? Please explain.**

Economic - member, Inka Musta (, Economic North):  
Yes

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):  
yes

Economic - member, Kara Wires (, Economic North):  
Yes

Economic - nonmember, Mark Heyde (, I am not an FSC member):  
We support the overall framing of monitoring for family forests that "an informal brief, non-technical and qualitative monitoring approach will likely might be adequate to ensure compliance for most elements of the monitoring plan." With this flexibility, monitoring is likely to be achievable.

Environmental - member, Seth Zuckerman (, Environmental North):  
We are satisfied with this treatment of monitoring, given the informal methods that would satisfy those requirements.

Environmental - member, Andrew Goldberg (, None):  
the less monitoring the better after final harvest and tract closure based on the new group standard framework.

Economic - member, Rebecca Barnard (, Economic North):  
Positive changes in the standard but Annex J is problematic.

Indicator 8.2.2 should be limited to the management activities prescribed in the plan, regardless of stakeholder input which P7 clarifies must be taken into consideration in the next iteration of the management plan. It would not be possible / feasible / relevant to monitor the effect of activities that were not influenced by stakeholder input.

8.2.3 may be problematic in the sense of Native American groups participating in the monitoring of sites on private lands.

Feasibility will be influenced by the changes made to P7. Monitoring based on complex quantitative data is expensive and time consuming. Need to lighten the requirements in terms of data gathering and data monitoring because these functions often require specialized professionals and require significant resources. FF owners do not have the resources and the cost of these requirements outweigh any return by being FSC standard- coupled with the fact that these properties present low-risk and low-impact situations. The cost outweighing the return is what has led to minimal FF owners. This minimal amount of FF's draws the question: Does FSC want to see the Env., Soc., and Eco benefits of FSC certification on small lands? If so, then we need to take into account the cost benefits and find solutions.

Social - member, Angela Wells (, I am not an FSC member):  
In general, monitoring protocols required of FFs are reasonable, except we consider specific requirements, including those listed in Annex J, to be overly prescriptive for FF owners. Further guidance tailored specifically for FFs can be provided. Specific input is provided in the indicator-level comments.

Economic - member, Dana Doran (, Economic North):  
I feel there have been positive changes made that will make FSC more achievable, but more could be done around the alignment with Annex J 8.2.1. Annex J is pretty heavy stuff for a Family Forest Owner. This needs to be flushed out. I think there are some logical changes here. I do feel that monitoring based on complex

quantitative data is expensive and time consuming. My comments on P7 regarding parts of the management plan reflect that. We need to lighten the requirements in terms of data gathering and data monitoring because these functions often require specialized professionals and require significant resources. Again- FF owners do not have the resources and the cost of these requirements outweigh any return by being FSC standard- coupled with the fact that these properties present low-risk and low-impact situations. The cost outweighing the return is what has led to minimal FF owners. This minimal amount of FF's draws the question: Does FSC want to see the Env., Soc., and Eco benefits of FSC certification on small lands? If so, then we need to take into account the cost benefits and find solutions.

Economic - member, Christopher Reeves (, I am not an FSC member):

For the most part they have been address appropriately. I have general concerns if the FF indicators require the monitoring to be written. It isn't entirely clear.

**Q137: Do you have any comments regarding the Family Forest elements (i.e., indicators, guidance, intent, applicability notes) in Principle 8 that are not indicator-specific?**

Economic - nonmember, Mark Heyde (, I am not an FSC member):

We support the non-applicability and alternative indicators proposed for Principle 8.

Economic - member, Christopher Reeves (, I am not an FSC member):

Only comment is how the standard doesn't specifically say the monitoring protocol needs to be written only it is "described and implement...". Does the group still intend for it to be written? This was the most common non-conformance I've seen in FF and groups is that monitoring is taking place but not written down.

Social - member, Angela Wells (, I am not an FSC member):

No further comment.

Economic - member, Dana Doran (, Economic North):

I feel there have been positive changes made that will make FSC more achievable, but more could be done around the alignment with Annex J 8.2.1. Annex J is pretty heavy stuff for a Family Forest Owner. This needs to be flushed out. I think there are some logical changes here. I do feel that monitoring based on complex quantitative data is expensive and time consuming. My comments on P7 regarding parts of the management plan reflect that. We need to lighten the requirements in terms of data gathering and data monitoring because these functions often require specialized professionals and require significant resources. Again- FF owners do not have the resources and the cost of these requirements outweigh any return by being FSC standard- coupled with the fact that these properties present low-risk and low-impact situations. The cost outweighing the return is what has led to minimal FF owners. This minimal amount of FF's draws the question: Does FSC want to see the Env., Soc., and Eco benefits of FSC certification on small lands? If so, then we need to take into account the cost benefits and find solutions.

**Q138: Please share any additional comments you have regarding the FF Guidance for Principle 8.**

Social - member, Angela Wells (, I am not an FSC member):

The guidance is useful, reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

**Q139: Please share any additional comments you have regarding FF Indicator 8.1.1.**

Economic - member, Christopher Reeves (, I am not an FSC member):

'Written' has been specifically removed in the FF indicator but remains in the regular one. Does this mean that monitoring no longer needs to be written?

Social - member, Angela Wells (, I am not an FSC member):

Alternative language in FF 8.1.1 is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

**Q140: Please share any additional comments you have regarding FF Indicator 8.1.2.**

Social - member, Angela Wells (, I am not an FSC member):

The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest

management activities typically associated with family forests.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q141: Please share any additional comments you have regarding the FF Indicator Intent statement for FF Indicator 8.1.2.**

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Social - member, Angela Wells (, I am not an FSC member):  
No comment.

**Q142: Please share any additional comments you have regarding FF Indicator 8.2.1.**

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Social - member, Angela Wells (, I am not an FSC member):  
By explicitly referencing Annex J in FF Indicator 8.2.1, FSC is signaling an expectation that FFs consider the annex in shaping their monitoring activities. Annex J is quite comprehensive, detailed and prescriptive, and could be intimidating if not prohibitive for FF owners. There are numerous elements listed that FFs are not expected to monitor (e.g., low risk indicators), meaning FF managers are required to parse through the extensive list in Annex J to create a pared-down list for monitoring. This approach is likely to lead to inconsistent results. A more streamlined version of Annex J that applies specifically to FFs (akin to the approach taken for Annex K), or a clear and concise bulleted list of appropriate monitoring embedded in the FF Indicator may be more palatable for FF managers.

**Q143: Please share any additional comments you have regarding the FF Indicator Guidance for FF Indicator 8.2.1.**

Social - member, Angela Wells (, I am not an FSC member):  
The guidance is useful in clarifying what FFs don't need to monitor, however this approach leaves the task of determining what does need to be monitored to the FF manager. A more useful approach would be to clearly communicate appropriate monitoring requirements for FFs in a concise manner.

Economic - member, Christopher Reeves (, I am not an FSC member):  
Guidance here says the monitoring needs to be documented. This would indicate it needs to be written. Recommend adding written to 8.1 if needs to be written to avoid confusion. However, I recommend monitoring not be required to be written in every instance. It should still remain for critical information like harvested amounts, contracts to track certified material, and follow up after harvests to ensure it was successful.

**Q144: Please share any additional comments you have regarding FF Indicator 8.2.2.**

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Social - member, Angela Wells (, I am not an FSC member):  
Alternative language in FF 8.2.2 is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

**Q145: Please share any additional comments you have regarding the FF Indicator Guidance for FF Indicator 8.2.2.**

Social - member, Angela Wells (, I am not an FSC member):  
The guidance is useful, reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q146: Please share any additional comments you have regarding FF Indicator 8.2.3.**

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Economic - member, Inka Musta (, Economic North):  
It is unclear what monitoring of cultural sites entails. Additional clarity needed.

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):  
It is unclear what monitoring of cultural sites entails. Additional clarity needed.

Social - member, Angela Wells (, I am not an FSC member):  
Alternative language in FF 8.2.3 is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

**Q147: Please share any additional comments you have regarding the FF Indicator Guidance for FF Indicator 8.2.3.**

Social - member, Angela Wells (, I am not an FSC member):  
The guidance is useful, reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Economic - member, Inka Musta (, Economic North):  
It is unclear what monitoring of cultural sites entails. Additional clarity needed.

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):  
It is unclear what monitoring of cultural sites entails. Additional clarity needed.

**Q148: Please share any additional comments you have regarding FF Indicator 8.3.1.**

Economic - member, Inka Musta (, Economic North):  
The timeframe for revision should be clarified. Are monitoring results intended to result in management plan revisions on an annual basis? It would be much more reasonable to expect a landowner to incorporate monitoring results in periodic scheduled revisions.

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):  
The timeframe for revision should be clarified. Are monitoring results intended to result in management plan revisions on an annual basis? It would be much more reasonable to expect a landowner to incorporate monitoring results in periodic scheduled revisions.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Social - member, Angela Wells (, I am not an FSC member):  
Alternative language in FF 8.3.1 is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

**Q149: Please share any additional comments you have regarding FF Indicator 8.3.2.**

Economic - member, Inka Musta (, Economic North):  
The timeframe for revision should be clarified. Are monitoring results intended to result in management plan revisions on an annual basis? It would be much more reasonable to expect a landowner to incorporate monitoring results in periodic scheduled revisions.



Economic - nonmember, Sawyer Scherer (, I am not an FSC member):

The timeframe for revision should be clarified. Are monitoring results indented to result in management plan revisions on an annual basis? It would be much more reasonable to expect a landowner to incorporate monitoring results in periodic scheduled revisions.

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Social - member, Angela Wells (, I am not an FSC member):

Alternative language in FF 8.3.2 is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

**Q150: Please share any additional comments you have regarding FF Indicator 8.4.1.**

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Economic - member, Inka Musta (, Economic North):

Given that the monitoring can be "informal" this requirement seems unnecessary and could cause undue burden to the landowner. If they do not have a formally developed monitoring program that is clearly documented they would have to develop that resulting in large expenditures of time and financial resources. We suggest making this non-applicable to Family Forests.

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):

Given that the monitoring can be "informal" this requirement seems unnecessary and could cause undue burden to the landowner. If they do not have a formally developed monitoring program that is clearly documented they would have to develop that resulting in large expenditures of time and financial resources. We suggest making this non-applicable to Family Forests.

Social - member, Angela Wells (, I am not an FSC member):

Alternative language in FF 8.4.1 is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests

**Q151: Please share any additional comments you have regarding FF Indicator 8.5.3.**

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Social - member, Angela Wells (, I am not an FSC member):

Alternative language in FF 8.5.3 is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

**Q152: Considering the scale, intensity and risk associated with family forest management units, have HCVs and conformance with Principle 9 been addressed appropriately in this draft (including consideration of the HCV Checklist for Family Forest Management Units in Annex K)? Are these requirements achievable (i.e., considering available technical and financial resources) for family forests? Please explain.**

Economic - member, Kara Wires (, Economic North):

Yes, I love Annex K edits.

Environmental - member, Seth Zuckerman (, Environmental North):

We recognize that the protection of HCVs is a core value of FSC, and support that principle. However, we suggest with utmost respect that the framework set out here is far more complex than warranted for the vast majority of SLIMFs. It is appropriate and feasible for a large land trust that has acquired thousands of acres, often because of their ecological significance. But it would be absurd for a forest owner who manages 40 acres of cutover third-growth bought from a TIMO to have to go through this entire process. At section 11.b, the draft Annex K states, "Family forests\* may choose to use this checklist as their preliminary HCV\* assessment." If they do not choose to use this checklist, is the only alternative the full-blown assessment required of other certificate

holders? It would make sense to offer off-ramps from this procedure if it quickly became apparent that no HCVs are present in the FMU.

Economic - member, Brendan Grady (, Economic North):

The introduction of the HCV checklist is a good step forward in coming up with a simple and clear normative document to allow family forests to show conformance. Strongly support this development.

Economic - member, Inka Musta (, Economic North):

The draft, along with associated annexes and guidance, could be greatly simplified given the context of Family Forests management.

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):

The draft, along with associated annexes and guidance, could be greatly simplified given the context of Family Forests management.

Social - member, Angela Wells (, I am not an FSC member):

The approach to HCVs has been enhanced considerably in the revised draft standard, and these enhancements mostly apply to FFs. Only one indicator is in the draft revision is considered N/A for family forests and two Indicators have been modified for family forests. While these modifications for family forests are similar to those in the current standard, due to changes in the criteria, requirements for family forests have increased. HCV assessments must now be documented, whereas this is not explicitly required in the current standard. Particularly for FFs, this requirement is unnecessarily burdensome considering the relative unlikelihood of HCV occurrence and lack of resources on FFs. At least some HCVs (e.g., HCV 2, HCV 5) are very unlikely to occur on FFs, and HCVs in general are less likely to occur on FFs. IFLs are now explicitly addressed in P9 and FFs are required to meet the base indicators associated with identifying and protecting IFLs. Considering the very low likelihood of IFLs on FFs, a low risk designation is appropriate for Indicator 9.1.2. For the same reason, we believe requirement of a documented HCV assessment is unnecessary for FFs. Areas of reduced risk for FFs could also be identified in the HCV checklist for FFs, for example relating to consultation with local communities for HCV 5. Monitoring of HCVs is considered low risk for family forests in the current standard yet is required in the draft revision. It is unclear what data may be informing this direction. FFs should not now be required to demonstrate conformance to this Indicator. Overall, the requirements in P9 are overly complex and burdensome for FFs and do not fully align with the scale and intensity of FFs, the likelihood of HCV occurrence on FFs, or the resources available to FF owners.

Economic - member, Christopher Reeves (, I am not an FSC member):

Requirements are achievable but this Principle (along with RSA/CANs) pushes FF to use a forester or other natural resource professional. It would be very difficult to implement on their own. This sometimes is a financial burden. This isn't necessarily a bad thing as these are important FSC requirements.

Environmental - member, Andrew Goldberg (, None):

I think this is a good compromise!

Economic - nonmember, Mark Heyde (, I am not an FSC member):

Considering SIR associated with family forests we believe that HCVs and conformance with Principle 9 have been addressed appropriately. Family forest owners should be in conformance if they consult with existing databases in their state.

Economic - member, Rebecca Barnard (, Economic North):

As stated before, this should be based on risk and should leverage the data and consensus reached in the FSC Controlled Wood NRAs as well as information in State Forest Action Plans. It is hard to envision how this would be implemented on FF FMUs. Resources/Data sources for HCVs vary greatly by state and this could be very costly for FFs to identify, assess, management and monitor HCVs. I suggest that if the FSC NRAs concludes low risk for HCVs, that this principle be deemed NA or at least low-risk for FF FMUs given scope/scale/intensity.

Economic - member, Dana Doran (, Economic North):

Again- Some states have great online resources for locating HCV's and other environmental values. However,

some states do not, and this can be unfeasible for the FF to identify, assess, monitor HCV's.

**Q153: Do you have any further comments regarding Section 11 of Annex K?**

Economic - member, Kara Wires (, Economic North):

Yes, we know the IFL maps at global forest watch are not completely accurate (i.e. Adirondacks). It would be good to allow more flexibility/justification on these types of inaccuracies rather than making the FF MU do a full HCV assessment

Social - member, Angela Wells (, I am not an FSC member):

The HCV Framework guidance in Annex K is significantly enhanced and more complex when compared the current standard. We understand that consistent application of the HCV concept has been a challenge for FSC, CABs and many certificate holders, and therefore increased emphasis on guidance is logical and appropriate. We also understand Annex K is offered as guidance, and is not normative, however because it is explicitly referenced in the text of several Indicators, certificate holders are required to "consider" Annex K. We appreciate that FSC recognizes the full HCV Framework is not well aligned with FFs. The HCV checklist developed specifically for family forests, while considerably less daunting than the full HCV Framework, is still overly complex for the FF demographic. Even with consideration of the family forest checklist, the process of identifying HCVs is a major undertaking. And if potential HCVs are identified in or near family forests, the checklist directs FF managers to the main HCV framework for further assessment. At bottom line, we do not believe the guidance is sufficiently tailored for the scale and intensity of FFs, the likelihood of HCV occurrence on FFs, or the resources available to FF owners. A less structured and less formal assessment that applies a risk-based approach would be more appropriate and realistically achievable for FFs.

Economic - member, Inka Musta (, Economic North):

The checklist is far from simplified, given the limited resources of many Family Forest owners. If the intent of these indicators is truly to accommodate family forests, it needs to be simplified greatly.

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):

The checklist is far from simplified, given the limited resources of many Family Forest owners. If the intent of these indicators is truly to accommodate family forests, it needs to be simplified greatly.

Economic - nonmember, Mark Heyde (, I am not an FSC member):

The checklist concept is a good one, however the presentation in this draft is likely confusing in that it is not formatted as a checklist.

Economic - member, Christopher Reeves (, I am not an FSC member):

Only request is to potentially develop a full list of the individual state's website to get information. This may not be worth maintaining at this time as foresters and natural resource professionals might know better in their locations. The groups probably maintain their own list too.

Q154: Do you have any comments regarding the Family Forest elements (i.e., indicators, guidance, intent, applicability notes) in Principle 9 that are not indicator-specific?

Economic - nonmember, Mark Heyde (, I am not an FSC member):

We support the non-applicability statements and alternative indicators for Principle 9.

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Social - member, Angela Wells (, I am not an FSC member):

In general, Principle 9 requirements for FFs have increased in scope and complexity, and do not fully align with the scale and intensity of management activities on FFs, the likelihood of HCV occurrence on FFs, or the resources available to FF owners. A more streamlined, risk-based approach to HCVs on FFs would improve feasibility of achieving conformance for the FF demographic at large.

Economic - member, Dana Doran (, Economic North):

Again- Some states have great online resources for locating HCV's and other environmental values. However,

some states do not, and this can be unfeasible for the FF to identify, assess, monitor HCV's.

**Q155: Please share any additional comments you have regarding the FF Guidance for Criterion 9.1.**

Social - member, Angela Wells (, I am not an FSC member):

The guidance provided is useful for reinforcing that the degree of complexity required for HCV assessments is a function of both the likelihood of occurrence and the scale and intensity of management operations on FFs. However, guidance provided in Annex K, Section 11 (7+ pages long, referring FFs to the full HCV Framework if potential HCVs are identified) is overly complex for the FF demographic and could be further streamlined to more fully account for reduced risk of HCV occurrence, as well as reduced risk of negative impacts to HCVs on FFs.

Economic - member, Inka Musta (, Economic North):

Sect. 11 of Annex K needs to be simplified greatly to better accommodate the limited resources of Family Forests and the associated low risks.

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):

Sect. 11 of Annex K needs to be simplified greatly to better accommodate the limited resources of Family Forests and the associated low risks.

Economic - member, Christopher Reeves (, I am not an FSC member):

None

**Q156: Please share any additional comments you have regarding FF Indicator 9.1.3.**

Economic - member, Inka Musta (, Economic North):

Requiring public engagement is a very high level of burden for the small, low-intensity management units included in these indicators.

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):

Requiring public engagement is a very high level of burden for the small, low-intensity management units included in these indicators.

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Social - member, Angela Wells (, I am not an FSC member):

By removing the requirement from the base indicator to conduct culturally appropriate engagement with affected stakeholders, FF managers are provided more leeway in the methods used to communicate with affected stakeholders. While perhaps a minor adaptation, it is appropriate for the FF demographic. The expectations for "engagement" of stakeholders, i.e., providing opportunity for input and consideration of input received, is also appropriate for FFs. The FF checklist provided in section 11 of Annex K is referenced. As previously noted, while the intent in modifying the HCV assessment process for FFs is appreciated and appropriate, the FF HCV checklist can be further streamlined to account for the small scale and low intensity of forest management activities typically associated with family forests, as well as the reduced likelihood of HCV occurrence on FFs.

**Q157: Please share any additional comments you have regarding the FF Guidance for FF Indicator 9.2.2.**

Social - member, Angela Wells (, I am not an FSC member):

We did not see FF Indicator 9.2.2. The FF guidance provided for the base indicator 9.2.2 seems quite evident and it is unclear why this guidance wouldn't apply to all certificate holders. More useful would be an alternative FF indicator, or at minimum additional guidance for expectations for FF consultation with stakeholders in the event HCVs are identified, such as informal engagement, notification, opportunity for input, etc., i.e., similar to the approach taken for FF Indicator 9.1.3.

Environmental - member, Seth Zuckerman (, Environmental North):

This is the right direction - eliminating the need for consultation if HCVs are not identified in the MU.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q158: Please share any additional comments you have regarding FF Indicator 9.4.1.**

Social - member, Angela Wells (, I am not an FSC member):

The streamlined language provided by the alternative language in FF Indicator 9.4.1 is appropriate for the FF demographic, however we note that monitoring of HCVs is considered low risk for FFs in the current standard. It is unclear what data may be informing this direction. FFs should not now be required to demonstrate conformance to this Indicator. At minimum, we believe the indicator as written would be equally sufficient without explicitly referencing Annex K. Therefore, our first recommendation is a low risk designation for this indicator, and if that is not feasible, we recommend deleting the following text from the indicator: “considers Annex K and”.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q159: Please share any additional comments you have regarding the FF Indicator Applicability note for FF Indicator 9.4.1.**

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Social - member, Angela Wells (, I am not an FSC member):  
No comment.

**Q160: Please share any additional comments you have regarding FF Indicator 9.4.2.**

Social - member, Angela Wells (, I am not an FSC member):

The N/A designation for FFs is reasonable and appropriate for the small scale and low intensity of forest management activities typically associated with family forests.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q161: Please share any additional comments you have regarding the FF Indicator Intent statement for FF Indicator 9.4.2.**

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Social - member, Angela Wells (, I am not an FSC member):  
No comment.

**Q162: Do you have any comments regarding the Family Forest elements (i.e., indicators, guidance, intent, applicability notes) in Principle 10 that are not indicator-specific?**

Economic - nonmember, Mark Heyde (, I am not an FSC member):

We support the family forest-specific guidance is proposed for Indicator 10.7.5.

Environmental - member, Seth Zuckerman (, Environmental North):

This is indicator-specific, but there is no separate page of indicator-specific questions for Principle 10. While the intent of the ESRA documentation process (Indicator 10.7.2) is appropriate for larger landowners, it represents overkill for family forests. For nearly all members of our group certificate who use pesticides -- with the exception of a very few larger landowners -- there is a “low risk of negative impacts to social or environmental values due to the scale of the Management Unit.”. Even the international FSC Pesticide Policy recognizes that an ESRA should be undertaken “according to scale, intensity and risk” posed by the proposed chemical application. (section 4.12, p. 21 of FSC-POL-30-001 v3-0). Instead, we propose that this requirement may be met by site-specific justifications and precautions that the Organization describes in the course of satisfying Indicators 10.7.3 and 10.7.4. Perhaps this could still be entitled an ESRA, but it would be less elaborate or technical than the ones we have seen thus far. It would describe what else has been tried, what the potential side-effects and impacts of the

treatment would be, and what safety measures would be employed.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Economic - member, Dana Doran (, Economic North):  
No. This looks fine.

Social - member, Angela Wells (, I am not an FSC member):  
FSC could make more use of low-risk designations for family forests with respect to several P10 requirements such as those relating to GMOs, use of fertilizers, use of biological controls, ESRAs. Similarly, FSC could arguably provide alternative language for family forests that omit requirements for written documentation, for example for silvicultural prescriptions, IPM strategies, etc.

**Q163: Please share any additional comments you have regarding the FF Guidance for FF Indicator 10.7.5.**  
Environmental - member, Seth Zuckerman (, Environmental North):  
We agree with this simplified approach.

Social - member, Angela Wells (, I am not an FSC member):  
The guidance is useful in clarifying FF requirements for monitoring and recordkeeping of pesticide use. Similar guidance should be provided for other indicators requiring documentation such as 10.7.1, 10.7.2 and 10.7.4, 10.11.1.

Economic - member, Christopher Reeves (, I am not an FSC member):  
Request similar guidance for 10.7.4

**Q164: Are there are any definitions in Annex A that are not adequate for family forest management units? Please explain.**

Economic - member, Dana Doran (, Economic North):  
Please describe RSA in more simpler terms. This may help people understand the reason for RSA. I know people that have been in FSC certification for many years and still don't fully

Social - member, Angela Wells (, I am not an FSC member):  
No comment.

**Q165: Please share any further comments you have regarding whether Annex C adequately addresses the guidance needs for family forest management units.**

Social - member, Angela Wells (, I am not an FSC member):  
No comment.

**Q166: Please share any further comments you have regarding whether Annex D adequately addresses the guidance needs for family forest management units.**

Economic - member, Inka Musta (, Economic North):  
The use of a formal procedure such as that outlined in Annex D may be overly complex for dispute resolution in some family forest situations.

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):  
The use of a formal procedure such as that outlined in Annex D may be overly complex for dispute resolution in some family forest situations.

Social - member, Angela Wells (, I am not an FSC member):  
No comment.

**Q167: Please share any further comments you have regarding whether Annex E adequately addresses the guidance needs for family forest management units.**

Social - member, Angela Wells (, I am not an FSC member):

No comment.

**Q168: Please share any further comments you have regarding whether Annex F adequately addresses the guidance needs for family forest management units.**

Social - member, Angela Wells (, I am not an FSC member):

No further comment beyond input provided elsewhere.

**Q169: Please share any further comments you have regarding whether Annex G adequately addresses the guidance needs for family forest management units.**

Economic - member, Inka Musta (, Economic North):

Requirements for family forest owners are difficult to decipher. A Family Forest owner/manager should be able to look at Annex G and be able to decipher what is required of them in a few moments. That is not the case now.

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):

Requirements for family forest owners are difficult to decipher. A Family Forest owner/manager should be able to look at Annex G and be able to decipher what is required of them in a few moments. That is not the case now.

Social - member, Angela Wells (, I am not an FSC member):

No further comment beyond input provided elsewhere.

Environmental - nonmember, Carolyn Loeb (, Environmental North):

ANNEX G: Representative Sample Area Methodology is too complex for SLIMFs. I would suggest creating a SLIMF-specific version of the annex that streamlines the process and requirements of selecting/designating RSAs. Otherwise, small certificate holders will almost certainly struggle with this (and may not designate RSAs correctly as a result).

**Q170: Please share any further comments you have regarding whether Annex H adequately addresses the guidance needs for family forest management units.**

Social - member, Angela Wells (, I am not an FSC member):

No further comment beyond input provided elsewhere.

**Q171: Please share any further comments you have regarding whether Annex I adequately addresses the guidance needs for family forest management units.**

Social - member, Angela Wells (, I am not an FSC member):

No further comment beyond input provided elsewhere.

**Q172: Please share any further comments you have regarding whether Annex J adequately addresses the guidance needs for family forest management units.**

Social - member, Angela Wells (, I am not an FSC member):

No further comment beyond input provided elsewhere.

**Q173: Please share any further comments you have regarding whether Annex K adequately addresses the guidance needs for family forest management units.**

Social - member, Angela Wells (, I am not an FSC member):

No further comment beyond input provided elsewhere.

Economic - member, Inka Musta (, Economic North):

Annex K, section 11 is still overly complicated and can be greatly simplified given the small-scale and low-intensity management that occurs on Family Forests.

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):

Annex K, section 11 is still overly complicated and can be greatly simplified given the small-scale and low-intensity management that occurs on Family Forests.

**Q174: Please share any further comments you have regarding whether Annex L adequately addresses the guidance needs for family forest management units.**

Social - member, Angela Wells (, I am not an FSC member):

Though somewhat technical for the FF demographic, the toolkit is thorough and comprehensive and promises to be a useful resource for interested FF managers.

**Q175: Please provide any additional comments you have regarding this consultation.**

Economic - nonmember, Mark Heyde (, I am not an FSC member):

We appreciate the opportunity to comment on this draft. It was a bit more complicated trying to find the associated documents for review because they weren't linked in the consultation platform.

Environmental - member, Seth Zuckerman (, Environmental North):

Thank you for the opportunity to participate. We would be happy to discuss any of these comments further with members of the SDG.

Economic - member, Brendan Grady (, Economic North):

Overall, I thought that the proposed revisions are sensible and will go a long way to making the new standard more feasible for family forests. I was surprised at the extent of the indicators deemed not applicable or substantially modified from the normal version of the standard. Once the process is complete, I would recommend creating a stand alone version of the standard just for FF, and this could be used to more clearly demonstrate how the version of the standard for these management units is noticeably shorter and more streamlined. The way it is currently presented undersells the differences between the two standards.

Economic - member, Christopher Reeves (, I am not an FSC member):

Overall a very good draft within the constraints FSC has placed with mandatory criteria and difficult areas like RSA and CAN.

Social - member, Angela Wells (, I am not an FSC member):

It's clear that significant changes have been made to the FSC US standard as it applies to family forests. On the one hand, for several Principles, FSC has successfully streamlined the FF requirements and the result is a less administrative and more practical approach that aligns reasonably well with the FF demographic. Principle 1 and Principle 5 are examples of noteworthy improvement for FFs. On the other hand, partially due to changes imposed by the revised FSC International Principles and Criteria as well as International Generic Indicators, the standard has become increasingly technical, more challenging, and less achievable for FFs. On balance, the FSC standard remains largely beyond the reach of family forests, and despite the good intentions and hard work invested in this revision process, we do not anticipate a material increase in FF engagement unfortunately. By and large, certification is designed for brands, large corporations, and technically sophisticated forest management operations. As a market-based mechanism designed to provide assurances to end-users, certification does not align well with family forest owners who do not prioritize timber harvesting on their lands. FF owners lack expertise, are typically resource constrained and garner no financial benefit from certification yet are required to absorb the costs. On the other hand, FF owners tend to be motivated by conservation values. Family forests represent 38% of all forests in the US and the majority of forest lands in some regions of the US. With a small percentage of FF lands currently certified by any certification standard, we are faced with a very big lost opportunity to advance conservation outcomes on these lands, and certification is not providing assurance of sustainability on these lands in a meaningful way. Perhaps it's time to explore a different model not to replace, but to compliment and extend the conservation benefits already provided by certification.

Economic - member, Inka Musta (, Economic North):

It would be highly beneficial to create a stand alone standard for Family Forests. The current model of having a national forest management standard, with supplementary indicators for Family Forests is byzantine and difficult to read, understand and implement. Further, the inclusion of SLIMF public lands in the definition of Family Forests makes application overly complicated, particularly if FSC continues to use the term Family Forests to describe the indicators. If FSC truly wants to make certification available to landowners, it needs to greatly simplify the structure of the standard and associated indicators to accommodate the level of technical expertise within Family Forest owners and managers. One of the most important targets of FSC's Global Strategy is to increase the area of certified forests. Therefore it is essentially important to make sure that FSC certification is attractive and cost-efficient system also to smallholders. Smallholders are also one of the key groups to expand FSC certification



globally, which further highlights the importance of suitable certification solutions for smallholders.

Economic - nonmember, Sawyer Scherer (, I am not an FSC member):

It would be highly beneficial to create a stand alone standard for Family Forests. The current model of having a national forest management standard, with supplementary indicators for Family Forests is byzantine and difficult to read, understand and implement. Further, the inclusion of SLIMF public lands in the definition of Family Forests makes application overly complicated, particularly if FSC continues to use the term Family Forests to describe the indicators. If FSC truly wants to make certification available to landowners, it needs to greatly simplify the structure of the standard and associated indicators to accommodate the level of technical expertise within Family Forest owners and managers.

Economic - member, Dana Doran (, Economic North):

I think this is a good start to finding a solution to the lack of smallholder uptake. We need to understand that many smallholders are doing better, more sustainable, more responsible work than some large certificate holders. Bringing more smallholders in will only extend the impact and the recognition of FSC.

## Annex C: Draft 1 (Phase 2) Comments on the Plantation Indicators

\*Daniel Hall\* comments are endorsed by: Caroline Pufalt, Sierra Club; Canopy; Center for Biological Diversity; Conservation Northwest; Dogwood Alliance; Environmental Protection Information; Heartwood; Kentucky Heartwood; Klamath Forest Alliance; Klamath-Siskiyou Wildlands Center; Old Growth Forest Network; Oregon Wild; Pacific Rivers; Rainforest Action Network; Safe Alternatives for our Forest Environment; South Umpqua Rural Community Partnership; Tennessee Heartwood; Western Environmental Law Center; Wild Heritage; WildEarth Guardians

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**Q2: Do any of the proposed Plantation Indicators fail to adequately address the increased risk of negative impacts on environmental or social values associated with the more intensive management within plantation stands?**

Environmental - member, Daniel Hall (, Environmental North):

The short answer is “yes.” For examples and details, see our responses to the other consultation questions, and our comments on the draft indicators. In particular, see our comments on the consultation draft’s version of PL Indicators 6.6.1.2, the Guidance for PL 6.6.1.2, and other elements of the consultation draft that largely remove and render ineffective the existing Standard’s requirements for a significant portion of existing plantations to be returned to semi-natural and natural conditions. These and other elements of the consultation draft would seriously weaken the existing Standard’s requirements, and will result in a failure to meaningfully reverse the harm caused by existing plantations, and the gaping hole they often represent in forest ecosystems, biodiversity, and carbon stocks. This would be exacerbated by changes proposed to the “base” indicators and the Standard’s Annexes in their first consultation draft, including but not limited to changes that would allow existing plantations to be managed even more intensively, and to have even greater impacts on natural forest ecosystems and biodiversity. Of particular concern, those changes would allow widespread use of non-native tree species from outside North America in certified plantations.

Economic - nonmember, Mark Heyde (, I am not an FSC member):

No.

Social - member, Angela Wells (, I am not an FSC member):

No.

Economic - member, Mickey Rachal (, Economic South):

No

Economic - nonmember, Randy Coots (, I am not an FSC member):

I see no issues of increased risk of negative impacts with the plantation standards.

**Q3: Are there any additional base indicators where the more intensive management within plantation stands may result in a high risk of negative impacts on environmental or social values?**

Environmental - member, Daniel Hall (, Environmental North):

The short answer is “yes.” In addition to the supplemental indicators’ insufficiencies discussed elsewhere in our comments, there are a number of problems and insufficiencies with the base indicators that need to be corrected, especially though not only in the context of plantations. Base Indicator 6.3.2: Contrary to the recommendations of the Technical Working Group (TWG), the consultation draft for the “base” indicators added the phrase “unless it is being used to achieve ecological management objectives” to the indicator. This new language creates a potentially immense exception to the indicator’s restrictions on use of whole tree logging. This new exception hinges on the highly subjective phrase “ecological management objectives,” which could mean virtually anything—this is at best impossible to audit, and at worst, subject to widespread misuse. While highly problematic in the context of all forests, this change might be especially troublesome in the context of plantations, where more intensive plantation management practices already put long-term soil productivity, carbon storage, and other important values at much greater risk than does management for natural and semi-natural forest conditions. Base Indicator 6.7.6: Contrary to the TWG’s recommendations, the consultation draft revised the indicator to say that alternate stream buffer widths must only provide greater benefits relative to Indicator 6.7.5, and not relative to the Standard’s regionally-specific buffer widths. In other words, the alternate buffer widths could be drastically smaller than normally allowed in these regions, since absent the regionally specific information, the Standard provides no objective metrics for the alternate buffer widths. While this is highly problematic for other lands, it is especially inappropriate in the context of plantations, whose more intensive management is likely to necessitate stream and water body buffers that are more protective than usual, rather than less protective than usual. Base Indicator 10.2.2: The consultation draft removed the words “limited” and “of North American origin” from the indicator recommended by the TWG, allowing virtually entire management units to be converted to non-native, non-North American species, as long as managers claim this is done as climate adaptation. In other words, 10.2.2 would no longer be focused on supporting the adaptation of natural forests, but would allow their wholesale conversion to non-native species that serve more to replace natural forests. Such outcomes would also no longer be precluded by the Standard’s prohibitions on conversion and would violate Criterion 6.9, since Annex I and the Glossary

definition of “plantation” were also edited in the consultation draft to exempt plantings per 10.2.2 from being considered plantations, contrary to the TWG’s recommendations. These changes to the Standard are also unacceptable in the context of existing plantations, as they would allow the plantations to be moved even further away from semi-natural and natural forest conditions. Allowing non-native species from outside North America to be used throughout plantations would drastically undercut other language in the Standard that attempts to move plantations towards more natural conditions and would increase the harm from intensive plantation management, rather than help to mitigate it. As a result, the consultation draft’s changes to Indicator 10.2.2 also contradict claims that FSC certification of plantations will result in a benefit to forest ecosystems and habitats, and other important environmental values. These problems are reinforced by PL Indicator 10.2.1’s failure to maintain important content from the existing Standard’s Indicators 10.4.a and 10.4.b). Annex A – Glossary, Definition of “Plantation:” While the definition considers the use of non-native species to normally automatically constitute a “plantation,” the consultation draft’s definition allows for use of non-native species if the Organization can argue they are an adaptive response to climate change, per the consultation draft’s Indicator 10.2.2. This would be reasonable, if Indicator 10.2.2 was still narrowly and carefully written, as discussed above. However, the consultation draft’s changes to Indicator 10.2.2 allow entire management units to be converted to non-natives, including non-natives from outside North America. This would be a text-book case of conversion. While already deeply problematic in other contexts, the definition’s combination with the flawed base indicator 10.2.2 would also allow existing plantations to be moved substantially in the wrong direction, away from being managed for more natural conditions, or even their existing level of “natural-ness.” As a result, the consultation draft would exacerbate rather than mitigate and restore the harm done to forest ecosystems, biodiversity, and carbon stocks by more intensive plantation management. Annex I - Plantation Classification: The consultation draft’s revisions to the Annex create a fiction that converting natural forests to non-native tree species is not a form of conversion, as long as it is framed in terms of climate adaptation. This would be reasonable, if base Indicator 10.2.2’s allowances for planting of non-local species was still limited in scope and excluded the use of species not native to North America, as was recommended by the TWG. However, as worded in the consultation draft, 10.2.2 and Annex I would allow wholesale conversion of natural forests, in violation of Criterion 6.9. These changes to the Standard are also unacceptable in the context of existing plantations, as they would allow the plantations to be moved even further away from semi-natural and natural forest conditions. Allowing non-native species from outside North America to be used throughout plantations would drastically undercut other language in the Standard that attempts to move plantations towards more natural conditions and would increase the harm from intensive plantation management, rather than help to mitigate it. As a result, the consultation draft’s changes to Annex I also contradict claims that FSC certification of plantations will result in a benefit to forest ecosystems and habitats, and other important environmental values. These problems are reinforced by PL Indicator 10.2.1’s failure to maintain important content from the existing Standard’s Indicators 10.4.a and 10.4.b. Annex L - Climate Change Toolkit: The Annex does not appear to recognize the importance of carbon storage and sequestration, including as important ecosystem services that can help minimize the intensity of climate change over time, and thus impacts to natural forests and the need for their adaptation. While this is already a serious oversight in the context of other lands, it will be especially inappropriate in the context of plantations, where the management practices characteristic of plantations are likely to have especially negative impacts on forests’ natural carbon sequestration and storage functions, in addition to resulting in higher levels of carbon emissions associated with more frequent use of fertilizers, fossil-fuel based equipment, etc. Likewise, the Toolkit’s discussion of resilience appears to ignore crucial opportunities and strategies to maintain and enhance forests’ natural reliance to climate change and other disturbances. Rather than being forgotten, such approaches should be the first stop for any adaptation strategy. For example, in the fourth paragraph under the section “Climate Change in Principle 10,” the discussion of resilience is narrowly about altering forests, and not only ignores the strategy of natural forest resilience, but at times could work against it. While enhancing forests’ natural resilience should be the priority for all forests, it will be especially important in the context of many plantations, which are likely to have especially low levels of resilience. Annex G - Representative Sample Areas (RSAs), Annex H - Conservation Area Networks (CANs), and Intent Statement for Base Indicator 6.5.6: Contrary to the TWG’s recommendations, the consultation draft for the “base” indicators inserted language into these Annexes and the Intent Statement, allowing areas outside certified management units to count towards the units’ requirements for RSAs and CANs. This was already highly problematic in other contexts. However, when combined with the consultation draft’s Guidance for PL Indicator 6.6.1.2, which allows RSAs and other portions of a management unit’s CAN to count towards requirements for restoring a portion of plantations to semi-natural and natural conditions, the result will be the amount of plantation areas that must be restored to natural and semi-natural conditions will be significantly diminished. Or to put it another way, the consultation draft’s versions of Annexes G and H, and the Intent Statement for Base Indicator

6.5.6, will render management units' RSAs and CANs ineffective at mitigating and reversing the harm of more intensive plantation management.

Economic - nonmember, Mark Heyde (, I am not an FSC member):  
No.

Social - member, Angela Wells (, I am not an FSC member):  
No.

Economic - member, Mickey Rachal (, Economic South):  
No

Economic - nonmember, Randy Coots (, I am not an FSC member):  
I see no issues with any of the additional base indicators additional intensity of management resulting in any negative impacts.

**Q4: Are there any base indicators that do not currently have proposed Plantation Indicators that are not feasible for management units with plantations?**

Social - member, Angela Wells (, I am not an FSC member):

Yes. Indicator 10.1.2 requires that degraded semi-natural stands must be regenerated to "more natural conditions". This requirement appears to conflict with guidance under C6.9 which states that, per Indicator 6.9.1, "restoration plantations" established on degraded, semi-natural forests are not considered conversion, and therefore presumably allowable. Further, it remains unclear if some severely degraded forests could be classified as "non-forest" and therefore allow establishment of plantations on these areas. Under Criterion 10.9 of the existing standard, plantations established after 1994 are not eligible for certification unless it can be shown the current FMO was not directly or indirectly responsible for the conversion. C6.10 of the revised FSC International P&C includes enhancements that require conversions must also affect only a limited area of the FMU and provide clear long-term conservation benefits. A new indicator (6.10.1) requires collection of information describing land use and forest type present before and after conversion. Plantations established after 1994 for which the current FMO is not responsible must be restored to natural forest as quickly as feasible (6.10.3). These enhancements and new requirements could be prohibitive for FFOs who have acquired forest land with plantations established by the previous owner on natural forests after 1994, particularly if all or most of the FMU is comprised of plantation and the FFO intends to continue to manage the plantation intensively. The new FFO will be required to collect and document 'before and after' information on the forest conditions of the converted area and will be required to restore the majority of the plantation to natural forest. Specific FF guidance could be provided for 6.10.1 and 6.10.3, if not alternative FF indicator language.

Environmental - member, Daniel Hall (, Environmental North):

The short answer is "no." Equally important, it is essential that responses to this question be reviewed from the proper perspective. In many cases, significant improvements in management of existing plantations will be needed for FSC certification to be constructive and appropriate, including given the gaping hole that many plantations represent in forest ecosystems, biodiversity, and natural levels of carbon stocking. To be credible, effective, and avoid serving as greenwash, FSC certification can and must require restoration of significant and meaningful portions of existing plantations towards natural forest conditions.

Economic - member, Victoria Lockhart (, Economic North):

The shift to the Conservation Areas Network system, and the updated requirement for certificate holders to bring Representative Sample Areas within the boundaries of certified FMUs will cause significant issues for further uptake of the FSC US standards among plantation managers in the U.S. Southeast and very likely other regions of the country. For example, if a timberland asset with a high percentage (>90%) of plantation production within its boundaries is forced to move a significant percentage of forest stands to management as representative sample areas, FSC certification will become cost prohibitive. In the Southeast, much of the actively managed pine plantations can be managed effectively as semi-natural forests, as defined by FSC, but the revised RSA requirements, whether implemented as part of the plantation indicators or generally, are going to create significant barriers to further uptake of FSC certification in the region.

Economic - nonmember, Mark Heyde (, I am not an FSC member):  
No.

Economic - member, Mickey Rachal (, Economic South):  
No

Economic - nonmember, Randy Coots (, I am not an FSC member):  
I see no issues.

**Q5: Please provide any comments you may have regarding the Background section.**

Social - member, Angela Wells (, I am not an FSC member):

The FSC definition of a plantation has been the source of much confusion for foresters and landowners accustomed to calling a planted stand a plantation. Considering the complexity of FSC's definition, relying primarily on the presence (or lack thereof) of "primary characteristics and key elements" of native ecosystems, FSC US has improved on guidance for assisting users in consistently differentiating a "plantation" from a planted semi-natural stand. Annex I is reasonably concise and brings some structure and logic to the process. Especially important is FSC's clarification that stands already classified as plantation or semi-natural forest are not expected to be re-evaluated using Annex I. That said, the level of complexity associated with this task can be viewed as counter-intuitive to some foresters and landowners, and perhaps exceedingly nuanced and/or complex for family forest owners.

Economic - nonmember, Randy Coots (, I am not an FSC member):  
No comments.

**Q6: Please provide any comments you may have regarding the Applicability of Plantation Indicators section.**

Social - member, Angela Wells (, I am not an FSC member):

The applicability section provides useful and important clarifications on how and when to apply PL indicators. One potential opportunity for further clarification is related to PL indicators that apply across the entire FMU (e.g., PL6.6.1.2). Currently, the guidance states that when PL indicators are included as alternates to base indicators, "any portions of the Management Unit that are identified as plantation are to be assessed for conformance with the Plantation Indicator(s) instead of the base Indicator". FSC should modify the language in the guidance accordingly such that application of PL indicators is not universally limited to areas identified as plantations (e.g., 'PL indicators must be applied if any portions of the FMU are identified as plantation').

Economic - member, Brendan Grady (, Economic North):

I was surprised that the guidance for classifying plantations (e.g. Annex I) was not up for comment. This is the key area of the standard with the most potential impact on certificate holders.

Economic - nonmember, Randy Coots (, I am not an FSC member):

I see the changes made for the plantations indicators as a positive step to attracting more plantations the become FSC certified.

**Q7: As drafted, PL Indicator 6.6.1.2 and PL Indicator 6.6.1.3 would apply to Family Forest management units that include plantations. Do you agree that these plantation indicators should apply in this way? If not, what change would you recommend?**

Economic - nonmember, Mark Heyde (, I am not an FSC member):

Yes, we believe that the language as drafted would appropriately apply to Family Forest management units that include plantations.

Economic - member, Brendan Grady (, Economic North):

The conservation requirements for family forests can be difficult to achieve. In many cases these small parcels may have been purchased as timberland to specifically exclude natural features that would normally make up conservation zones. Its common to have smaller MUs that don't even contain riparian areas. For example, a 100 acre block of southern yellow pine that is composed entirely of production forest does not give many readily available areas for conservation or restoration. So, some accommodation should be made for very small MUs that



are exempt from this requirement. The FF indicators propose that MUs under 123 acres are not required to have a representative sample area – a similar rule could be used here.

Economic - nonmember, Randy Coats (, I am not an FSC member):

The 5% threshold for plantations prior to 1994 is a bit confusing and should be further clarified as to why. This seems to be more of a conversion issue than a plantation issue. From my experience, most of the plantations that exist now were not from converting natural stands, but from putting former agricultural use lands back into forest production. I do agree that there should be a set percentage (15% proposed) for maintaining or restoring to a more natural state. This simplifies the understanding to all involved. As to applicability to the FF management units, it should be considered the same.

Environmental - member, Daniel Hall (, Environmental North):

PL Indicator 6.6.1.2's requirements for restoration of portions of existing plantations must still apply to smaller forests, including "family forests." For FSC certification to support and restore forest ecosystems, biodiversity, and carbon stocks, and avoid greenwashing status quo practices, meaningful portions of existing plantations must be in the process of being restored to at least semi-natural conditions. This is true for both smaller management units as well as larger ones. It especially true where substantial portions of forest landscapes are managed as multiple smaller properties that could individually qualify for certification as "family forests." However, it should be noted that the existing Standard's requirements for restoration of portions of existing plantations was scaled to the size of management units, and thus was probably better suited to application to family forests, in addition to better meeting the FSC's international expectations for the Standard Revision process to develop indicators that are scaled to major categories of "scale, intensity, and risk." In the existing Standard's Indicator 10.5.f, management units under 100 acres with plantations were only expected to meet a 10% threshold for natural ecosystems, and units from 100 to 1,000 acres were expected to meet a 15% threshold. This is yet another reason that PL Indicators 6.6.1.2 and 6.6.1.3 should be returned to the existing Standard's approach, while being updated as was recommended by the TWG. PL Indicator 6.6.1.3 carries forward the existing Standard's important requirements (at Indicators 10.5.a and 10.5.b) for PL Indicator 6.6.1.2's restoration areas to be selected based on a landscape analysis that prioritizes areas that would provide the greatest conservation gain. While this may be less meaningful for the smallest of management units, it is still relevant and valuable for many "family forests," which may be as large as 2,470 acres.

Economic - member, Mickey Rachal (, Economic South):

No, this should be omitted as a requirement for family forests.

Economic - member, Christopher Reeves (, I am not an FSC member):

It should not apply to FF. The percentage should be 10% to match the RSA and CAN requirements with lower risk from FF.

Social - member, Angela Wells (, I am not an FSC member):

Indicator 6.6.1 is appropriately designated as N/A to FFs in the separate FSC draft revision for FF indicators (FF Indicator 6.6.1, Draft 1.0-V2, April 2021 with family forest indicators). Yet this N/A designation has not carried over to the PL indicators, resulting in a direct contradiction between the two documents. Further, base Indicator 6.6.1, which explicitly addresses habitat for endemic animal species, however, none of the PL indicators assigned to 6.6.1 address wildlife habitat resulting in a misalignment between the base indicator and the associated PL indicators. For FFs, the impacts of PL 6.6.1.2 and PL 6.6.2.3 are mixed. For the smallest FFs (under 100 ac.), the requirement has actually increased from 10% to 15%. The amount of area required to be maintained in natural forests is unchanged for FMU's greater than 100 acres and less than 1000 acres. There is no de minimis rule, meaning that, for example, a 10-acre plantation FMU would need to maintain at least 1.5 acres in natural forest. This approach stands in contrast to the approach taken for some FF indicators, for example FF6.6.1.1 which exempts FFs from a requirement to maintain habitats for well-distributed wildlife habitats on the basis of size and intensity. Nationwide data from 2018 USFS National Woodland Owners Survey (NWOS) indicates that 95% of FFOs and 42% of FF acres in the continental US will be subject to an increase in the minimum requirement. The requirement is unchanged for 5% of FFOs and 40% of FF acres. Less than 1% of FFOs will benefit from this change.

**Q8: Do you have a suggestion for a different way to bring more US plantations into the FSC system and thereby increase the associated benefits?**

Social - member, Angela Wells (, I am not an FSC member):

Yes. First, don't penalize owners of forest plantations established prior to 1994, for example by requiring 15% of the FMU to be restored/maintained in a natural (or semi-natural state). Some of these landowners have acquired the lands since plantations were established. The minimum 15% threshold is greater than the 10% required to be designated as Conservation Area Network for FMUs without plantations. The requirement should be the same for all FMUs, with or without plantations. Second, designate PL 6.6.1.2 and PL 6.6.1.3 as not applicable for family forests. Numerous indicators (including base indicator 6.6.1) are designated as N/A for family forests (by FF Indicators) on the basis of a limited capacity (due to small size) to meaningfully affect targeted values. Third, scale back on imposing requirements on plantation management that might be considered more typical of natural forest management such as structure, retention and species diversity.

Economic - member, Victoria Lockhart (, Economic North):

We encourage FSC to reconsider the arbitrary and punitive process of using 1994 as the year following which converted forestland may not be certified. This prohibition has important unintended consequences which we believe prohibit further uptake of the FSC standards among owners and managers of plantations in the U.S. Due to this prohibition, current forest owners of forestland converted after 1994 are prohibited from certification even if they may be implementing or committed to implementing positive forest management practices which are in alignment with the requirements of FSC certification. In many cases, if not the majority of cases among institutional-grade forestland in the U.S, the current forest owners and managers are not the same as those which owned the forestland pre-1994 and were responsible for the conversion. Additionally, this arbitrary prohibition sets up a false perception in the market that forest restoration and continual improvement in forest management practices is not possible or not worth pursuing. This requirement seems at cross-purposes to the mission and values of FSC.

Economic - nonmember, Mark Heyde (, I am not an FSC member):

We don't have specific suggestions other than assessing other countries treatment of plantations (e.g. New Zealand or others) where FSC plantations may represent a larger portion of FSC certified forests for ideas of how to frame indicators that allows plantation management.

Economic - member, Mickey Rachal (, Economic South):

The new pesticide policy and the continued push to eliminate herbicides from FSC certified lands makes it infeasible to certify plantations. Good, responsible, economically feasible plantation management and FSC certification are becoming mutually exclusive and both cannot fit in the same space, so that existing and future CH's will be forced to choose one or the other. FSC should be advocating for and developing standards to support the responsible USE of herbicides, not the elimination of herbicides.

Economic - member, Daniel Simonds (, Economic North):

Sadly, it is very, very difficult to see anything in this standard revision that is likely to bring more US plantations (or other forests) into the FSC system. FSC's core problem has always been baffling complexity. It only continues to increase relentlessly.

Economic - member, Christopher Reeves (, I am not an FSC member):

No, this update to 15% could bring more plantations into the system. A bigger change was FSC stop marketing itself as not allowing plantations or chemicals over 10 years ago. This drove away those with semi natural planted forests from even taking the first step.

Economic - nonmember, Randy Coots (, I am not an FSC member):

My suggestion for attracting more US plantations is partly covered by 6.6.5.1, with the replacement of regional indicators for opening sizes of regeneration harvests. However, even at the levels that have been increased to 40 acres without retention and 80 acres total, for many I deal with this is still considered to be a burden. It is my suggestion to further increase these limits.

Environmental - member, Daniel Hall (, Environmental North):

As drastically weakened by the consultation draft and discussed in our comments above, the existing Standard's

requirements at indicator 10.5.f (now PL Indicator 6.6.1.2), are no longer likely to result in meaningful portions of existing plantations being restored to more natural conditions. Moreover, as discussed elsewhere in our comments, other changes proposed in the consultation draft would allow these plantations to be managed more intensively than permitted under the existing Standard, and to thus move away from natural forest conditions relative to the existing Standard. Thus expanding FSC certification of plantations is very unlikely to result in significant increases in missing forest ecosystem types and wildlife habitats, biodiversity, and carbon stocks, or in significant improvements in other priority on-the-ground conditions. Rather, the most significant result may be to greenwash existing plantations and decrease the FSC's credibility with stakeholders and discerning purchasers of forest products. Generally, the most effective and constructive approach for leveraging increases in the amount of FSC certified lands will be to significantly increase market demand for products from forests certified to the Standard, and to otherwise significantly increase the market benefits of FSC forest management certification. There might also be overly bureaucratic aspects of the certification process that could be streamlined. Conversely, reducing the substantive requirements for certification to levels that match uncertified forest managers' existing practices has never been a viable strategy for credible certification, and the situation with plantations is unlikely to be any different. Such approaches would render the FSC irrelevant at best, and greenwash at worst. Rather than weakening the existing Standard's requirements, the FSC should take a harder look at why different Organizations have resisted FSC certification. Some Organizations have strong investments in competing certification systems, and in some cases even antipathy towards the FSC. If there is a solution to such situations, it does not lie with weakening the FSC Standard, but rather with building market value, building trust. The FSC must also remember that not all Organizations will choose to become FSC certified, and that such outcomes are OK. The FSC's primary and overriding role and value is to provide a credible Standard. While that Standard should of course be practicable, some Organizations' resistance to certification is not necessarily an indicator of impracticability per se.

**Q9: Do you have any comments regarding the Plantation elements (i.e., indicators, guidance, intent, applicability notes) in Principle 6 that are not indicator-specific?**

Economic - nonmember, Mark Heyde (, I am not an FSC member):

We support the alternate plantation indicators as proposed.

Economic - member, Victoria Lockhart (, Economic North):

We appreciate the proposed structure of the new Standard. The change to integrate the plantation indicators throughout the Standard, particularly in Principle 6, is a positive change, making the standard easier to use and interpret.

Social - member, Angela Wells (, I am not an FSC member):

Some of the PL indicators do not appear to align well with base indicators and may be better associated with other indicators or criteria to avoid confusion and increase clarity and efficiency. Further detail is provided elsewhere in our comments.

Economic - nonmember, Randy Coots (, I am not an FSC member):

None at this time.

Economic - member, Christopher Reeves (, I am not an FSC member):

Is it possible to combine the regional requirements into one general indicator so it isn't repeated several times?

Economic - member, Daniel Simonds (, Economic North):

I began this consultation with the sincere intention of providing specific, constructive feedback. I find that the sheer complexity of the material has defeated me. Sorry.

**Q10: Please share any additional comments you have regarding PL Indicator 6.6.1.1.**

Environmental - member, Daniel Hall (, Environmental North):

PL Indicator 6.6.1.1 (Existing US Indicator 10.2.b), which reads: "New plantation establishment does not replace, endanger, or otherwise diminish the ecological integrity of any existing natural ecosystems on the Management Unit." This is very important language and must be retained. Technically, it is neither the existing language, nor the version recommended by the Technical Working Group (TWG), both of which also precluded harm to primary forests, natural forests, and semi-natural forests. But those values are implicit in the remaining language and

hopefully covered more explicitly elsewhere.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Economic - nonmember, Randy Coots (, I am not an FSC member):  
Good idea to allow new plantations.

Social - member, Angela Wells (, I am not an FSC member):  
Base indicator 6.6.1, which explicitly addresses habitat for endemic animal species, is replaced with three PL indicators. However, none of the PL indicators address wildlife habitat. Recognizing the challenge of 'finding the right home' for many of the indicators currently residing in Principle 10 (Plantations), the placement of these three PL indicators is debatable in terms of alignment and may create some confusion. More importantly, Indicator 6.6.1 is appropriately designated as N/A to FFs in the separate FSC draft revision for FF indicators (FF Indicator 6.6.1, Draft 1.0-V2, April 2021 with family forest indicators). Yet a consultation note in the draft revision for PL indicators explicitly states that two PL indicators (PL6.6.1.2 & PL6.6.1.3) do apply to FFs, resulting in a direct contradiction between the two documents. PL6.6.1.1 requires that establishment of new plantations does not replace or diminish the ecological integrity of any natural ecosystems existing on the forest management unit. This issue more closely aligns with C6.9, which includes provisions (i.e., exceptions) for establishment of new plantations. Guidance indicates that PL6.1.1.1 applies to situations where establishment of new plantations is allowable (C6.9 & C6.10) and therefore effectively enhances the three prerequisites stipulated in C6.9. While not a new requirement, it appears the context may have shifted by the realignment of the indicator. Guidance is not provided for interpretation of impact at various scales. Recommend re-assigning PL6.6.1.1 to C6.9 and providing guidance for interpretation of impact at various scales.

**Q11: Please share any additional comments you have regarding the Applicability note for PL Indicator 6.6.1.1.**

Social - member, Angela Wells (, I am not an FSC member):  
The guidance is useful in providing context for interpretation and application of the indicator. However, as stated previous comments, PL6.6.1.1 is not well aligned with the content of base indicator 6.6.1 and we suggest re-assigning it to C6.9. We also suggest providing guidance to assist interpretation of impact at various scales.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Economic - nonmember, Randy Coots (, I am not an FSC member):  
Good.

**Q12: Please share any additional comments you have regarding PL Indicator 6.6.1.2.**

Economic - nonmember, Randy Coots (, I am not an FSC member):  
What is the logic of the 5%? If you are wanting to increase participation in plantations, this is a really low threshold.

Economic - member, Victoria Lockhart (, Economic North):  
The majority of acres in the Southeast planted in the dominant pine species of the region are currently managed in greater alignment with semi-natural forests than plantations, as FSC has defined them. This is for a variety of reasons, and we do not forecast the pendulum swinging back towards overly intensive management in the near future or midterm timeframe. For example, based on audits conducted across the region, even bedded stands can be managed as semi-natural stands if the basic stand hydrology is not changed; rather responsible forest managers across the region have demonstrated that bedding can be successfully used within the FSC context to optimize survival and growth of planted pines, and not drive conversion of forest types.

Social - member, Angela Wells (, I am not an FSC member):  
The 15% minimum applies to all FMUs regardless of their size, including FFs. The proposed revision will result in an increased minimum for family forests under 100 acres in size (95% of family forests) and a decrease for FFs

over 1,000 acres (

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Environmental - member, Daniel Hall (, Environmental North):

Both the existing Standard and the updates to the Standard recommended by the TWG require larger management units with plantations to have or restore at least 20% of their area as natural or semi-natural ecosystems, when those management units are 1,001 to 10,000 acres, and to have or restore 25% of their area as natural or semi-natural ecosystems, when the management units are over 10,000 acres. However, the consultation draft drastically weakens these provisions, to the point they are unlikely to result in significant restoration of missing wildlife habitats, forest ecosystem types, carbon stocks, and other values in existing plantations. This is despite the fact that many environmental stakeholders in the regions most affected by existing plantations feel the existing Standard's restoration requirements are already insufficient and represent a bare minimum. Many management units characterized by plantation conditions are not comprised 100% of plantations. The consultation draft's PL Indicator 6.6.1.2 maintains the existing Standard's approach of allowing existing semi-natural and natural ecosystem areas in certified management units to count towards the minimum percentage of natural areas in the management units. Consequently, reducing the minimum threshold for such areas to 15%, as proposed in PL 6.6.1.2, means that FSC certification will be unlikely to yield significant restoration of natural ecosystems. Management units will often meet much of the 15% threshold by counting riparian buffers, wetlands, grasslands, steep rocky slopes and other inoperable areas, and other areas already in semi-natural or natural condition. The existence of such natural and semi-natural areas within many management units also means that the alleged "impracticality" of the existing Standard's requirements for 20% and 25% of larger management units to be in semi-natural or natural condition has probably been greatly overstated. Resistance to FSC certification by some Organizations with plantations may be equally or more likely due to the current lack of serious market benefits for certification, the lack of serious market penalties for not being FSC-certified (including the FSC's own easily-met rules for sourcing wood and fiber from non-certified management units), the Organizations' ties to competing certification systems, and other factors completely unrelated to the existing Standard's restoration thresholds. Other changes made by the consultation drafts would render PL Indicator 6.6.1.2 even more meaningless. For example, the consultation draft for the "base" indicators and Annexes would allow areas outside management units to count towards the units' required amounts of Representative Sample Areas (RSAs) and Conservation Area Networks (CANs), contrary to the TWG's recommendations. (See the consultation draft's Intent Statement for Base Indicator 6.5.6 and the consultation draft's version of Annexes G and H, the methodologies for establishing RSAs and CANs.) In turn, the consultation draft's Guidance for PL Indicator 6.6.1.2 allows RSAs and other portions of a management unit's CAN to count towards the requirement for 15% of management units to be in natural or semi-natural condition. While it would otherwise make sense to support synergy between expectations for RSAs, CANs, and plantation restoration, allowing areas outside management units to count towards the 15% threshold will make that threshold even less likely to restore any plantation areas per se. Although the existing Standard's Plantation Indicator 10.5.f also allowed restoration outside of management units to count towards its restoration thresholds, this was limited to carefully prescribed situations, e.g., where restoration within a management unit is not ecologically achievable, where conservation outside the management unit is of equal or greater priority, and where the off-site restoration is secured for the long-term via conservation easements or fee title purchase. No such constraints and safeguards exist in the consultation drafts' wide-open allowances for off-site RSAs and CANs. As a result of these changes, certified plantations are unlikely to meaningfully meet the requirements of Criterion 6.8, which requires management of "...the landscape in the Management Unit to maintain and/or restore a varying mosaic of species, sizes, ages, spatial scales, and regeneration cycles appropriate for the landscape values in that region, and for enhancing environmental and economic resilience." The consultation draft's plantation indicators at C6.8, while fine as far as they go, are no substitute for the existing Standard's requirements. Indeed, as discussed elsewhere in our comments, the consultation draft's changes to the existing Standard's Indicator 10.3.b (now PL Indicator 6.8.1) and the draft's new language in the Intent Statement at PL Indicator 6.8.1, would explicitly exempt nearly the entirety of existing plantation areas from meeting Criterion 6.8's express requirements for maintaining and restoring natural forest diversity across the "landscape in the management unit." Similarly, Plantation Indicator 6.6.2.2 and its Guidance, while valuable and important as far as they go, are also not substitutes for the existing Standard's requirements for restoration of significant portions of existing plantations. Neither PL 6.6.2.2 nor its Guidance require management of plantations for native tree species diversity, or any native trees at all. Indeed, the Guidance is

written so that PL Indicator 6.6.2.2 will be interpreted as not requiring restoration of natural species composition across nearly the entirety of plantation management units. Instead, the Guidance allows PL Indicator 6.6.2.2 to be met by isolated clumps of semi-natural forest, e.g., riparian buffers, inoperable areas, and perhaps some special retention areas. As discussed elsewhere, these problems would be further exacerbated by other changes proposed in the consultation draft, e.g., the removal of existing Indicator 10.5.e and changes in the Applicability Note for PL Indicator 6.6.1.2. The consultation draft's multiple changes to, and weakening of, the existing Standard's requirements for restoring portions of plantations run directly counter to the FSC US Board's commitments for the Standard revision process. The Board's 2018 Charter for the TWG called for, among other things, "maintaining... the level of requirements in the current standard" except where necessary to meet the FSC's new international requirements and the Board's 2018 "Priority Issues" document. Those priority issues did not include weakening the Standard to make it easier to certify business-as-usual management of plantations or other forests.

**Q13: Please share any additional comments you have regarding the Applicability note for PL Indicator 6.6.1.2.**

Environmental - member, Daniel Hall (, Environmental North):

This applicability note was not recommended by the TWG, and would create a serious loophole in the draft's already drastically weakened expectations for restoration of existing plantations. The note would make PL Indicator 6.6.1.2 non-applicable to management units where natural ecosystems were converted to a non-forestry land use before plantation establishment. In regions such as the Southeast, substantial amounts of land were converted to agriculture in the past, and over time, lands in the region may routinely shift from agriculture to forestry and back again. This note would further weaken the Standard's existing requirements for restoration of portions of existing plantations, and in some cases, make it completely inapplicable in the very regions where those requirements are needed most.

Economic - nonmember, Randy Coots (, I am not an FSC member):

The applicability note looks good.

Social - member, Angela Wells (, I am not an FSC member):

The applicability note is useful.

Economic - member, Christopher Reeves (, I am not an FSC member):

I hope groups see the potential burden the 25% restoration was causing organizations to not get certified. This might be able to bring in some forests that are on the edge of deciding to get certified. I think the benefits of more FSC certified forests will offset lessening it by 10%.

**Q14: Please share any additional comments you have regarding the Intent statement for PL Indicator 6.6.1.2.**

Social - member, Angela Wells (, I am not an FSC member):

The intent statement is useful

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Economic - nonmember, Randy Coots (, I am not an FSC member):

No comment.

**Q15: Please share any additional comments you have regarding the Guidance for PL Indicator 6.6.1.2.**

Economic - member, Victoria Lockhart (, Economic North):

We appreciate the clarification regarding the inclusion of RSAs and other designated areas as being included within the 15% requirement and within the Conservation Areas Network. However, the 15% requirement is likely to be cost-prohibitive to the majority of forest owners and managers of plantations and will limit the further uptake of FSC certification in the U.S. southeast.

Social - member, Angela Wells (, I am not an FSC member):  
The guidance is useful.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Economic - nonmember, Randy Coots (, I am not an FSC member):  
No comment.

Environmental - member, Daniel Hall (, Environmental North):

Both the existing Standard and the updates to the Standard recommended by the TWG require larger management units with plantations to have or restore at least 20% of their area as natural or semi-natural ecosystems, when those management units are 1,001 to 10,000 acres, and to have or restore 25% of their area as natural or semi-natural ecosystems, when the management units are over 10,000 acres. However, the consultation draft drastically weakens these provisions, to the point they are unlikely to result in significant restoration of missing wildlife habitats, forest ecosystem types, carbon stocks, and other values in existing plantations. This is despite the fact that many environmental stakeholders in the regions most affected by existing plantations feel the existing Standard's restoration requirements are already insufficient and represent a bare minimum. Many management units characterized by plantation conditions are not comprised 100% of plantations. The consultation draft's PL Indicator 6.6.1.2 maintains the existing Standard's approach of allowing existing semi-natural and natural ecosystem areas in certified management units to count towards the minimum percentage of natural areas in the management units. Consequently, reducing the minimum threshold for such areas to 15%, as proposed in PL 6.6.1.2, means that FSC certification will be unlikely to yield significant restoration of natural ecosystems. Management units will often meet much of the 15% threshold by counting riparian buffers, wetlands, grasslands, steep rocky slopes and other inoperable areas, and other areas already in semi-natural or natural condition. The existence of such natural and semi-natural areas within many management units also means that the alleged "impracticality" of the existing Standard's requirements for 20% and 25% of larger management units to be in semi-natural or natural condition has probably been greatly overstated. Resistance to FSC certification by some Organizations with plantations may be equally or more likely due to the current lack of serious market benefits for certification, the lack of serious market penalties for not being FSC-certified (including the FSC's own easily-met rules for sourcing wood and fiber from non-certified management units), the Organizations' ties to competing certification systems, and other factors completely unrelated to the existing Standard's restoration thresholds. Other changes made by the consultation drafts would render PL Indicator 6.6.1.2 even more meaningless. For example, the consultation draft for the "base" indicators and Annexes would allow areas outside management units to count towards the units' required amounts of Representative Sample Areas (RSAs) and Conservation Area Networks (CANs), contrary to the TWG's recommendations. (See the consultation draft's Intent Statement for Base Indicator 6.5.6 and the consultation draft's version of Annexes G and H, the methodologies for establishing RSAs and CANs.) In turn, the consultation draft's Guidance for PL Indicator 6.6.1.2 allows RSAs and other portions of a management unit's CAN to count towards the requirement for 15% of management units to be in natural or semi-natural condition. While it would otherwise make sense to support synergy between expectations for RSAs, CANs, and plantation restoration, allowing areas outside management units to count towards the 15% threshold will make that threshold even less likely to restore any plantation areas per se. Although the existing Standard's Plantation Indicator 10.5.f also allowed restoration outside of management units to count towards its restoration thresholds, this was limited to carefully prescribed situations, e.g., where restoration within a management unit is not ecologically achievable, where conservation outside the management unit is of equal or greater priority, and where the off-site restoration is secured for the long-term via conservation easements or fee title purchase. No such constraints and safeguards exist in the consultation drafts' wide-open allowances for off-site RSAs and CANs. As a result of these changes, certified plantations are unlikely to meaningfully meet the requirements of Criterion 6.8, which requires management of "...the landscape in the Management Unit to maintain and/or restore a varying mosaic of species, sizes, ages, spatial scales, and regeneration cycles appropriate for the landscape values in that region, and for enhancing environmental and economic resilience." The consultation draft's plantation indicators at C6.8, while fine as far as they go, are no substitute for the existing Standard's requirements. Indeed, as discussed elsewhere in our comments, the consultation draft's changes to the existing Standard's Indicator 10.3.b (now PL Indicator 6.8.1) and the draft's new language in the Intent Statement at PL Indicator 6.8.1, would explicitly exempt nearly the entirety of existing plantation areas from meeting Criterion 6.8's express requirements for maintaining and restoring natural forest

diversity across the “landscape in the management unit.” Similarly, Plantation Indicator 6.6.2.2 and its Guidance, while valuable and important as far as they go, are also not substitutes for the existing Standard’s requirements for restoration of significant portions of existing plantations. Neither PL 6.6.2.2 nor its Guidance require management of plantations for native tree species diversity, or any native trees at all. Indeed, the Guidance is written so that PL Indicator 6.6.2.2 will be interpreted as not requiring restoration of natural species composition across nearly the entirety of plantation management units. Instead, the Guidance allows PL Indicator 6.6.2.2 to be met by isolated clumps of semi-natural forest, e.g., riparian buffers, inoperable areas, and perhaps some special retention areas. As discussed elsewhere, these problems would be further exacerbated by other changes proposed in the consultation draft, e.g., the removal of existing Indicator 10.5.e and changes in the Applicability Note for PL Indicator 6.6.1.2. The consultation draft’s multiple changes to, and weakening of, the existing Standard’s requirements for restoring portions of plantations run directly counter to the FSC US Board’s commitments for the Standard revision process. The Board’s 2018 Charter for the TWG called for, among other things, “maintaining... the level of requirements in the current standard” except where necessary to meet the FSC’s new international requirements and the Board’s 2018 “Priority Issues” document. Those priority issues did not include weakening the Standard to make it easier to certify business-as-usual management of plantations or other forests.

**Q16: Please share any additional comments you have regarding PL Indicator 6.6.1.3.**

Environmental - member, Daniel Hall (, Environmental North):

The indicator should move forward. It retains and updates important requirements of the existing Standard, for restoration of portions of existing plantations to be focused on areas where the restoration will provide the greatest conservation gain.

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Economic - nonmember, Randy Coots (, I am not an FSC member):

Looks good.

Social - member, Angela Wells (, I am not an FSC member):

As with Indicator 6.6.1.2, 6.6.1.3 should be removed in favor of applying a common requirement for conservation areas to FMUs regardless of whether plantations exist on the FMU.

**Q17: Please share any additional comments you have regarding the Applicability note for PL Indicator 6.6.1.3.**

Social - member, Angela Wells (, I am not an FSC member):

The applicability note is helpful.

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Economic - nonmember, Randy Coots (, I am not an FSC member):

No comments.

**Q18: Please share any additional comments you have regarding the Guidance for PL Indicator 6.6.1.3.**

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Social - member, Angela Wells (, I am not an FSC member):

If PL 6.6.1.2 and PL 6.6.1.3 are retained, consider adding a cross reference from PL 6.6.1.3 to C6.5, which addresses maintenance or restoration of RSAs. Such a linkage could leverage efforts to identify ecosystems or forest communities with greatest conservation needs. At the same time, inserting guidance under C6.5 for plantation FMUs would also be helpful. Another key issue is that it may be difficult, particularly for small FFs to maintain or restore RSAs on FMU’s comprised entirely of plantation.



Economic - nonmember, Randy Coots (, I am not an FSC member):  
Helpful.

**Q19: Please share any additional comments you have regarding PL Indicator 6.6.2.1.**

Environmental - member, Daniel Hall (, Environmental North):

This indicator's language is crucial to retain, given the role that public lands need to play in the landscape, and also given how the consultation draft otherwise weakens the Standard's requirements for restoration of portions of plantations.

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Social - member, Angela Wells (, I am not an FSC member):

No comment.

Economic - nonmember, Randy Coots (, I am not an FSC member):

No comment.

**Q20: Please share any additional comments you have regarding PL Indicator 6.6.2.2.**

Economic - member, Mickey Rachal (, Economic South):

This is too broad and basically eliminates plantation management from FSC certification. The goal of plantation management is to maximize growth of crop trees by eliminating competition. This indicator says that plantations have to be managed for within stand diversity which is then not a plantation.

Economic - member, Victoria Lockhart (, Economic North):

The new indicator 6.6.2.2 requires that plantations on forest soils (vs. non-forest soils) demonstrate "continuous improvement of species composition, distribution, and frequency of occurrence toward those that would occur in natural forests". This seems to be open to auditor interpretation, but documenting "continuous improvement" could be a costly proposition and appears to indicate a desire by FSC to transition all certified acres out of the plantation indicators over time.

Environmental - member, Daniel Hall (, Environmental North):

The indicator reads: "For plantations on forest soils on private lands, management results in continuous improvement of species composition, distribution, and frequency of occurrence toward those that would occur in natural forests." The indicator is quite valuable and should be retained, though the guidance is problematic. The indicator is not new, but rather appears to replace existing Standard's Indicator 10.3.b, which was similar, and perhaps even stronger in some regards. The Guidance is also nearly identical to the existing Standard's guidance for 10.3.b. PL Indicator 6.6.2.2 and its Guidance are also not substitutes for the existing Standard's requirements for restoration of significant portions of existing plantations to semi-natural and natural forest conditions. As discussed below, the Guidance allows 6.6.2.2 to be met in isolated areas, e.g., stream buffers, isolated clumps of retention trees, etc., which means the indicator will not result in significant movement of plantations towards more natural conditions.

Economic - nonmember, Randy Coots (, I am not an FSC member):

Not sure I understand the intent here? It appears to contradict/conflict with economic reasons for being a plantation.

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Social - member, Angela Wells (, I am not an FSC member):

By imposing characteristics typically associated with natural forests on plantations, the economic benefits of managing a plantation are diluted, to an extent defeating the purpose of plantation management. It's not clear if this continuous improvement process toward natural species occurrence 'resets' at the beginning of each rotation period, however some examples are provided for techniques for increasing natural plant species that would appear to require stand initiation (e.g., retention of "islands of vegetation" and advanced regeneration) suggesting

this indicator applies continuously and cumulatively over all subsequent rotations. The approach taken for PL 6.6.3, which acknowledges limitations associated with comparatively intensive plantation management practices, is also appropriate for Indicator 6.6.2. Consider modifying the indicator by removing the phrase “continuous improvement”, and stipulating use of species that are well adapted to the site. In addition, base Indicator 10.1.2 (applies to all FMUs, no corresponding PL indicator) explicitly requires that harvest of existing plantations must “regenerate to the vegetation cover that existed prior to the harvest or to more natural conditions using ecologically well-adapted species”. That being the case, adherence to these two indicators would logically result in decreasing intensity of management in plantations over time. Clarification is needed on this issue. Further, it remains unclear if some severely degraded forests could be classified as “non-forest” and therefore allowing establishment of plantations on these areas. Also, regeneration of plantations is explicitly addressed in Indicator 10.1.2 by stipulating requirements for the ecological conditions of the regenerated stand. In light of their similarity, consideration should be given to associating PL6.6.2.2 with base Indicator 10.1.2 (rather than Indicator 6.6.2) to reduce redundancy and potential confusion.

**Q21: Please share any additional comments you have regarding PL Indicator 6.6.2.3.**

Economic - member, Mickey Rachal (, Economic South):

This makes no sense, all plantations are on forest soils.

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Social - member, Angela Wells (, I am not an FSC member):

No comment.

Economic - nonmember, Randy Coots (, I am not an FSC member):

Again, not sure I understand intent here?

**Q22: Please share any additional comments you have regarding the Guidance for PL Indicator 6.6.2.2.**

Economic - member, Victoria Lockhart (, Economic North):

We appreciate the recognition of the key importance of forest thinning in supporting diversity and ecosystem function within plantations and planted stands.

Economic - nonmember, Randy Coots (, I am not an FSC member):

This does begin to explain reasoning, however, reasoning given conflicts with some of the purposes of plantations. For example, in the SE plantations are monocultures that are fire dependent. The guidance suggested will increase potential fire hazards and damages.

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Social - member, Angela Wells (, I am not an FSC member):

No comment beyond what has already been provided.

Economic - member, Mickey Rachal (, Economic South):

Again, managing for diversity within plantations makes no sense. There can be landscape diversity and diversity in natural stands on the FMU, but within stand plantation diversity is an oxymoron.

**Q23: Please share any additional comments you have regarding PL Indicator 6.6.3.**

Social - member, Angela Wells (, I am not an FSC member):

The alternative language in PL 6.6.3 is appropriate given limitations to affect habitat components and associated stand structures due to the increased intensity of management practices typical of plantations.

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Economic - nonmember, Randy Coots (, I am not an FSC member):  
Good.

**Q24: Please share any additional comments you have regarding the Applicability note for PL Indicator 6.6.3.**

Social - member, Angela Wells (, I am not an FSC member):  
The applicability note is useful and appropriate.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Economic - nonmember, Randy Coots (, I am not an FSC member):  
Good.

**Q25: Please share any additional comments you have regarding the Guidance for PL Indicator 6.6.3.**

Social - member, Angela Wells (, I am not an FSC member):  
The intent of the guidance is reasonable. Consider replacing “whenever possible” with “whenever practical” or similar language in recognition of economic (e.g., cable yarding) and ecological (e.g., seasonable risk for insect infestations) constraints that can preclude distribution of slash in the harvest unit under some circumstances.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Economic - nonmember, Randy Coots (, I am not an FSC member):  
Good.

**Q26: Please share any additional comments you have regarding the Applicability note for PL Indicator 6.6.5.**

Social - member, Angela Wells (, I am not an FSC member):  
The applicability note is clear and helpful.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Economic - nonmember, Randy Coots (, I am not an FSC member):  
An improvement, but could still be expanded further.

**Q27: Please share any additional comments you have regarding PL Indicator 6.6.5.1.**

Environmental - member, Daniel Hall (, Environmental North):  
The indicator should move forward. It sets important limits on the sizes of clearcuts and other openings in plantations, when there is no retention in those openings. This Indicator is essential for regions where the Standard does not provide regionally-specific opening and retention requirements.

Social - member, Angela Wells (, I am not an FSC member):  
Opening size restrictions disproportionately affect smaller FMUs creating inequities in the application of PL 6.6.5.1. This is especially true for small FMUs comprised mostly or entirely of a single plantation. NWOS data show that 95% of family forests are less than 100 acres in size. Economic efficiency and landowner profitability declines as harvest areas are reduced in size, eventually becoming economically infeasible. Consideration should be provided allowing small family forests flexibility to reach the maximum opening size of 80 acres without retention by removing the 40-acre average for FMU’s up to a specific size, e.g. 100 or 120 acres, in recognition of both efficiency of scale and the relative low frequency of harvesting. The 100-acre average for all openings could be retained.

Economic - nonmember, Randy Coots (, I am not an FSC member):  
Not sure I understand how you can have a maximum opening size of 80 acres and then state that the average

opening size does not exceed 100 acres?

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

**Q28: Please share any additional comments you have regarding the Intent statement for PL Indicator 6.6.5.1.**

Social - member, Angela Wells (, I am not an FSC member):  
The intent statement is clear and helpful.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Economic - nonmember, Randy Coots (, I am not an FSC member):  
Helps to clarify comment above.

**Q29: Please share any additional comments you have regarding the Guidance for PL Indicator 6.6.5.1.**

Social - member, Angela Wells (, I am not an FSC member):  
The guidance is clear and helpful. It is also less applicable to family forests that typically harvest infrequently, sometimes only once in a lifetime. With fewer harvests and smaller FMUs, family forests have less opportunity to conduct harvest operations that approach the upper limit while still achieving the 40-acre average for openings without retention, thus creating in equity.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Economic - nonmember, Randy Coots (, I am not an FSC member):  
Helpful.

**Q30: Please share any additional comments you have regarding the Guidance for PL Indicator 6.6.5.2.**

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Social - member, Angela Wells (, I am not an FSC member):  
No additional comment. See input for PL Indicator 6.6.5.2.

Economic - nonmember, Randy Coots (, I am not an FSC member):  
Good.

**Q31: Please share any additional comments you have regarding PL Indicator 6.6.5.2.**

Social - member, Angela Wells (, I am not an FSC member):  
PL Indicator 6.6.5.2 essentially imposes natural forest characteristics on plantations which are typically managed for different purposes, i.e., economic profitability. For openings larger than 80 acres, PL 6.6.5.2 is the functional equivalent to base Indicator 6.6.5. Some consideration should be given, similar to PL 6.6.3, to limitations to affect stand structures due to the increased intensity of management practices typical of plantations.

Environmental - member, Daniel Hall (, Environmental North):  
PL Indicator 6.6.5.2 (Existing US Indicator 10.2.d) should move forward. It sets important retention requirements for clearcuts and other openings larger than 80 acres, i.e., the size allowed by PL Indicator 6.6.5.1. This Indicator is essential for regions where the Standard does not provide regionally-specific opening and retention requirements.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Economic - nonmember, Randy Coots (, I am not an FSC member):  
Good.

**Q32: Please share any additional comments you have regarding PL Indicator 6.6.5.3.**

Social - member, Angela Wells (, I am not an FSC member):  
The indicator is clear, reasonable, and achievable.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Economic - nonmember, Randy Coots (, I am not an FSC member):  
Good.

**Q33: Please share any additional comments you have regarding the Applicability note for PL Indicator 6.6.5.3.**

Social - member, Angela Wells (, I am not an FSC member):  
The applicability note is mostly clear and useful. However, the last sentence relating to the Southeast region appears to be a relic of the previous standard and is now replaced by PL Indicator 6.6.5.5. This last sentence should be deleted.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Economic - nonmember, Randy Coots (, I am not an FSC member):  
Good.

**Q34: Please share any additional comments you have regarding the Intent statement for PL Indicator 6.6.5.3.**

Social - member, Angela Wells (, I am not an FSC member):  
The intent statement is mostly clear and helpful. Similar to the applicability note, the last sentence relating to the southeast region can be deleted.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Economic - nonmember, Randy Coots (, I am not an FSC member):  
Good.

**Q35: Please share any additional comments you have regarding PL Indicator 6.6.5.1 for the Appalachian Region.**

Environmental - member, Daniel Hall (, Environmental North):  
The indicators set important size limits for clearcuts and other openings, and retention requirements within clearcuts and openings. The indicators are important and should move forward.

Economic - nonmember, Randy Coots (, I am not an FSC member):  
Ok.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Social - member, Angela Wells (, I am not an FSC member):  
No additional comment. See input for PL Indicator 6.6.5.1.

**Q36: Please share any additional comments you have regarding PL Indicator 6.6.5.2 for the Appalachian Region.**

Environmental - member, Daniel Hall (, Environmental North):

The indicators set important size limits for clearcuts and other openings, and retention requirements within clearcuts and openings. The indicators are important and should move forward.

Economic - nonmember, Randy Coots (, I am not an FSC member):  
Ok.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Social - member, Angela Wells (, I am not an FSC member):  
No additional comment. See input for PL Indicator 6.6.5.2.

**Q37: Please share any additional comments you have regarding PL Indicator 6.6.5.3 for the Appalachian Region.**

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Social - member, Angela Wells (, I am not an FSC member):  
No additional comment. See input for PL Indicator 6.6.5.3.

Economic - nonmember, Randy Coots (, I am not an FSC member):  
All good.

**Q38: Please share any additional comments you have regarding PL Indicator 6.6.5.1 for the Ozark-Ouachita Region.**

Environmental - member, Daniel Hall (, Environmental North):  
The indicators set important size limits for clearcuts and other openings, and retention requirements within clearcuts and openings. The indicators are important and should move forward.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Social - member, Angela Wells (, I am not an FSC member):  
No additional comment. See input for PL Indicator 6.6.5.1.

Economic - nonmember, Randy Coots (, I am not an FSC member):  
All good.

**Q39: Please share any additional comments you have regarding PL Indicator 6.6.5.2 for the Ozark-Ouachita Region.**

Environmental - member, Daniel Hall (, Environmental North):  
The indicators set important size limits for clearcuts and other openings, and retention requirements within clearcuts and openings. The indicators are important and should move forward.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Social - member, Angela Wells (, I am not an FSC member):  
No additional comment. See input for PL Indicator 6.6.5.2.

Economic - nonmember, Randy Coots (, I am not an FSC member):  
All good.

**Q40: Please share any additional comments you have regarding PL Indicator 6.6.5.3 for the Ozark-Ouachita Region.**

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Social - member, Angela Wells (, I am not an FSC member):  
No additional comment. See input for PL Indicator 6.6.5.3.

Economic - nonmember, Randy Coots (, I am not an FSC member):  
All good.

**Q41: Please share any additional comments you have regarding PL Indicator 6.6.5.4 for the Pacific Coast Region.**

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Social - member, Angela Wells (, I am not an FSC member):  
No further comment.

Economic - nonmember, Randy Coots (, I am not an FSC member):  
Good. Limits here should be the same for all regions in US.

Environmental - member, Daniel Hall (, Environmental North):  
Along with PL 6.6.5.2 for the Pacific Coast, the indicator is important to move forward. Together, they set important clearcut size and retention requirements in plantations, given that the “base” indicators’ size limits and retention requirements were not designed to be sufficient in the context of plantations. The indicators also require greater retention in clearcuts that take advantage of exceptions to the normal clearcut size limits, which will be important to help offset the impacts of the larger opening sizes.

**Q42: Please share any additional comments you have regarding PL Indicator 6.6.5.2 for the Pacific Coast Region.**

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Social - member, Angela Wells (, I am not an FSC member):  
No additional comment. See input for PL Indicator 6.6.5.2.

Economic - nonmember, Randy Coots (, I am not an FSC member):  
good.

Environmental - member, Daniel Hall (, Environmental North):  
Along with PL 6.6.5.4, the indicator is important to move forward. Together, the indicators set important clearcut size and retention requirements in plantations, given that the “base” indicators’ size limits and retention requirements were not designed to be sufficient in the context of plantations. The indicators also require greater retention in clearcuts that take advantage of exceptions to the normal clearcut size limits, which will be important to help offset the impacts of the larger opening sizes.

**Q43: Please share any additional comments you have regarding PL Indicator 6.6.5.3 for the Pacific Coast Region.**

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Social - member, Angela Wells (, I am not an FSC member):  
No additional comment. See input for PL Indicator 6.6.5.3.

Economic - nonmember, Randy Coots (, I am not an FSC member):  
good.

**Q44: Please share any additional comments you have regarding PL Indicator 6.6.5.1 for the Mississippi Alluvial Valley Region.**

Environmental - member, Daniel Hall (, Environmental North):

The indicators set important size limits for clearcuts and other openings, and retention requirements within clearcuts and openings. The indicators are important and should move forward.

Economic - nonmember, Randy Coots (, I am not an FSC member):

ok

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Social - member, Angela Wells (, I am not an FSC member):

No additional comment. See input for PL Indicator 6.6.5.1.

**Q45: Please share any additional comments you have regarding PL Indicator 6.6.5.2 for the Mississippi Alluvial Valley Region.**

Environmental - member, Daniel Hall (, Environmental North):

The indicators set important size limits for clearcuts and other openings, and retention requirements within clearcuts and openings. The indicators are important and should move forward.

Economic - nonmember, Randy Coots (, I am not an FSC member):

ok

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Social - member, Angela Wells (, I am not an FSC member):

No additional comment. See input for PL Indicator 6.6.5.2.

**Q46: Please share any additional comments you have regarding PL Indicator 6.6.5.3 for the Mississippi Alluvial Valley Region.**

Economic - nonmember, Randy Coots (, I am not an FSC member):

ok

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Social - member, Angela Wells (, I am not an FSC member):

No additional comment. See input for PL Indicator 6.6.5.3.

**Q47: Please share any additional comments you have regarding PL Indicator 6.6.5.1 for the Rocky Mountain Region.**

Environmental - member, Daniel Hall (, Environmental North):

The indicators set important size limits for clearcuts and other openings, and retention requirements within clearcuts and openings. The indicators are important and should move forward.

Economic - nonmember, Randy Coots (, I am not an FSC member):

ok

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Social - member, Angela Wells (, I am not an FSC member):

No additional comment. See input for PL Indicator 6.6.5.1.



**Q48: Please share any additional comments you have regarding PL Indicator 6.6.5.2 for the Rocky Mountain Region.**

Environmental - member, Daniel Hall (, Environmental North):

The indicators set important size limits for clearcuts and other openings, and retention requirements within clearcuts and openings. The indicators are important and should move forward.

Economic - nonmember, Randy Coots (, I am not an FSC member):

ok

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Social - member, Angela Wells (, I am not an FSC member):

No additional comment. See input for PL Indicator 6.6.5.2.

**Q49: Please share any additional comments you have regarding PL Indicator 6.6.5.3 for the Rocky Mountain Region.**

Economic - nonmember, Randy Coots (, I am not an FSC member):

ok

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Social - member, Angela Wells (, I am not an FSC member):

No additional comment. See input for PL Indicator 6.6.5.3.

**Q50: Please share any additional comments you have regarding PL Indicator 6.6.5.1 for the Southwest Region.**

Environmental - member, Daniel Hall (, Environmental North):

The indicators set important size limits for clearcuts and other openings, and retention requirements within clearcuts and openings. The indicators are important and should move forward.

Economic - nonmember, Randy Coots (, I am not an FSC member):

ok

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Social - member, Angela Wells (, I am not an FSC member):

No additional comment. See input for PL Indicator 6.6.5.1.

**Q51: Please share any additional comments you have regarding PL Indicator 6.6.5.2 for the Southwest Region.**

Environmental - member, Daniel Hall (, Environmental North):

The indicators set important size limits for clearcuts and other openings, and retention requirements within clearcuts and openings. The indicators are important and should move forward.

Economic - nonmember, Randy Coots (, I am not an FSC member):

ok

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Social - member, Angela Wells (, I am not an FSC member):

No additional comment. See input for PL Indicator 6.6.5.2.

**Q52: Please share any additional comments you have regarding PL Indicator 6.6.5.3 for the Southwest Region.**

Economic - nonmember, Randy Coots (, I am not an FSC member):  
ok

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Social - member, Angela Wells (, I am not an FSC member):  
No additional comment. See input for PL Indicator 6.6.5.3.

**Q53: Please share any additional comments you have regarding PL Indicator 6.6.5.1 for the Southeast Region.**

Economic - nonmember, Randy Coots (, I am not an FSC member):  
See comment for Pacific coast region.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Social - member, Angela Wells (, I am not an FSC member):  
No additional comment. See input for PL Indicator 6.6.5.1.

**Q54: Please share any additional comments you have regarding PL Indicator 6.6.5.2 for the Southeast Region.**

Economic - nonmember, Randy Coots (, I am not an FSC member):  
See comment for Pacific coast region

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Social - member, Angela Wells (, I am not an FSC member):  
No additional comment. See input for PL Indicator 6.6.5.2.

**Q55: Please share any additional comments you have regarding PL Indicator 6.6.5.5 for the Southeast Region.**

Environmental - member, Daniel Hall (, Environmental North):  
The indicator requires harvest units' layouts to support viable populations of native species of flora and fauna, and sets ecosystem-specific greenup requirements that allow sufficient development of adjacent stands before new areas are clearcut or otherwise harvested. The indicator is important and should move forward.

Economic - nonmember, Randy Coots (, I am not an FSC member):  
See comment for Pacific coast region

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Social - member, Angela Wells (, I am not an FSC member):  
No further comment.

**Q56: Please share any additional comments you have regarding PL Indicator 6.8.1.**

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Economic - nonmember, Randy Coots (, I am not an FSC member):  
Is this the 15% requirement? Good idea, not applicable in all locations.

Social - member, Angela Wells (, I am not an FSC member):

Indicator 6.8.1 is appropriately designated as N/A by FF Indicator 6.8.1. This designation should carry over to PL 6.8.1 due to the limited capacity of management activities on family forests to affect mosaics, resilience and other values at a landscape-level. We also note removal of the word “appropriate” (i.e., “maintain appropriate diversity of ...”) from the corresponding indicator in the current standard. This edit appears to materially reduce flexibility as the indicator now requires maintenance or retention of a diversity of “forest types, wildlife habitats and ecological functions, including a diversity of size, structures, age classes, species and genetics...”. For smaller FMUs comprised entirely of a single plantation stand, this requirement may be difficult to achieve. Also, this indicator appears closely related to PL 6.6.1.1 and base Indicator 6.5.3. Perhaps guidance should be provided to address these relationships.

**Q57: Please share any additional comments you have regarding the Applicability note for PL Indicator 6.8.1.**

Environmental - member, Daniel Hall (, Environmental North):

The consultation draft’s version of the indicator states: “Within Management Units that contain plantations established on soils capable of supporting natural forests, The Organization maintains or restores a diversity of forest community types, wildlife habitats and ecological functions, including a diversity of size, structures, age classes, species and genetics across the Management Unit.” However, both the existing Standard’s Indicator 10.3.b and the version recommended by the TWG explicitly required these outcomes in the plantation areas of certified management units. The consultation draft seriously weakens the existing Standard by only requiring such outcomes in the tiny token amounts of semi-natural and natural forest that must exist in management units containing plantations, per the consultation draft’s PL Indicator 6.6.1.2. This is reinforced by the Intent Statement at Plantation Indicator 6.8.1.

Social - member, Angela Wells (, I am not an FSC member):

The applicability statement is not clear. The first sentence seems to establish the indicator doesn’t apply to FMUs comprised entirely of plantations (i.e., “that only contain plantations”), yet the second sentence refers to non-plantation portions of the FMU. These two sentences do not appear to align. Perhaps deleting the above phrase would improve clarity.

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Economic - nonmember, Randy Coots (, I am not an FSC member):

Explanation creates additional confusion. Example, what if an existing plantation is on soils that were too wet to support natural forests? Or too dry and had to be irrigated? Or too poor and had to be fertilized?

**Q58: Please share any additional comments you have regarding the Intent statement for PL Indicator 6.8.1.**

Economic - nonmember, Randy Coots (, I am not an FSC member):

This helps to explain goal.

Environmental - member, Daniel Hall (, Environmental North):

The existing Standard’s Indicator 10.2.a requires that: “for plantations established on soils capable of supporting natural forests, harvest units shall be arranged to provide or maintain areas of vegetative cover that allows populations of mid to late successional and sedentary native plant and animal species to survive or be reestablished within the plantation.” Contrary to the TWG’s recommendations, the consultation draft reduces this provision to non-enforceable (i.e., “non-normative”) intent language, and further eviscerates the provision, by allowing it to be met entirely by natural or semi-natural forest areas in the management unit. This is in addition to the consultation draft’s insertion of new language into the Intent Statement, that renders Plantation Indicator 6.8.1 relatively meaningless. This new language says that the Indicator’s requirements for maintaining or restoring a diversity of forest types, habitats, species, etc., only applies to the tiny portion of plantation management units that might be restored to semi-natural or natural conditions per the consultation draft’s version of Plantation Indicator 6.6.1.2.

Social - member, Angela Wells (, I am not an FSC member):

The clarification that PL 6.8.1 is not intended to require restoration of plantations beyond what's required in C6.6 is helpful and important.

Economic - member, Christopher Reeves (, I am not an FSC member):

None

**Q59: Do you have any comments regarding the Plantation elements (i.e., indicators, guidance, intent, applicability notes) in Principle 9 that are not indicator-specific?**

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Economic - nonmember, Mark Heyde (, I am not an FSC member):

No comment.

Social - member, Angela Wells (, I am not an FSC member):

No comment.

Economic - nonmember, Randy Coots (, I am not an FSC member):

Good.

**Q60: Please share any additional comments you have regarding the PL Guidance for Principle 9.**

Environmental - member, Daniel Hall (, Environmental North):

This statement is appropriate and also important, as it helps to counter erroneous beliefs that plantations can be presumed to have no High Conservation Values (HCVs).

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Social - member, Angela Wells (, I am not an FSC member):

No comment.

Economic - nonmember, Randy Coots (, I am not an FSC member):

Good.

**Q61: Do you have any comments regarding the Plantation elements (i.e., indicators, guidance, intent, applicability notes) in Principle 10 that are not indicator-specific?**

Economic - nonmember, Mark Heyde (, I am not an FSC member):

We support the alternate plantation indicator language as proposed.

Environmental - member, Daniel Hall (, Environmental North):

The consultation draft removed the existing Standard's requirement at 10.5.e, which as recommended by the TWG, would have been updated to read: "The ratio and spatial distribution of plantations, with respect to natural forests and semi-natural forests, maintains and/or restores the landscape diversity of community types, wildlife habitats, and ecological functions similar to a mosaic of natural forests." Removal of indicators such as this one mean that certifying existing plantations is unlikely to help maintain and restore natural forest ecosystems, and is more likely to greenwash the status quo. This indicator should be returned to the Standard.

Economic - member, Christopher Reeves (, I am not an FSC member):

None

Social - member, Angela Wells (, I am not an FSC member):

No comment.

Economic - nonmember, Randy Coots (, I am not an FSC member):  
No comment.

**Q62: Please share any additional comments you have regarding PL Indicator 10.2.1.**

Social - member, Angela Wells (, I am not an FSC member):

The requirement only that species used for plantations be “suitable and appropriate” to the site, consistent with the health and productivity of the FMU is appropriate and reasonable for plantations.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Economic - nonmember, Randy Coots (, I am not an FSC member):  
Good.

**Q63: Please share any additional comments you have regarding PL Regional Supplement1 to PL Indicator 10.2.1 for the Pacific Coast Region.**

Environmental - member, Daniel Hall (, Environmental North):

The indicators maintain important existing restrictions on the use of non-native species and must be carried forward.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Social - member, Angela Wells (, I am not an FSC member):  
No comment.

Economic - nonmember, Randy Coots (, I am not an FSC member):  
Good.

**Q64: Please share any additional comments you have regarding PL Regional Supplement2 to PL Indicator 10.2.1 for the Mississippi Alluvial Valley, Appalachian, and Southwest Regions.**

Environmental - member, Daniel Hall (, Environmental North):

The indicators maintain important existing restrictions on the use of non-native species and must be carried forward.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Social - member, Angela Wells (, I am not an FSC member):  
No comment.

Economic - nonmember, Randy Coots (, I am not an FSC member):  
Good, but would prefer language of Pacific Coast Region.

**Q65: Please share any additional comments you have regarding the Guidance to PL Indicator 10.2.1.**

Social - member, Angela Wells (, I am not an FSC member):

The guidance is helpful and appropriate to refer users to Criterion 6.9. Regarding Criterion 6.9, PL 6.6.1.1 is closely associated with 6.9 and appears to provide a fourth pre-requisite by requiring that “new plantation establishment does not replace, endanger, or otherwise diminish the ecological integrity of any existing natural ecosystems” on the FMU.

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Economic - nonmember, Randy Coots (, I am not an FSC member):  
Good

**Q66: Please share any additional comments you have regarding the PL Guidance to Indicator 10.9.1.**

Economic - nonmember, Randy Coots (, I am not an FSC member):  
Ok

Economic - member, Christopher Reeves (, I am not an FSC member):  
None

Social - member, Angela Wells (, I am not an FSC member):  
No further comment.

**Q67: Are there are any definitions in Annex A that are not adequate for FSC plantations? Please explain.**

Economic - nonmember, Mark Heyde (, I am not an FSC member):  
No.

Social - member, Angela Wells (, I am not an FSC member):  
No comment.

Economic - nonmember, Randy Coots (, I am not an FSC member):  
Can you further explain differences between semi-natural forests and plantations?

**Q68: Please share any further comments you have regarding whether Annex C adequately addresses the guidance needs for FSC plantations.**

Social - member, Angela Wells (, I am not an FSC member):  
No comment.

Economic - nonmember, Randy Coots (, I am not an FSC member):  
Good reference.

**Q69: Please share any further comments you have regarding whether Annex D adequately addresses the guidance needs for FSC plantations.**

Social - member, Angela Wells (, I am not an FSC member):  
No comment.

Economic - nonmember, Randy Coots (, I am not an FSC member):  
Annex D should be adequate for entire standard equally.

**Q70: Please share any further comments you have regarding whether Annex E adequately addresses the guidance needs for FSC plantations.**

Economic - nonmember, Randy Coots (, I am not an FSC member):  
ok

Social - member, Angela Wells (, I am not an FSC member):  
No comment.

**Q71: Please share any further comments you have regarding whether Annex F adequately addresses the guidance needs for FSC plantations.**

Social - member, Angela Wells (, I am not an FSC member):  
No comment.

Economic - nonmember, Randy Coots (, I am not an FSC member):  
No comment.

**Q72: Please share any further comments you have regarding whether Annex G adequately addresses the guidance needs for FSC plantations.**

Social - member, Angela Wells (, I am not an FSC member):  
No comment.

Economic - nonmember, Randy Coots (, I am not an FSC member):  
Complicated.

**Q73: Please share any further comments you have regarding whether Annex H adequately addresses the guidance needs for FSC plantations.**

Economic - nonmember, Randy Coots (, I am not an FSC member):  
Ok

Social - member, Angela Wells (, I am not an FSC member):  
No comment.

**Q74: Please share any further comments you have regarding whether Annex I adequately addresses the guidance needs for FSC plantations.**

Economic - nonmember, Randy Coots (, I am not an FSC member):  
Well done! Please disregard comments above in regards to these differences.

Social - member, Angela Wells (, I am not an FSC member):  
Between the definitions provided in Annex A, applicability and guidance statements provided for C6.9 and guidance provided in Annex I, it's clear that non-forested lands include sites that do not meet the ecological definition of forest, and forested sites that are legally designated for other uses such as through zoning laws or conditional use permits. Sites that lack the majority of "principal characteristics and key elements" of native forest ecosystems are not considered forests. Establishment of plantations on sites that lack most "PCKE" of native forest ecosystems is not considered conversion. It is currently not made explicitly clear if conversion of such sites to other non-forest use is categorically permissible. Criterion 6.9 specifically refers to natural (and semi-natural) forests, and not forests as defined more broadly. Guidance is provided in Annex I for differentiating plantations from natural (or semi-natural) forests. However, it is not clear if, for example, severely degraded sites that do not qualify as natural or semi-natural forest are viewed as forest or non-forest.

**Q75: Please share any further comments you have regarding whether Annex J adequately addresses the guidance needs for FSC plantations.**

Social - member, Angela Wells (, I am not an FSC member):  
No comment.

Economic - nonmember, Randy Coots (, I am not an FSC member):  
A good guide to follow.

**Q76: Please share any further comments you have regarding whether Annex K adequately addresses the guidance needs for FSC plantations.**

Social - member, Angela Wells (, I am not an FSC member):  
No comment.

Economic - nonmember, Randy Coots (, I am not an FSC member):  
Good

**Q77: Please share any further comments you have regarding whether Annex L adequately addresses the guidance needs for FSC plantations.**

Social - member, Angela Wells (, I am not an FSC member):  
No comment.

**Q78: Please provide any additional comments you have regarding this consultation.**

Environmental - member, Daniel Hall (, Environmental North):

Relevant portions of the conservation organizations' cover letter: We greatly appreciate the FSC's attention to our input and hope the FSC will make course corrections that are commensurate with the gravity of the problems highlighted below and detailed in the attachments. Absent such corrections, we are concerned that support for FSC from environmental groups will be undermined. Indeed, the FSC's failure to address outstanding concerns related to certifying federal lands are very disappointing and will only serve to reinforce opposition to such certification. Much of the forest landscape in the US is a shadow of its former self, with mature and old growth, wild areas, carbon stores, and many wildlife habitats and populations reduced to fractions of their natural extent. Many existing plantations in the US were established at the expense of natural forests and represent a decimation of forest ecosystems, sometimes at the landscape scale. There is little evidence that their establishment or certification somehow removes pressure from remaining natural forests; unlike some other countries where plantation establishment involved a quid pro quo for natural forest protection, no such outcomes resulted from the establishment of most plantations in the US, nor would they result from their certification. The only path to credible and meaningful certification of these existing plantations is for significant portions of them to be restored to more natural conditions—conditions that can also be highly productive for forest products. The threat of ever-increasing global demand for wood and fiber products is one that must be confronted head-on, including through recycling, usage efficiency and alternative fibers and building materials. Attempting to endlessly squeeze more and more from finite forest ecosystems is an inherently unsustainable and doomed strategy. Unfortunately, the draft revised supplemental indicators fail to sufficiently embrace such a vision for plantations and for our federal public lands. In some cases, they even do the opposite. Moving the FSC in the direction of certifying business-as-usual forestry may be a recipe for easily expanding the amount of FSC certified lands—but it is also a recipe for making the FSC ineffective, irrelevant, and open to legitimate charges of greenwashing. The FSC must remember that its core value proposition to consumers and responsible corporate purchasers, and to many certified companies and other stakeholders, is its role as a highly credible, leadership standard. We urge the FSC to build this value—not throw it away. The supplementary indicators for plantations include some important improvements that should move forward, as noted in our attachment. However, other revisions would seriously weaken or eliminate crucial provisions of the existing Standard's requirements. Among other things, the draft would: reduce to trivial levels the percentage of plantations that must be restored to natural and semi-natural forest conditions; often completely exempt plantations from having any percentage restored to natural and semi-natural conditions, including in regions like the Southeast that have been most impacted by plantation conversion; and allow the vast majority of plantation areas to be managed more intensively than under the existing Standard, moving them further away from natural forest conditions. These changes are further explained below, and in Attachment B included with this letter. The result will be a failure to meaningfully reverse the harm caused by existing plantations and the gaping hole they often represent in forest ecosystems, habitats, biodiversity, and carbon stocks. Equally disturbing, changes in the draft revised “base” indicators and Annexes for the Standard would create a massive, unacceptable loophole in the FSC's normal prohibition on plantation conversion, allowing more natural and semi-natural forests to be reduced to plantations. Both the rollbacks of existing requirements for the restoration and sound management of plantations, and the new loopholes for plantation conversion would contradict the recommendations of the TWG and also the FSC US Board's recognition of the importance of maintaining the existing Standard's level of performance. This recognition was expressed in the Board's 2018 Charter for the TWG, which called for “maintaining... the level of requirements in the current standard” except where necessary to meet the FSC's new international requirements and the Board's 2018 “Priority Issues” document. Those priority issues did not include weakening the Standard to certify business-as-usual management of plantations. In sum, draft revisions to Standard supplementary indicators for both federal lands and plantations undermine public trust in the FSC by rewarding status quo practices with certification. We again urge the FSC to take the concerns in this letter and the attachments seriously. Should you have any questions regarding anything in this letter or these attachments, please contact [tom@wildcalifornia.org](mailto:tom@wildcalifornia.org).

Economic - member, Christopher Reeves (, I am not an FSC member):

Overall very good. I hope to decrease in the restoration level change remains as it could provide that break through to increase FSC certification on plantations.

Social - member, Angela Wells (, I am not an FSC member):

FSC's strategy to increase certification of plantations is understandable and appropriate. However, modifications to the standard to improve for plantations is clearly targeting large scale industrial plantations and has unfortunately not taken full account of applicability and feasibility in the context of family forests who collectively represent the largest forest ownership class in the US. In addition, in particular for plantations established prior to



1994, FSC should consider further relaxing additional restrictions on plantation management such as the additional 5% penalty (15% vs 10% for FMUs without plantations) for restoration/maintenance of natural forest, the 5% of FMU area threshold for applicability of PL indicators, and imposition of natural forest attributes on plantation management. All of these requirements, individually and collectively, materially diminish the fundamental objectives of plantation management. As FSC has noted in the introduction of the draft revised standard, the increased productivity of timber products resulting from plantations can effectively complement the conservation and sustainable use of native forests and can play a critical role in meeting increased global consumption. Displaced demand resulting from reduced productivity of existing plantations will necessarily be directed toward natural forests, thereby increasing pressure on those forests. The task of importing plantation-related indicators that currently reside in a principle dedicated exclusively to plantations and integrating them with other principles is understandably a uniquely challenging exercise. In general, the result is a particularly good job of eliminating redundancy. However, the placement of some indicators may create some confusion and/or inefficiency due to what appears to be tenuous conceptual alignment. In particular, some PL indicators associated with C6.6 seem better suited for C6.8, and vice versa. Criteria and indicators that do not currently provide any consideration for plantations but should at least include guidance, if not alternative indicators, include C6.5 which addresses RSAs, and C10.1 (particularly Indicator 10.1.2) which addresses regeneration of harvested sites. Regarding RSAs, particularly for family forests comprised mostly or entirely of plantation, it could be exceedingly difficult to accommodate requirements to maintain or restore RSAs given the limited amount of available area.

## Annex D: Draft 1 (Phase 2) Comments on the Federal Land Supplementary Requirements

\*Daniel Hall\* comments are endorsed by: Caroline Pufalt, Sierra Club; Canopy; Center for Biological Diversity; Conservation Northwest; Dogwood Alliance; Environmental Protection Information; Heartwood; Kentucky Heartwood; Klamath Forest Alliance; Klamath-Siskiyou Wildlands Center; Old Growth Forest Network; Oregon Wild; Pacific Rivers; Rainforest Action Network; Safe Alternatives for our Forest Environment; South Umpqua Rural Community Partnership; Tennessee Heartwood; Western Environmental Law Center; Wild Heritage; WildEarth Guardians

\*\*UMP comments are endorsed by: Quintin Legler, Blandin Paper Company;

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**Q2: Do any of the proposed Federal Lands Supplementary Requirements fail to adequately address the special/unique issues associated with federal ownership?**

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

Yes. Our remarks refer to federal ownership as represented in US Forest Service lands as we contend that the addition of other types of federal ownerships is highly inappropriate. See later comments for details. In summary, the Supplementary Requirements fail to take management beyond minimal legal requirements when needed, they fail to incentivize management beyond that in which commercial logging is a significant factor, they fail to require management informed by historical native ecosystem distributions, they fail to require assessments and adequate actions taken to increase forest carbon storage.

Mark Heyde, Wisconsin County Forests Association (Economic - nonmember, Other):

We believe that the special/unique issues associated with federal ownership are either political or associated with scale, intensity and risk. The SIR concerns are addressed by the base indicators and largely don't require additional indicators. We also believe that political issues are outside the scope of certification and are an inappropriate basis for indicators.

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):

The short answer is "yes." For details and examples, see our responses to the other consultation questions, and our other comments on the draft indicators and indicators document.

Carolyn Loeb, NEPCon (Environmental - nonmember, Environmental NGO, Certification Body):

Not to my knowledge; however, you might want to incorporate more nuance into the wording of some of the supplementary requirements to account for differences in Federal MU size and agency-specific mission.

Michael Dickinson, C.F. Martin & Co., Inc. (Economic - member, Certificate Holder (CoC)):

no it seems to address it adequately

**Q3: Is conformance with any of the proposed Federal Lands Supplementary Requirements infeasible for existing or potential Federal management units?**

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):

The short answer is "no." Equally important, it is essential that responses to this question be reviewed from the proper perspective. In many cases, significant improvements in management of Federal forests will be needed for FSC certification to be constructive and appropriate, including given these forests' crucial role in conserving and restoring biodiversity, carbon stocks, forest landscapes, and ecosystems,

and expectations for them to be managed for the broader public good. Indeed, given the relatively moderate expectations for non-federal forests to be managed to restore and recover imperiled species, biodiversity, and forests' natural carbon stocks, it is essential that federal public forests be managed with these goals as top, overriding priorities. Gaps between the draft indicators and existing legal or administrative directives for federal forests would not be an appropriate reason for weakening the existing Standard's supplemental indicators, the indicators recommended by the TWG, or draft indicators in the consultation document. FSC certification can and must require performance above and beyond regulatory minimums, or it risks being irrelevant, ineffective, and in some cases, greenwash.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
No, again referring to the USFS.

Carolyn Loeb, NEPCon (Environmental - nonmember, Environmental NGO, Certification Body):  
In general, I think conformance with the supplementary requirements is feasible; however, a few of the requirements might be difficult for very small management units like Marsh-Billings-Rockefeller NHP (for example, requirements like 4.4.1, intent for 6.6, etc.)

Michael Dickinson, C.F. Martin & Co., Inc. (Economic - member, Certificate Holder (CoC)):  
i do not believe i have the knowledge base to answer this . sound like something USFS should answer

Mark Heyde, Wisconsin County Forests Association (Economic - nonmember, Other):  
For the reasons stated above, we encourage the SDG to minimize the number of supplementary requirements for federal land. Certification of federal lands represent a way to grow the area of FSC certified land in the US. In general, US federal forests particularly those of the USDA Forest Service are some of the most analyzed and monitored forest lands in the US. They are well-managed and well-suited for FSC certification.

**Q4: Are there any additional base indicators where Federal Lands Supplementary Requirements are needed to address the special/unique issues associated with federal ownership?**

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
Yes, for example requiring Representative Sample area perspective to be within the management unit, protecting and recovery actions for state rare and endangered species, requiring regional standards to be observed. Plus greater development of C5.2 language regarding options for not harvesting forest products. How this could fit in whole or in part on a Management unit.

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):  
The short answer is "yes." In addition to the supplemental indicators' insufficiencies discussed elsewhere in our comments, there are a number of problems and insufficiencies with the base indicators that need to be corrected, especially though not only in the context of federal lands. Base Indicator 3.1.2: As worded in the first consultation draft, the indicator is likely to be mis-interpreted as saying the "confirmation" of Native Americans' rights only pertains to rights previously identified by the Organization. This would be inappropriate and not meet Criterion 3.1's clear expectation that applicable rights will be identified through engagement—including rights that may not have been previously known to the Organization. Native American rights will be especially relevant in the US in the context of federal lands. Base Indicator 5.2.1: At the end of the second line of the Indicator, the words "sustained yield" in the phrase "sustained yield planning unit" appear unnecessary and likely to create confusion about whether all planning units need be managed on a sustained yield basis (which generally, they should, wherever harvest is to occur in the first place). It also raises the question of what is meant by "sustained yield planning unit," since this phrase does not appear elsewhere in the Standard. Base Indicator 6.1.1, Intent Statement, 2nd Paragraph: The existing Standard, the draft revised Standard prepared by the TWG, and the Standard's definition of "rare,



threatened, and endangered species” (RTE) all consistently require S3 species that are Candidate Species to be treated as RTE species. However, the consultation draft’s Intent Statement suggests the RTE status of S3 Candidate species is optional. At best, this will create confusion about the status of S3 Candidate species, and at worst, it is a serious weakening of the Standard and its protections for imperiled species. While the Intent Statement’s language is quite inappropriate in the context of non-federal lands, it will be especially harmful in the context of federal lands, given they are far more likely to harbor S3 Candidate species, and given that federal lands often carry the primary responsibility for recovering imperiled species.

Base Indicator 6.3.2: The consultation draft added the phrase “unless it is being used to achieve ecological management objectives” to the Indicator. This new language creates a potentially immense exception to the Indicator’s restrictions on use of whole tree logging. The exception hinges on the highly subjective phrase “ecological management objectives,” which could mean virtually anything, and thus is at best impossible to audit, and at worst, subject to widespread misuse.

Base Indicator 6.6.6.d: The consultation draft revised bullet “d” of Indicator 6.6.6 to say that alternate size limits for clearcuts and other openings need only provide greater benefits relative to Indicator 6.6.5, and not relative to the Standard’s normally applicable regionally specific opening size limits. In other words, the alternate harvest sizes could be drastically larger than normally allowed in these regions, provided they are still deemed “consistent with natural disturbance regimes.” This represents a serious weakening of the Standard, as “consistent with natural disturbance regimes” is a very subjective and problematic threshold. In some regions, very large opening sizes may be “consistent with natural disturbance regimes.” At the same time, the Standard was not revised to require retention levels within clearcuts and openings to be consistent with natural disturbance patterns, which typically do not remove most live, dying, and dead trees. While this is highly problematic for non-federal lands, it is especially unacceptable in the context of federal public lands, which if logged at all, should be logged less intensively than commercial private forests.

Base Indicator 6.7.6: The consultation draft revised the indicator to say that alternate stream buffer widths must only provide greater benefits relative to Indicator 6.7.5, and not relative to the Standard’s regionally-specific buffer widths. In other words, the alternate buffer widths could be drastically smaller than normally allowed in these regions, since absent the regionally specific information, the Standard provides no objective metrics for the alternate buffer widths. While this is highly problematic for non-federal lands, it is especially unacceptable in the context of federal public lands where stream buffers should often be much wider and more protective than the normal buffer widths specified in the Standard.

Principle 9, Intent Statement: In the consultation draft, the last paragraph says the HCV Framework “may” be used to assess HCVs, etc. This contradicts the Principle 9 Indicators requiring use of the Framework, and also does not meet FSC International policy expectations for the use of Frameworks. Some certificate holders’ past failure to use existing FSC US guidance on HCVs evidences why it is essential to clearly require use of the Framework. While this is important for all certified forests, it will be all the more important in the context of federal lands, where HCVs are even more likely present, and where most of the last remaining examples of some HCVs are found.

Base Indicator 9.3.2: The draft indicator prepared by the TWG stated that “activities that harm High Conservation Values cease immediately and actions are taken to restore and protect the High Conservation Values.” However, in the consultation draft, the Indicator no longer requires any harmful activities to be stopped, despite common sense and the FSC International Generic Indicators’ expectation that harmful activities “cease immediately.” Instead, the Indicator now just calls for “mitigation” of such activities. This would allow potentially serious and highly harmful activities to continue indefinitely, and also introduces the potential for Organizations to claim that other HCV occurrences may be substituted for the ones being harmed. Such “offsetting” approaches would be highly inappropriate, and would contradict the plain meaning of Principle 9 and its Criteria. The language must be returned to the form recommended by the TWG. While important in all contexts, this correction will be especially crucial in the context of federal lands, which harbor the most of the last remaining examples of some types of HCVs.

Base Indicator 9.3.2, Intent Statement: In the consultation draft, the Intent language states that Organizations are only required to address harmful activities when they present a “threat of severe or

irreversible damage” to HCVs. This would violate Criterion 9.3 and be weaker than the existing US Standard and the language recommended by the TWG, all of which require all HCVs to be maintained and/or enhanced in all situations. It also ignores the International Generic Indicators’ Instruction to Standards Developers to recognize that any threats to HCVs are to be considered “threats of serious or irreversible damage,” when applying the precautionary approach to P9 Indicators. Base Indicator 10.2.2: The consultation draft removed the words “limited” and “of North American origin” from the indicator recommended by the TWG, allowing virtually entire management units to be converted to non-native, non-North American species, as long as managers claim this is done as climate adaptation. In other words, 10.2.2 would no longer be focused on supporting the adaptation of natural forests, but would allow their wholesale conversion to non-native species that serve more to replace natural forests. This would be unacceptable, and would seriously undermine the Standard’s credibility with a marketplace and stakeholders that expect the FSC to be a “gold standard” for natural forest management and conservation. Such outcomes would also no longer be precluded by the Standard’s prohibitions on conversion and would violate Criterion 6.9, since Annex I and the Glossary definition of “plantation” were also edited in the consultation draft to exempt plantings per 10.2.2 from being considered plantations. Annex H, Conservation Area Networks: The consultation drafts revisions to the Annex recommended by the TWG allow areas outside the management unit to count towards the unit’s requirements for a “conservation area network.” While already highly problematic in the context of non-federal lands, these provisions would be especially inappropriate in the context of National Forests, BLM lands, and National Parks, which should be managed primarily for conservation objectives. Annex I, Plantation Classification: The consultation draft’s revisions to the Annex create a fiction that converting natural forests to non-native tree species is not a form of conversion, as long as it is framed in terms of climate adaptation. This would be reasonable, if base Indicator 10.2.2’s allowances for planting of non-local species was still limited in scope, and excluded the use of species not native to North America, as was recommended by the TWG. However, as worded in the consultation draft, 10.2.2 and Annex I would allow wholesale conversion of natural forests, in violation of Criterion 6.9. While already inappropriate in the context of non-federal lands, this would be especially inappropriate in the context of federal lands, which need to be managed primarily for conservation goals and natural forest conditions. Annex K, High Conservation Value Framework: The HCV Framework was not developed with BLM lands and especially National Parks in mind, and thus may not include important HCV interpretations needed in the context of these lands. For example, both BLM lands and National Parks frequently contain social, cultural, archeological, and scientific resources that are less common in National Forests, including resources associated with non-forest ecosystems, but that could still meet the FSC’s definitions of High Conservation Values. The Framework should either be expanded to better address additional HCV interpretations likely to be relevant for BLM lands and National Parks, or the Standard should not be applied to these lands. Annex K, High Conservation Value Framework: The consultation draft amended Section 2.e, “Threshold for Regionally Significant,” to use Ecological Provinces instead of Ecological Sections, as the context for identifying and assessing HCVs. This would drastically weaken the existing Standard, was not recommended by the TWG, and would result in many HCVs not being identified and conserved as “regionally significant,” given the immense size of many Provinces. Indeed, many Provinces contain a vast range of different ecosystem types and geographies that make no sense to evaluate relative to each other. While inappropriate in the context of non-federal forests, the use of Provinces in this manner is especially inappropriate in the context of federal lands, which are more likely to contain HCVs, and need to play a leadership role in forest ecosystem conservation and restoration. Annex K, High Conservation Value Framework: The penultimate sentence of Section 4.a.ii of the Framework’s description of old growth states that they are “always associated with pre-European remnant forests.” This sentence should be deleted, as recognized by some TWG members. The sentence does not align with the existing Standard’s definition of old growth, nor does it align with existing FSC US guidance on HCVs and old growth. It could inappropriately exclude deserving old growth occurrences from being identified and conserved as HCV, and could also create confusion about when old growth is to be identified and

protected per Principle 6. While already inappropriate in the context of non-federal forests, this sentence will be especially inappropriate in the context of federal lands, where more old growth is likely to exist, and where the Board's 2019 directive to the TWG called both for more consistently protection of old growth and for increasing the extent of old growth over time, meaning that late successional stands and other "younger" old growth must also be protected. (See the November 7, 2019, memo from the FSC US Board to the TWG, regarding "Expanding the Scope of the 'USFS Supplementary Requirements' Priority Issue for the National Forest Stewardship Standard Revision Process.") Annex K, High Conservation Value Framework: Edits made in the consultation draft to the description of primary forests at Section 4.a.iii need to be corrected, as they will lead to primary forests not being properly identified and conserved. While important for non-federal forests, this will be especially important in the context of federal lands, where most of the US' remaining primary forests are likely to occur. In existing FSC US materials and in the draft Framework prepared by the TWG, the 3rd and 4th sentences of the description read: "Human impacts in such forest areas have normally been limited to low levels of hunting, fishing, and very limited, non-commercial harvesting of forest products. Type 1 Old Growth would also typically represent primary forest." The consultation draft replaces those sentences with the statement that "any evidence or documentation that forest management activities have occurred in an area, even if it is not readily visible, would exclude the area from being primary forest." This new statement fails to properly distinguish between activities (including historic Native American activities) that are consistent with the existence of primary forests, and those activities that degrade and destroy primary forests, e.g., industrial logging. Moreover, "any forest management activity" includes assessments, scientific research, conservation measures, or management planning (all of which are covered by the definition of "management activity"). Thus the mere act of assessing a primary forest as HCV could disqualify it as HCV. Likewise, if an organization had merely planned to log a primary forest, this would disqualify it for protection as HCV even though it still remains intact and valuable as primary forest. Annex L, Climate Change Toolkit: The Annex does not appear to recognize the importance of carbon storage and sequestration, including as important ecosystem services that can help minimize the intensity of climate change over time, and thus impacts to natural forests and the need for their adaptation. While this is already a serious oversight in the context of non-federal forests, it will be especially inappropriate in the context of federal lands, which need to play a leading role in sequestering and storing carbon in the US. Likewise, the Toolkit's discussion of resilience appears to ignore crucial opportunities and strategies to maintain and enhance forests' natural reliance to climate change and other disturbances. Rather than being forgotten, such approaches should be the first stop for any adaptation strategy. For example, in the fourth paragraph under the section "Climate Change in Principle 10," the discussion of resilience is narrowly about altering forests, and not only ignores the strategy of natural forest resilience, but at times could work against it. While maintaining and enhancing forests' natural resilience should be the priority for all forests, it will be especially important in the context of federal forests.

Carolyn Loeb, NEPCon (Environmental - nonmember, Environmental NGO, Certification Body):  
Not to my knowledge, but I did not have the chance to do a deep read of the full standard (I focused primarily on proposed changes to Federal Lands Supplementary Requirements).

Mark Heyde, Wisconsin County Forests Association (Economic - nonmember, Other):  
No, we encourage the SDG to reduce the number of supplementary requirements because the base indicators are comprehensive, strong and appropriately address federal lands management.

Michael Dickinson, C.F. Martin & Co., Inc. (Economic - member, Certificate Holder (CoC)):  
i do not believe i have the knowledge base to answer this . sound like something USFS should answer

**Q5: Are there any base indicators that do not currently have proposed Federal Lands Supplementary Requirements that are not feasible for existing or potential Federal management**

**units?**

Carolyn Loeb, NEPCon (Environmental - nonmember, Environmental NGO, Certification Body):

This question suggests that the Federal Lands Supplementary Requirements could be alternatives to base indicators- my understanding is that they are always in addition to (and do not replace) the base indicators. If some of the supplementary requirements are alternatives to proposed base indicators, I was unaware of that.

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):

The short answer is “no.” Equally important, it is essential that responses to this question be reviewed from the proper perspective. In many cases, significant improvements in management of federal forests will be needed for FSC certification to be constructive and appropriate, including given these forests’ crucial role in conserving and restoring biodiversity, carbon stocks, forest landscapes, and ecosystems, and expectations for them to be managed for the broader public good. Indeed, given the relatively moderate expectations for non-federal forests to be managed to restore and recover imperiled species, biodiversity, and forests’ natural carbon stocks, it is essential that federal public forests be managed with these goals as top, overriding priorities. Gaps between the existing supplemental indicators, the indicators recommended by the TWG, or the consultation draft’s indicators and existing legal or administrative directives for federal forests would not be an appropriate reason for weakening the draft indicators. FSC certification can and must require performance above and beyond regulatory minimums, or it risks being irrelevant, ineffective, and in some cases, greenwash.

Mark Heyde, Wisconsin County Forests Association (Economic - nonmember, Other):

No.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

No

Michael Dickinson, C.F. Martin & Co., Inc. (Economic - member, Certificate Holder (CoC)):

i do not believe i have the knowledge base to answer this . sound like something USFS should answer

**Q6: The Standard Development Group believes that the Draft 1 Federal Land Supplementary Requirements address Condition #2 for all Federal agencies. Do you agree with this assertion? If not, which issues are not adequately addressed, and for which Federal agency(ies) are they not adequately addressed?**

Mark Heyde, Wisconsin County Forests Association (Economic - nonmember, Other):

Yes, the requirements could be applied to all federal ownerships including BLM and NPS lands.

Michael Dickinson, C.F. Martin & Co., Inc. (Economic - member, Certificate Holder (CoC)):

yes they are

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):

The short answer is “no.” The supplemental indicators were not developed with BLM lands or National Parks in mind and are likely inadequate for BLM lands and National Parks. The FSC US Board did not direct the TWG to consider the BLM or National Parks when evaluating and revising the supplemental indicators for National Forests, and the TWG did not address these lands when revising the supplemental indicators. Meanwhile, there are serious and important additional management expectations, challenges, and controversies in many BLM forests, other BLM lands, and National Parks. If the Standard is going to make BLM and National Park management units eligible for certification, then the definition of “management unit” at Page 5 should clearly indicate the minimum scale at which those units are audited and potentially certified. This scale should be commensurate with the scale of individual National Forests,

which is the minimum scale at which Forest Service lands may be certified under the existing Standard and the draft revisions. This would be individual “Field Offices” for the BLM (which are administrative units, not literal “offices”), and individual National Parks for the National Park Service. If the Standard is going to make BLM forests, other BLM lands, and all National Parks eligible for certification, then the full suite of potential management issues on those lands also need to be addressed by the Standard. This has not occurred. The November, 2012, FSC US Federal Lands Policy requires that: “Federal indicators must address all forest management practices occurring in the ownership being considered for certification, including relevant and significant non-timber forest uses, resources, and impacts. Management practices that may be relevant include timber management, non-timber forest product harvest and management, resource restoration, biodiversity protection and restoration, watershed protection and water quality restoration, roadless area and wilderness conservation, fire/fuels management, grazing, mineral and oil exploration and extraction, development and maintenance of water storage and distribution facilities, motorized and other recreation, and other development.” If the Standard is going to make BLM lands eligible for certification, then management practices that would need to be better addressed include, but are not limited to: mineral and oil exploration; water storage and distribution facilities; grazing; wildlife management; management of woodlands, mixed forest/desert ecosystems and habitats, and high desert ecosystems; and management of archaeological, paleontological, and historical sites. Moreover, inasmuch as the Standard and its supplemental indicators assume the existence of relatively robust management plans and administrative requirements in National Forests, this assumption does not hold for BLM management units. In the Pacific Coast Region, for example, the BLM has been seriously back-tracking on commitments made per the Northwest Forest Plan. Although a “landscape level” document, covering both Forest Service and BLM lands within the range of the northern spotted owl, the BLM has abandoned this unified management approach by revising Resource Management Plans for planning areas in its control without consultation with the Forest Service. There also remains an open legal question over the management obligations for large areas of BLM ownership, most particularly the “O&C Lands” within Oregon. The Standard’s “base” and supplemental indicators are also highly unlikely to be sufficient to address management topics unique to National Parks, despite the Federal Lands Policy’s requirement for “national-level Indicators that address the special resource management, legal, technical, procedural, and governance issues associated with federal ownership.” Among other things, the Standard and its indicators are not designed to address lands managed with recreation, scientific research, cultural preservation, and public education as principal objectives. Nor are the Standard and its supplemental indicators suitable for lands where commercial timber harvest and other commercial resource extraction would be absolutely inappropriate and controversial, far beyond levels of controversy already seen for National Forests and BLM lands. The tacit idea that “sound forest management is sound forest management and should be done the same everywhere” is already deeply flawed in the context of other federal public lands, and is orders of magnitude more flawed in the context of National Parks, where the public has vastly different expectations for their management. Yet nothing in the draft supplemental or base indicators would prohibit significant commercial logging, mineral extraction, or other extractive/industrial activity in our National Parks, nor do the indicators provide appropriate constraints on, or even recognize, other commercial uses of our National Parks. The draft indicators do not even require that timber harvest, chemical applications, road construction, salvage logging, and other management activities in National Parks be conducted with a “lighter touch” than in private commercial timberlands.

Carolyn Loeb, NEPCon (Environmental - nonmember, Environmental NGO, Certification Body):  
The SDG might consider additional indicators for federal lands pertaining to climate change planning in the form of carbon storage and sequestration, forest resilience, and mitigation/adaptation strategies, since federal lands are in a good position from the funding and long-term planning positions to consider and implement such strategies.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

Technically yes depending on perspective, but as our comments contend special resource management issues relevant to the USFS are not adequate and do not fully carry out the mission of FSC and the Nov 2019 memo from the BOD entitled Expanding the Scope of the USFS Supplementary Requirements' Priority Issue for the FSC Standard Revision Process.

**Q7: Are there specific Family Forest Indicators for which small Federal management units should be eligible?**

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):

We believe it is in the best interest to keep federal lands separate from the Family Forest Indicators.

Guidance could be developed specific to these small Federal management units in order to adequately account for their reduced size, intensity, and potential risk. Exemptions for these small federal lands may be warranted in some cases.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):

We believe it is in the best interest to keep federal lands separate from the Family Forest Indicators.

Guidance could be developed specific to these small Federal management units in order to adequately account for their reduced size, intensity, and potential risk. Exemptions for these small federal lands may be warranted in some cases.

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):

The short answer is "no." See the response to the following question. Small portions of National Forests, BLM lands, and National Parks should not be certified in isolation, including as recognized in the FSC US Federal Lands Policy. Nor should federal lands be assessed using a partial or streamlined set of indicators, given the importance of these lands. Marsh-Billings National Park is the only federal land unit that should be certified per the "family forest" approach, given its unique history and mandate.

Brendan Grady, SCS Global Services (Economic - member, ):

The FSC US Federal Lands Policy is the only example in the global FSC system in which a separate condition for consent of the landowner and a separate stewardship standard is required for a category of ownership type. (Not just public ownership, but federal ownership distinct from state or local government.) This situation is an anomaly in the FSC system, and the baseline position should be to minimize the differences between the "normal" standard and the federal lands policy. With that as a goal, federal lands that meet the eligibility requirements for the family forest indicators should be eligible to use that entire standard. (Note that the FSC-US standard already goes beyond FSC International norms by restricting eligibility for the FF forest to small but not low intensity forests.)

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

the Family Forest Indicators are not the best venue

Michael Dickinson, C.F. Martin & Co., Inc. (Economic - member, Certificate Holder (CoC)):

No, they should have their own regulations

Mark Heyde, Wisconsin County Forests Association (Economic - nonmember, Other):

If public lands are eligible for Family Forest indicators, then federal lands should also be eligible.

Carolyn Loeb, NEPCon (Environmental - nonmember, Environmental NGO, Certification Body):

I am worried that Marsh-Billings-Rockefeller may have a difficult time demonstrating conformance to the full FSC FM standard, particularly the indicators dealing with landscape-level planning and engagement.

**Q8: Are there specific Federal Lands Supplementary Requirements with which conformance will be infeasible for small Federal management units and exemptions should be considered?**

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
uncertain

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):  
Small portions of National Forests, BLM lands, and National Parks should not be certified in isolation in the first place. As recognized in the November, 2012, FSC US Federal Lands Policy, "federal indicators should require that assessments be conducted at sufficiently large geographic scales to address ecosystem and landscape-scale processes appropriate to the size and variability of the federal ownership in question." It is essential to maintain (and expand to the BLM and National Parks), the existing Standard's requirement that National Forests be audited and certified at the scale of individual National Forests, with certification at smaller scales not being permitted. (See Page 5, "Management Unit," in the draft Standard.) In the case of the BLM, the appropriate scale would be individual "Field Offices" (which are administrative units, not literal "offices"), and for the National Park Service, individual National Parks. The question of the appropriate management unit scale should not be left to the discretion of certification bodies (who would probably prefer clarity in the Standard anyway), and should definitely not be left to the discretion of agencies with problematic management track records, like the BLM.

Mark Heyde, Wisconsin County Forests Association (Economic - nonmember, Other):  
No.

Michael Dickinson, C.F. Martin & Co., Inc. (Economic - member, Certificate Holder (CoC)):  
I believe this will solely depend on leadership and the particular ruling party

Carolyn Loeb, NEPCon (Environmental - nonmember, Environmental NGO, Certification Body):  
4.4.1, P5 guidance for federal lands, and 6.6 intent might all be difficult to demonstrate conformance with in their current form. I do think all can be modified for wording to make them more accessible to small federal management units.

**Q9: Should eligibility for the above specific Family Forest Indicators, and/or exemptions for the above Federal Lands Supplementary Requirements differ depending on the administering Federal agency or on the principle management objectives for the management unit (i.e., limited to conservation objectives vs. multiple use objectives vs. other objectives)?**

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):  
We strongly recommend keeping a consistent framework for all federal lands. The vast majority, if not all federal lands are managed for some level of multiple use. The standard should be consistent for all Federal lands.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):  
We strongly recommend keeping a consistent framework for all federal lands. The vast majority, if not all federal lands are managed for some level of multiple use. The standard should be consistent for all Federal lands.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
this should not be considered

Mark Heyde, Wisconsin County Forests Association (Economic - nonmember, Other):  
No.

Carolyn Loeb, NEPCon (Environmental - nonmember, Environmental NGO, Certification Body):  
I would caution against denoting agency-specific requirements or exemptions in the standard, as doing so will increase the level of complexity of the standard and might lead to confusion on the part of certificate holders and CBs. Instead, I think you can use the guidance/intent boxes as well as more nuanced wording in some of the indicators to differentiate between forests of different sizes and management intensity as well as land management goals. Additionally, there are few federal lands supplementary requirements in which you can make reference to considering the organization's mission (such as in the intent box for 5.5) as one piece of evaluating the requirement.

Michael Dickinson, C.F. Martin & Co., Inc. (Economic - member, Certificate Holder (CoC)):  
I believe this will solely depend on leadership and the particular ruling party

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):  
"No." Federal lands should not be certified as "family forests" (except for the Marsh Billings National Park). Small portions of National Forests, BLM lands, and National Parks (with the exception of Marsh Billings) should not be certified in isolation, including as recognized in the FSC US Federal Lands Policy. Nor should federal lands be assessed using a partial or streamlined set of indicators like the "family forest" approach, given the importance of these lands and their resources.

**Q10: Please provide any further comments you may have regarding the introductory section of the Federal Lands Supplementary Requirements annex.**

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):  
Page 4, Guidance on "Landscape Level," and how in the context of federal lands, the phrase refers to scales larger than the certified management unit. This provision from the existing Standard is important to maintain if key supplemental indicators are to properly function, given the immense ambiguity that otherwise exists with the FSC's definition of "landscape."

**Q11: Do you have any comments regarding the Federal Lands elements (i.e., supplementary requirements, guidance, intent, applicability notes) in Principle 1 that are not indicator-specific? Michael Dickinson, C.F. Martin & Co., Inc. (Economic - member, Certificate Holder (CoC)): what happens if a federal agency breaks a rule, will you have to ban the entire US government, or just an agency?**

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):  
The draft indicators do not include the existing Standard's supplemental indicator 1.5.1 for National Forests, which the TWG recommended be updated as: "USFS Supplement to Indicator 1.4.2, The locations of illegal and unauthorized activities that occur on the Management Unit are identified." Removal of this indicator will ignore an important component of responsible forest management, and will impede CBs' ability to properly audit management of federal forests.

Mark Heyde, Wisconsin County Forests Association (Economic - nonmember, Other):  
No comments.

Carolyn Loeb, NEPCon (Environmental - nonmember, Environmental NGO, Certification Body):  
No

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
no



**Q12: Please share any additional comments you have regarding Federal Lands Supplement to Indicator 1.3.1.**

Carolyn Loeb, NEPCon (Environmental - nonmember, Environmental NGO, Certification Body):  
"Active and legal challenges over management..." Re-add the word disputes here so it reads more clearly, i.e., "active disputes and legal challenges..." If you mean active legal challenges, remove the word "and". My assumption based on this indicator wording is that it shall only be disclosed to the auditor(s) and not the public; is that correct?

**Q13: Please share any additional comments you have regarding Federal Lands Guidance for Indicator 1.3.1.**

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):  
The consultation draft added the following sentence the draft Guidance: "However, Certification Bodies are not expected to interpret laws or regulations, this is the responsibility of the court system." While certification bodies (CBs) obviously do not play the same role in legal interpretation as does the court system, this new sentence is likely to be misunderstood and seriously undermine the certification process. Indeed, this new sentence is unnecessary, was not recommended by the TWG, and should simply be removed. If CBs are to meaningfully audit compliance with applicable laws as required by Principle 1 and its Criteria, then they must inevitably exercise professional judgment about what legal compliance looks like, on the ground, in the forest. It would be highly inappropriate to suggest that CBs are not responsible for judging whether applicable laws are being followed, based on those CBs' evaluations of forest management. Often there will not be applicable court decisions, including where agency actions are not scrutinized by stakeholders, or where stakeholders lack resources to file legal challenges, and instead, audits for legal compliance will need to be made based on the best available science and other information. Moreover, court decisions are often based on narrow procedural or legal questions, rather than the more substantive and scientific questions that should be the focus of certification audits.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
per the guidance language which reads "CBs are not expected to interpret laws or regulations, this is the responsibility of the court system." this is a correct view, but the CB should be able, and required, to interpret on the ground environmental and social impacts of court rulings and be given flexibility to require actions based on those needs only. For example, the USFS may win a court case finding that a particular agency action is legal. But the CB may still find that action harmful and a non-conformity.

**Q14: Please share any additional comments you have regarding Federal Lands Guidance for Federal Lands Supplement to Indicator 1.3.1.**

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
none

**Q15: Please share any additional comments you have regarding the Federal Lands Applicability note for Indicator 1.4.1.**

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):  
Consider rewording to "The Organization is expected to play a law enforcement role WHEN mandated by applicable rules, orders, and regulations."

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):  
Consider rewording to "The Organization is expected to play a law enforcement role WHEN mandated by applicable rules, orders, and regulations."

**Q16: Please share any additional comments you have regarding Federal Lands Guidance for Indicator 1.4.2.**

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):  
Supplementary guidance for this indicator seems unnecessary. The existing base indicator guidance outlines a variety of strategies. The incorporation of law enforcement for the Federal Lands Guidance is redundant to Indicator 1.4.1.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):  
Supplementary guidance for this indicator seems unnecessary. The existing base indicator guidance outlines a variety of strategies. The incorporation of law enforcement for the Federal Lands Guidance is redundant to Indicator 1.4.1.

**Q17: Please share any additional comments you have regarding Federal Lands Supplement1 to Indicator 1.6.2.**

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):  
This supplemental indicator is redundant to the base indicator. It serve no additional purpose. We recommend removing.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):  
This supplemental indicator is redundant to the base indicator. It serve no additional purpose. We recommend removing.

**Q19: Please share any additional comments you have regarding Federal Lands Guidance for Indicator 1.6.2.**

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):  
The consultation draft revised the Guidance to read: "Compensation and mitigation measures are determined by administrative or judicial ruling consistent with federal government claims processes." This wording would have the effect of only allowing/requiring compensation and mitigation when there is an applicable federal claims process, and would limit any compensation/mitigation to what is allowed by that process. FSC certification and FSC certified forest management should not be reduced to bare minimum legal compliance; rather, audits must be conducted relative to the terms of the FSC Standard. The guidance language recommended by the TWG is more nuanced, better addresses these considerations, and should be used instead: "Compensation and mitigation measures are determined with consideration of any applicable administrative or judicial ruling consistent with federal government claims processes."

**Q20: Please share any additional comments you have regarding Federal Lands Supplement to Indicator 1.8.1.**

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):  
The consultation draft revised the Supplement to read: "The statement of long-term commitment is endorsed by the chief administrator at the administrative unit level of the applicable Federal agency." In fact, this is not the existing Standard's Supplement to 1.6.a, which reads: "The statement of long-term commitment shall be endorsed by the Chief of the Forest Service." The new language's use of the phrase "chief administrator at the administrative unit level" is unclear, and risks being misinterpreted as the chief administrator of the specific National Forest management unit being audited, the National Park being audited, etc. This would be a serious weakening of the agency's demonstration of commitment, relative to the existing Standard, and would not meet Criterion C1.8's expectation for The Organization to have a long-term commitment to compliance with the FSC P&C. The language should be corrected to clearly reference the Chief of the Forest Service and the comparable positions within the BLM, National Park Service, and other federal agencies eligible for certification.

Carolyn Loeb, NEPCon (Environmental - nonmember, Environmental NGO, Certification Body):  
- 1.8.1: "The statement of long-term commitment is endorsed by the chief administrator at the administrative unit level of the applicable Federal agency." I need to think about who this would be... it seems like it should be the chief administrator for the specific park/forest, etc. as opposed to a regional manager. What is the "administrative unit level"? Perhaps clarify or refine this wording?

**Q21: Do you have suggestions for alternate language for this supplementary requirement that would address the intent of working toward fair compensation for employees of contractors and sub-contractors and that would be feasible for conformance by federal agencies?**

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
one suggestion is to look beyond just prevailing wages

Carolyn Loeb, NEPCon (Environmental - nonmember, Environmental NGO, Certification Body):  
No- this is tricky and FSC may need to consult with a legal expert about what language can be used here to fulfill the intent of the indicator without violating contract law.

Mark Heyde, Wisconsin County Forests Association (Economic - nonmember, Other):  
It is difficult to craft language beyond the Fair Labor Standards Act that would apply specifically to management activities on certified management units.

Michael Dickinson, C.F. Martin & Co., Inc. (Economic - member, Certificate Holder (CoC)):  
i believe this is close to us wanting to be a labor union.

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):  
Consider" Legal contracts and/or agreements pertinent to Management Activities on the Management Unit include provisions requiring compensation at or above local norms within the forest industry for all workers unless expressly prohibited by applicable laws.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):  
Consider" Legal contracts and/or agreements pertinent to Management Activities on the Management Unit include provisions requiring compensation at or above local norms within the forest industry for all workers unless expressly prohibited by applicable laws.

**Q22: Do you have any comments regarding the Federal Lands elements (i.e., supplementary requirements, guidance, intent, applicability notes) in Principle 2 that are not indicator-specific?**

Michael Dickinson, C.F. Martin & Co., Inc. (Economic - member, Certificate Holder (CoC)):  
while i believe workers rights and conditions are an important subject, do they not negotiate and have processes in place to find resolutions to problems?

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
none

Carolyn Loeb, NEPCon (Environmental - nonmember, Environmental NGO, Certification Body):  
No

**Q23: Please share any additional comments you have regarding Federal Lands Supplement to Indicator 2.3.1.**

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):  
This supplement is redundant to indicator 2.3.2. This supplement effectively describes one portion of an effective safety program. We suggest removing this supplemental indicator as it is overly prescriptive and

redundant. If needed, additional verbiage could be added to the Guidance with specific examples for Federal Lands.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):

This supplement is redundant to indicator 2.3.2. This supplement effectively describes one portion of an effective safety program. We suggest removing this supplemental indicator as it is overly prescriptive and redundant. If needed, additional verbiage could be added to the Guidance with specific examples for Federal Lands.

Brendan Grady, SCS Global Services (Economic - member, ):

It needs to be made explicit that this is requirement about worker interviews applies to the organization and not the CB (if that is the intent). The guidance it is replacing under the existing 4.2 is ambiguous whether there is an expectation for the CH or CB.

Carolyn Loeb, NEPCon (Environmental - nonmember, Environmental NGO, Certification Body):

- 2.3.1: "Procedures are developed and implemented for monitoring safe working conditions, and shall include procedures for interviewing workers in a non-threatening environment (for example, away from supervisors), and using a language they understand." The first part of this requirement should apply to all certificate holders, not only to federal lands. I can see why the language piece of the requirement should apply to federal lands only, but it may be difficult to implement for small federal management units if they do not have bi or tri-lingual staff.

**Q24: Please share any additional comments you have regarding Federal Lands Supplement to Indicator 2.4.1.**

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):

Given that Principle 2 applies to "all workers", this supplement appears redundant. The base indicator applies to contracted workers within the base indicator.

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):

Given that Principle 2 applies to "all workers", this supplement appears redundant. The base indicator applies to contracted workers within the base indicator

**Q25: Please share any additional comments you have regarding Federal Lands Applicability note for Federal Lands Supplement to Indicator 2.4.1.**

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):

Given that Principle 2 applies to "all workers", this supplement and applicability note appears redundant. The base indicator applies to contracted workers within the base indicator.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):

Given that Principle 2 applies to "all workers", this supplement and applicability note appears redundant. The base indicator applies to contracted workers within the base indicator.

Mark Heyde, Wisconsin County Forests Association (Economic - nonmember, Other):

Again, the Fair Labor Standards Act frames fair (i.e. minimum wage) and labor practices. It is difficult to craft meaningful language that would apply nationally in addition to FLSA requirements.

**Q26: Do you have any comments regarding the Federal Lands elements (i.e., supplementary requirements, guidance, intent, applicability notes) in Principle 3 that are not indicator-specific?**

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

none

Carolyn Loeb, NEPCon (Environmental - nonmember, Environmental NGO, Certification Body):  
No

**Q27: Please share any additional comments you have regarding Federal Lands Supplement to Indicator 3.2.2.**

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
with regard to Indicator 3.2.2 as it applies to USFS. The requirement that staff demonstrate knowledge of or successful implementation of tribal consultation methods is a vague (although not useless) standard. If the USFS is committed to FSC certification it should also have staff available to any USFS management unit seeking certification who have more verifiable mixture of up to date education and experience regarding tribal consultation.

Mark Heyde, Wisconsin County Forests Association (Economic - nonmember, Other):  
We observe that the "successful" implementation of consultation methods and development of relationships with tribes is subjective. We suggest that the supplement be edited, "Federal Lands Supplement to Indicator 3.2.2 (Existing USFS Supplement2 to Indicator 3.2.a) Pertinent staff of the applicable Federal agency demonstrate knowledge and implement effective tribal consultation methods with Native American\*groups.

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):  
We completely agree that Federal agencies need to demonstrate this knowledge and should have a track record of successful implementation. However, this supplement is redundant to the base indicator. It does not add value to the base indicator.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):  
We completely agree that Federal agencies need to demonstrate this knowledge and should have a track record of successful implementation. However, this supplement is redundant to the base indicator. It does not add value to the base indicator.

Carolyn Loeb, NEPCon (Environmental - nonmember, Environmental NGO, Certification Body):  
- Federal Lands Supplement to Indicator 3.2.2 (Existing USFS Supplement2 to Indicator 3.2.a) "Pertinent staff of the applicable Federal agency demonstrate knowledge and/or successful implementation of tribal consultation methods and building relationships with Native American\* groups." What if the staff can demonstrate knowledge of how to consult and build relationships but have not taken demonstrable advantage of available opportunities? Suggest revising the wording to read: "Pertinent staff of the applicable Federal agency demonstrate knowledge and, where applicable, successful implementation of tribal consultation methods and building relationships with Native American\* groups." (or similar)

**Q28: Do you have any comments regarding the Federal Lands elements (i.e., supplementary requirements, guidance, intent, applicability notes) in Principle 4 that are not indicator-specific?**

Mark Heyde, Wisconsin County Forests Association (Economic - nonmember, Other):  
We support the proposed federal lands supplementary requirements.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
none

Carolyn Loeb, NEPCon (Environmental - nonmember, Environmental NGO, Certification Body):  
No

**Q29: Please share any additional comments you have regarding Federal Lands Supplement to Indicator 4.4.1.**

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):

The consultation draft revised the Supplement to read: "For Management Units within which forest harvests occur, the applicable Federal agency also participates in forest management-related trainings in efforts to develop a skilled workforce within the local communities." However, neither the version of the Indicator proposed by the TWG, nor the actual existing indicator include the phrase "For management units within which forest harvests occur." The inclusion of this phrase is problematic, in that it appears to suggest that trainings should focus on timber harvest; however, timber harvest is not the only relevant management activity in federal forests, may be lower priority than non-harvest-based restoration practices and other management activities, may be quite inappropriate in many parts of National Forests, BLM lands, and other federal forests, and may be especially inappropriate in most of National Parks. The indicator should be returned to the version recommended by the TWG.

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):

Consider expanding language to include workshops, conventions, conferences, and seminars. Federal employees at times have difficulty attending continuing education events due to administrative limitations based on the "types" or "categories" of events. It seems that this supplemental indicator (or a similar supplemental indicator) may be more relevant under Principle 2 Indicator 2.5.1 and/or Principle 4, Indicator 4.3.2.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):

consider expanding language to include workshops, conventions, conferences, and seminars. Federal employees at times have difficulty attending continuing education events due to administrative limitations based on the "types" or "categories" of events. It seems that this supplemental indicator (or a similar supplemental indicator) may be more relevant under Principle 2 Indicator 2.5.1 and/or Principle 4, Indicator 4.3.2.

Carolyn Loeb, NEPCon (Environmental - nonmember, Environmental NGO, Certification Body):

- Federal Lands Supplement to Indicator 4.4.1 (Existing USFS Supplement to Indicator 4.1.g) "For Management Units\* within which forest harvests occur, the applicable Federal agency also participates in forest management-related trainings in efforts to develop a skilled workforce within the local communities\*." Suggest to reword this to say "For Management Units\* within which forest harvests regularly occur, the applicable Federal agency also participates in forest management-related trainings in efforts to develop a skilled workforce within the local communities\*", since some federal lands may have infrequent harvests (depending on their mission) that would make this indicator a pretty high bar to meet.

**Q30: Please share any additional comments you have regarding Federal Lands Supplement to Indicator 4.5.1.**

Brendan Grady, SCS Global Services (Economic - member, ):

It should be clarified that the hazardous materials in this case does not refer to hazardous materials normally associated with forest management, e.g. waste materials handled under C10.12. That is, this is about industrial waste on DoD/DoE lands, not leaking oil from logging equipment. This same language repeats several times in the standard and I would have the same comment.

**Q31: Do you have any comments regarding the Federal Lands elements (i.e., supplementary requirements, guidance, intent, applicability notes) in Principle 5 that are not indicator-specific?**

Carolyn Loeb, NEPCon (Environmental - nonmember, Environmental NGO, Certification Body):  
See below- P5 Guidance for Federal Lands

Mark Heyde, Wisconsin County Forests Association (Economic - nonmember, Other):  
No additional comments.

**Q32: Please share any additional comments you have regarding Federal Lands Guidance for Principle 5.**

Carolyn Loeb, NEPCon (Environmental - nonmember, Environmental NGO, Certification Body):  
Indicator P5 Guidance for Federal Lands should include some mention of how expectations should differ based on size and staffing levels of MUs. A small certificate like Marsh-Billings-Rockefeller NHP cannot be expected to have the impact on the local economy (for example) that USFS certified lands would have.

**Q33: Please share any additional comments you have regarding Federal Lands Supplement1 to Indicator 5.1.1.**

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):  
This supplement does not appear to add to the base indicator in a significant way. We suggest removing, or combining with Supplement2.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):  
This supplement does not appear to add to the base indicator in a significant way. We suggest removing, or combining with Supplement2.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
"economically viable forest management "is poor terminology

**Q34: Please share any additional comments you have regarding Federal Lands Supplement2 to Indicator 5.1.1.**

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
while the USFS obviously would have the leadership role in initiating and processing steps needed to harvest products or provide services, it is not clear why it should have a leadership role in developing community economies. Collaboration and information sharing seems more appropriate.

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):  
Modify in accordance with recommendations for Supplement1 above.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):  
Modify in accordance with recommendations for Supplement1 above.

**Q35: Please share any additional comments you have regarding Federal Lands Intent statement for Criterion 5.2.**

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):  
While not sufficient to address concerns with the Standard as it applies to federal lands, this provision from the existing Standard should still be maintained, given the multitude of non-resource extraction purposes for which our federal public lands should be managed.

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):  
This type of statement would apply to all ownership types, including non-federal lands. Consider modifying the base criterion to avoid unnecessary complexity.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):

This type of statement would apply to all ownership types, including non-federal lands. Consider modifying the base criterion to avoid unnecessary complexity.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

FSC standards do not require harvesting products on any ownership type, but it is good that this approach is highlighted as an option for Federal Lands.

**Q36: Please share any additional comments you have regarding Federal Lands Guidance for Indicator 5.4.3.**

No Comments Received

**Q37: Please share any additional comments you have regarding Federal Lands Intent statement for Criterion 5.5.**

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):

While not sufficient to address other concerns with the Standard as it applies to federal lands, this provision from the existing Standard should still be maintained, for the value it provides in the context of Principle 5.

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):

This type of statement would apply to all ownership types, including non-federal lands. Consider modifying the base criterion to avoid unnecessary complexity.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):

This type of statement would apply to all ownership types, including non-federal lands. Consider modifying the base criterion to avoid unnecessary complexity.

Carolyn Loeb, NEPCon (Environmental - nonmember, Environmental NGO, Certification Body):

Intent box for 5.5: Should this also include some mention of the organization's mission? Different federal management units have diverse mission statements, and I would think that demonstrating fulfillment of the applicable mission would fit in well here.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

"economically viable forest management" is poor terminology. why not just define "viable forest management" as indicated

**Q38: Please share any additional comments you have regarding Federal Lands Guidance for Indicator 5.5.1.**

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):

This type of statement would apply to all ownership types, including non-federal lands. Consider modifying the base indicator to avoid unnecessary complexity.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):

This type of statement would apply to all ownership types, including non-federal lands. Consider modifying the base indicator to avoid unnecessary complexity.

**Q39: Please share any additional comments you have regarding Federal Lands Guidance for Indicator 5.5.2.**

No Comments



**Q40: Is this scale (20 acres) feasible for identifying and protecting Type 2 Old Growth within the forest types and region(s) in which you have experience? Would a finer scale (<20 acres) be feasible?**

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

Yes a finer scale would help protect and promote Type 2 Old Growth. National Forest lands have suffered from past management decisions which resulted in loss of old growth. Also some National Forests, such as the Mark Twain National Forest in Missouri, were created in the 1930s from fragmented, abused lands and thus Type 2 old growth acres are rare, smaller and scattered. Using the 20 acre threshold would miss many acres worth protecting.

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):

See our comments regarding two supplemental indicators that are missing at Indicator 6.8.2 (page 69). Both the 20 acre threshold and the discretionary nature of the Standard's "legacy tree" provisions leave significant occurrences of old growth unprotected, which is especially unacceptable in the context of federal public lands and agencies such as the Forest Service and BLM, which have a track record of failing to protect old growth. As recommended by the TWG per the FSC US Board's 2019 directive for development of the revised Standard, these gaps need to be closed for eligible federal lands by both reducing the acreage threshold for Type 2 old growth stands, which should be quite feasible, and by requiring protection as "legacy trees," all trees that would be Type 1 or Type 2 old growth except for not meeting the Type 1 and Type 2 acreage thresholds. Ideally, these gaps would also be closed for non-federal lands, but at a minimum they must be closed for eligible federal lands.

Michael Dickinson, C.F. Martin & Co., Inc. (Economic - member, Certificate Holder (CoC)):  
no, a finer scale is not feasible. it should be bigger.

Carolyn Loeb, NEPCon (Environmental - nonmember, Environmental NGO, Certification Body):

I think that 20 acres is definitely feasible for the northeastern US (where most of my experience falls), and in many cases a finer scale would be feasible (and perhaps preferable, since many of our old growth forests occur in very small patches in areas with inoperable slopes and 20 acres may actually be too coarse a filter for such areas). A finer scale may be more difficult to achieve for large federal holdings (primarily in the western United States).

Mark Heyde, Wisconsin County Forests Association (Economic - nonmember, Other):

As to the feasibility of scale, it might be feasible to map to the minimum scale normally used on the property. For instance, in Wisconsin, county and state forests typically map to a 2 acre minimum. I am not familiar with the normal practices on federal lands. We submit that the ability to map is different than a need to protect; that need to protect should be based on something more substantial than an arbitrary mapping standard.

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):

20 acres is currently a feasible scale for identifying and conserving Type 2 Old Growth. Smaller areas, while important, lack the fundamental structures and processes necessary to function as Type 2 Old Growth because of the increasing impact of edge effects on smaller stands.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):

20 acres is currently a feasible scale for identifying and conserving Type 2 Old Growth. Smaller areas, while important, lack the fundamental structures and processes necessary to function as Type 2 Old Growth because of the increasing impact of edge effects on smaller stands. Smaller (

**Q41: If, “No” to either of the above questions, what are the situations that would make identifying and protecting Type 2 Old Growth at this scale or a finer scale difficult or infeasible? In your experience, are these situations equally applicable to Federal and non-Federal lands?**

Mark Heyde, Wisconsin County Forests Association (Economic - nonmember, Other):

We suggest, however, that this fine focus on Type 2 old growth, needs to be considered in terms of larger ecosystem objectives. Type 2 old growth, if it exists, is likely already protected under existing management systems. A relevant question is what is the purpose of maintaining little bits of old growth? Is there any real function? It would seem that this exercise might take resources away from more important ecosystem objectives.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):

Smaller areas, while important, lack the fundamental structures and processes necessary to function as Type 2 Old Growth because of the increasing impact of edge effects on smaller stands. Smaller (

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):

Smaller areas, while important, lack the fundamental structures and processes necessary to function as Type 2 Old Growth because of the increasing impact of edge effects on smaller stands.

Michael Dickinson, C.F. Martin & Co., Inc. (Economic - member, Certificate Holder (CoC)):

i would like to see it closer to 50

**Q42: Regarding new permanent crossings (culverts and bridges) and prioritizing upgrades to existing crossings in the Federal Lands Supplement to Indicator 6.7.4, is the 100-year peak flow threshold the appropriate threshold for this supplementary requirement?**

Michael Dickinson, C.F. Martin & Co., Inc. (Economic - member, Certificate Holder (CoC)):

yes

Mark Heyde, Wisconsin County Forests Association (Economic - nonmember, Other):

We think that FSC should consult with forest hydrologists on this question of planning for peak flows. The 100-year peak flow is the current planning standard for sizing and permitting culverts, bridges, fords, etc. It may make more sense for FSC to have no peak flow standard, but to rely on the existing regulatory framework for permanent crossings.

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):

The short answer is “yes.” Peak flows of 100 years are the minimum threshold that should be used for culverts and other passages at stream crossings. If anything, larger flow tolerances may be needed, given climate change and its tendency to increase storm and runoff intensity. This would hardly be ambitious or unprecedented. The existing Standard already requires 100-year rated crossings for National Forests (see USFS Supplement 2 to Indicator 6.5.f), which was presumably considered feasible when included in the Standard. Likewise, the existing and draft revised Standard already requires 100 year peak flow passage for non-federal forests in the Pacific Coast Region.

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):

The 100-year peak flow threshold is appropriate, however it appears unnecessary to include given the already existing requirements within regional/state water quality BMPs. This supplement appears to be unnecessarily prescriptive.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):

The 100-year peak flow threshold is appropriate, however it appears unnecessary to include given the already existing requirements within regional/state water quality BMPs. This supplement appears to be

unnecessarily prescriptive.

Brendan Grady, SCS Global Services (Economic - member, ):

Its not clear why this indicator is present for the Federal land indicators but not the normal standard. This is the only time place an engineering metric like peak flow size has been specified.

Carolyn Loeb, NEPCon (Environmental - nonmember, Environmental NGO, Certification Body):

I believe so, as long as the 100-year peak flow threshold accounts for climate change-related predictions and is not an extrapolation of historical data only.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

100 year peak flow should be minimal standard.

**Q43: Do you have any comments regarding the Federal Lands elements (i.e., supplementary requirements, guidance, intent, applicability notes) in Principle 6 that are not indicator-specific?**

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):

The TWG recommended the following Guidance for USFS Supplement to Indicator 6.1.1: “A categorical exclusion under NEPA does not negate the need for this assessment per Indicator 6.1.1.” However, the consultation draft failed to include this important guidance. Conservation groups that monitor the Forest Service and other federal agencies can provide numerous examples of how categorical exclusions (CEs) are widely used to avoid identifying and addressing environmental impacts. For example, WildEarth Guardians’ report “The Forest Service & Categorical Exclusions: Misuse, Obfuscation Reveal a Clear Need for Changes,” outlined how Forest Service CE’s precluded serious environmental review and public input for logging and road construction on over 3.7 million acres in just the first quarter of 2020. The guidance recommended by the TWG should be re-inserted into the document. For FSC certification to be credible and effective, it must not be reduced to mere regulatory compliance, especially when Organizations take advantage of huge regulatory loopholes. Page 40, Existing USFS Supplements 1 and 2 to Indicator 6.2.a (now 6.4.1): The consultation draft omits two important requirements from the existing Standard, which were updated by the TWG to read: • Supplement 1: “Irrespective of the likelihood of presence of rare, threatened and endangered species, forest areas that are slated for site-disturbing management, treatment, or development (e.g., recreational development) are surveyed for rare, threatened and endangered species and rare plant community types.” • Supplement 2: “Where survey data or results do not exist, The Organization uses the precautionary approach principle and employs mitigation measures as if rare, threatened and endangered species are present.” The removal of these supplemental indicators represents a serious and unacceptable weakening of the Standard, as it applies to National Forests and other federal lands. Existing survey and database information is often incomplete, even for federal lands, and it is crucial that much greater care be taken to identify and protect RTE species in these lands. Federal public lands often represent the most likely remaining habitats for RTE species within the landscape, as well as the best opportunity for their conservation and recovery. Both of these indicators should be returned to the Standard and made applicable to any federal lands eligible for certification, based on the language provided by the TWG. The document fails to include an additional supplemental indicator for Indicator 6.5.3 that was recommended by most of the TWG, and that read: “The Forest Service establishes Representative Sample Areas per the percentage-based pathway of Figure 1 of Annex G.” The percentage-based pathway of Figure 1 requires that the area covered by Representative Sample Areas (RSAs) be proportionate to the size of the management unit, the level of existing conservation in the landscape, and the intensity of forest management, as expected by Criterion 6.5 and per the best conservation science. Conversely, Annex G’s other pathway for compliance (which was not recommended by the TWG) sets targets for the number of RSAs in management units, but allows these RSAs to be of any size, meaning that the amount of land designated as RSAs could be relatively tiny, and not proportionate to the factors identified in Criterion 6.5, or commensurate with the conservation

leadership role that federal public lands need to play in the US. The rationale for adopting this alternate pathway (i.e., minimizing changes in the Standard for existing certificate holders) is also not applicable to National Forests, BLM lands, and National Parks (other than Marsh Billings), as none have yet been certified. To properly implement Criterion 6.5 for federal lands, the additional supplemental indicator recommended by most of the TWG must be returned to the document, both to properly implement Criterion 6.5, and to properly address the conservation role of federal lands in the broader landscape, including as expected by the FSC US Federal Lands Policy. The November, 2012, Federal Lands Policy states that “federal indicators must recognize the crucial role of U.S. federal lands in protecting significant portions of existing ecosystems, and require the maintenance and/or expansion of ecologically viable, resilient, well-distributed, and where possible, interconnected protected area systems for all native ecosystem types across the landscape.” (Alternately, and preferably, the numbers-based pathway could be removed from the Annex, to better align with the approach originally recommended by the TWG.) The consultation draft omits two Supplemental Indicators for Indicator 6.8.2 that were recommended by the TWG to more consistently protect old growth in National Forests: ● Supplement 1: “The minimum threshold for Type 2 old growth is 3 acres.” ● Supplement 2: “Any individual trees that remain from stands that would have been Type 1 or Type 2 old growth but do not meet the acreage threshold are considered legacy trees and are managed per Indicator 6.6.3.” Absent indicators such as these, the Standard does not protect Type 2 old growth where it exists in stands smaller than 20 acres, nor does it protect Type 1 old growth in occurrences smaller than 3 acres. The exception might be where forest managers choose to identify such old growth as “legacy trees;” however, the Standard leaves that to managers’ discretion, which is not sufficient in the context of the Forest Service and BLM, which have a demonstrated track record of failing to identify and protect old growth. Consequently, there are not only significant gaps in the consultation draft’s protections for old growth, but the consultation draft’s indicators would also significantly weaken the existing Standard’s supplemental indicators for Department of Defense and Department of Energy lands, which require that all old growth be protected. Thus the draft indicators also fail to meet the FSC US Board’s 2019 directive to the TWG for the revised supplemental indicators to “require that land management decisions on the FMU do not reduce the extent of old growth and include active and specific measures to increase the extent of old growth over time” and to “prohibit commercial timber harvesting of old growth (Types 1 and 2 as well as Legacy Trees) unless a strong, ecologically-based rationale can be identified for doing so, e.g. restoration that returns an old growth stand to a more natural spatial and compositional mix of trees to increase stand health and resistance to drought and fire.” The draft indicators should be revised to include both of the TWG recommended supplemental indicators, which should be made applicable to all eligible federal lands, if not also other forests. This is necessary to address the Board’s 2019 directive and the growing scientific consensus around the importance of conserving older forests for their biodiversity and climate values. It is also essential if certification of federal public lands is to have any credibility and avoid controversy. The 3 acre threshold for Type 2 old growth was recommended by the TWG to be consistent with the existing threshold for Type 1 old growth, which has not been found impractical for forest managers. Concerns that were expressed with a 3 acre threshold reportedly stem from a supplemental indicator in the existing Standard that required mapping of Type 1 and Type 2 old growth. However, the consultation draft’s changes to the supplemental indicators already removed that mapping requirement. (Indeed, the draft indicators fail to meet the 2019 Board directive to the TWG calling for agencies to “undertake and document FMU-wide actions to identify and map old growth Type 1 and 2 as well as areas with Legacy Trees.”)

Carolyn Loeb, NEPCon (Environmental - nonmember, Environmental NGO, Certification Body):  
No

**Q44: Please share any additional comments you have regarding Federal Lands Intent statement for Principle 6.**

Mark Heyde, Wisconsin County Forests Association (Economic - nonmember, Other):

We submit that the responsibility for ecological integrity is no different on federal vs other ownerships under the FSC NFSS. By calling this out for federal lands is it inferring that there is a lower standard for other Organizations?

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

Use of the phrase "economically viable forest management..." in the Intent section is inappropriate. This is not equal to the glossary definition of \*economically viable\* as used elsewhere in this P&C. \*economically viable\* refers to organizational/unit survival and is not necessarily tied to profitability. Economically viable forest management has neither of those two dimensions as presented. It is especially inappropriate to have this term apply to federal lands. C5.2 indicates that providing forest products through such activities as commercial timber harvesting is not required on federal lands certified by FSC. This Intent statement only confuses that important item.

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):

This Intent Statement is largely redundant.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):

This Intent Statement is largely redundant.

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):

The consultation draft revised the Intent Statement to read: "For the Management Unit, ecological sustainability is a core responsibility. This Principle addresses economically viable forest management that takes into account the responsibility to support ecosystem integrity and contribute to ecological, social, and economic sustainability." Neither the existing Standard's intent statement nor the version recommended by the TWG included the phrase "economically viable forest management." The FSC international Principles & Criteria (P&C) also do not condition compliance with Principle 6 or any of its Criteria on the concept of "economic viability." Inserting the phrase is likely to cause confusion for managers and certification bodies. It would also be extremely inappropriate and in conflict with the FSC P&C to condition or limit actions required under P&C 6 for any Organization to those which are, by themselves, "economically viable." Likewise, it would be highly inappropriate for the FSC to expect forest management in National Parks, Wildlife Refuges, National Forests, BLM lands, and other federal public forests to be profitable or otherwise economically driven or focused. Many of these lands should not be used for commercial resource extraction or development in the first place. In many cases, the priority for forest management in these lands should often be ecological restoration, which by its nature will often not be "economic" and certainly not profitable. Indeed, the federal government routinely subsidizes and finances activities that are considered in the national public interest. The Intent Statement should be edited to align with the version approved by the TWG.

**Q45: Please share any additional comments you have regarding Federal Lands Intent statement for Criterion 6.1.**

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):

This intent statement does not appear to add significant value to the existing guidance for 6.1

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):

This intent statement does not appear to add significant value to the existing guidance for 6.1

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

none

**Q46: Please share any additional comments you have regarding Federal Lands Supplement1 to Indicator 6.1.1.**

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):

These supplements are crucial for maintaining the existing Standard's requirements, and meeting the expectations of the FSC US Board's "Priority Issues" for the Standard revision process and the Board's 2019 directive to the Technical Working Group (TWG) for development of the supplemental indicators. (See the November 7, 2019, memo from the FSC US Board to the TWG, regarding "Expanding the Scope of the 'USFS Supplementary Requirements' Priority Issue for the National Forest Stewardship Standard Revision Process.")

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

none

**Q47: Please share any additional comments you have regarding Federal Lands Supplement2 to Indicator 6.1.1.**

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):

This supplement is redundant, as these requirements are built into the base criterion and indicators throughout the standard including 6.1.1.i and 7.2.4.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):

This supplement is redundant, as these requirements are built into the base criterion and indicators throughout the standard including 6.1.1.i and 7.2.4.

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):

These supplements are crucial for maintaining the existing Standard's requirements, and meeting the expectations of the FSC US Board's "Priority Issues" for the Standard revision process and the Board's 2019 directive to the Technical Working Group (TWG) for development of the supplemental indicators. (See the November 7, 2019, memo from the FSC US Board to the TWG, regarding "Expanding the Scope of the 'USFS Supplementary Requirements' Priority Issue for the National Forest Stewardship Standard Revision Process.")

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

clarify what is meant by persistence as related to viability. Persistence seems too minimal of a requirement. should these terms be clarified in glossary?

**Q48: Please share any additional comments you have regarding Federal Lands Supplement3 to Indicator 6.1.1.**

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

All S3 species should be warranted as deserving protection as rare or endangered

**Q49: Please share any additional comments you have regarding Federal Lands Indicator 6.1.2.**

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):

We recommend adding verbiage specific to FIA within this indicator. This will add clarity that existing FIA efforts would fulfill requirement.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):

We recommend adding verbiage specific to FIA within this indicator. This will add clarity that existing FIA efforts would fulfill requirement.

Brendan Grady, SCS Global Services (Economic - member, ):

This indicator requires a quantification of carbon stocks and changes. This is a major change and should be done at a more systematic level if FSC wants to include it. Currently, the FSC does not include a carbon accounting standard, outside of those using the Ecosystem Services program. This type of requirement is of a different character than the rest of the standard, which are focused more on the legal and stakeholder consultation differences that can be reasonably expected of a federal agency.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

shouldn't there be some requirement that the "rationale for methodologies employed" be required to be demonstrated to be a valid measurement related to on site conditions?

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):

In addition to the importance of such actions being taken to address federal lands' needed role in addressing the climate crisis, this provision is necessary to maintain the existing Standard's requirements, and to meet the expectations of the Board's "Priority Issues" for the Standard revision and the Board's 2019 directive to the TWG.

**Q50: Please share any additional comments you have regarding Federal Lands Supplement to Indicator 6.2.1.**

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):

This supplement is redundant, as these requirements are built into the base criterion and indicators throughout the standard including 6.1.1.i and 7.2.4.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):

This supplement is redundant, as these requirements are built into the base criterion and indicators throughout the standard including 6.1.1.i and 7.2.4.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

none

**Q51: Please share any additional comments you have regarding Federal Lands Indicator 6.3.5.**

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):

Note, the supplemental indicator references a supplement4 to indicator 7.1.2, which does not exist. It appears that this indicator is threats or opportunities related to climate change which is adequately covered in the base indicator 7.2.4 and annex L.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):

Note, the supplemental indicator references a supplement4 to indicator 7.1.2, which does not exist. It appears that this indicator is threats or opportunities related to climate change which is adequately covered in the base indicator 7.2.4 and annex L.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

none

**Q52: Please share any additional comments you have regarding Federal Lands Indicator 6.3.6.**

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

none

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):

It appears that this indicator is threats or opportunities related to climate change which is adequately

covered in the base indicator 7.2.4 and annex L.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):

It appears that this indicator is threats or opportunities related to climate change which is adequately covered in the base indicator 7.2.4 and annex L.

**Q53: Please share any additional comments you have regarding Federal Lands Indicator 6.3.7.**

Carolyn Loeb, NEPCon (Environmental - nonmember, Environmental NGO, Certification Body):

The end of this indicator is awkwardly worded. (I actually like the wording of the original requirement better.)

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

none

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):

Management considerations for refugia are already sufficiently covered by the frameworks for RSA and HCV areas. This indicator is redundant to these.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):

Management considerations for refugia are already sufficiently covered by the frameworks for RSA and HCV areas. This indicator is redundant to these.

**Q54: Please share any additional comments you have regarding the Federal Lands Guidance for Indicator 6.4.2.**

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):

The consultation draft's guidance fails to clearly and sufficiently cover the concerns addressed by the guidance recommended by the TWG, and may actually do more harm than good. The TWG's recommended guidance read: "Regardless of the specifications of Habitat Conservation Plans or Incidental Take Statements, The Organization is expected to demonstrate compliance with Indicator 6.4.2. This may be demonstrated through technical expert review of the applicable plan/statement. Any "take" of threatened or endangered species must be minor in extent, and mitigation measures must, at minimum, ensure no net loss in the species' population and habitat quantity and quality in the management unit, over both the short and long term." Equally important, the TWG recommended this guidance be applied to all certified management units, not just federal lands. The guidance included in the consultation document not only fails to be applicable to non-federal lands, but also fails to confirm and clarify that compliance with Indicator 6.4.2 must be shown regardless of the terms of Incidental Take Statements (or in the case of non-federal lands, Incidental Take Permits). Incidental Take Statements and Permits and their mitigation measures (which in the context of non-federal lands, are found in Habitat Conservation Plans) sometimes allow substantial net losses of species habitats and populations within management units, and in some cases have even allowed managers to remove all of the remaining populations and habitats of threatened and endangered species. Such harm to RTE species would be in clear violation of Criterion 6.4, the plain meaning of which requires RTE species to be conserved without exception. It is essential that management conducted pursuant to Take Statements and Take Permits not be presumed to be compliant with the P&C's clear expectations for conservation and protection of RTE species, but rather that all relevant management activities be objectively evaluated for compliance with Indicator 6.4.2. Thus the guidance recommended by the TWG should be returned to the indicators. The guidance included in the consultation draft is not sufficient, and its focus on the US Fish & Wildlife Service's decision documents for Take Statements and Permits (i.e., their Biological Opinions) could even be interpreted as universally and arbitrarily affirming the terms of those Take Statements and Permits,



which in some cases would directly conflict with Criterion 6.4.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
Federal land managers should not be held just to minimum legal requirements for protections of species. Managers should look for ways in which they might go beyond a recovery plan or Habitat Conservation Plans to make better use of the often unique resources on federal lands to advance species recovery.

**Q55: Please share any additional comments you have regarding Federal Lands Supplement to Indicator 6.4.3.**

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):  
These provisions are necessary to maintain some aspects of the existing Standard (e.g., aspects of existing USFS 6.1.1), meet expectations of the Board's 2019 directive, and ensure that federal lands meet their necessary role in the landscape for biodiversity conservation and RTE recovery.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
see comments above re 6.4.2

**Q56: Please share any additional comments you have regarding Federal Lands Supplement to Indicator 6.5.2.**

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):  
While important in its own right, this provision is even more crucial to maintain, given the consultation draft's changes to Annex G, that would otherwise allow areas outside federal management units to count towards their RSA obligations.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
some reference to ecologically viable would be helpful to ensure that managers take note of the size of individual RSAs as being adequate to the task.

**Q57: Please share any additional comments you have regarding the Federal Lands Guidance for the Federal Lands Supplement to Indicator 6.5.2.**

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):  
While not sufficient to address concerns with the Standard, this non-normative guidance is still valuable as far as it goes.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
none

**Q58: Please share any additional comments you have regarding the Federal Lands Intent for Criterion 6.6.**

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
none

Carolyn Loeb, NEPCon (Environmental - nonmember, Environmental NGO, Certification Body):  
Intent box: What about places like Marsh-Billings-Rockefeller that are not large? Is this still applicable? If so, it may be a tough indicator to demonstrate conformance with.

**Q59: Please share any additional comments you have regarding Federal Lands Supplement1 to Indicator 6.6.3.**

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):  
This supplement is unnecessary and advocates for inefficient work practices. Current technologies (GIS),

and harvest techniques (logger-select) provide much more efficient ways to protect and conserve legacy trees. While physical identification can be beneficial in some cases, there is no justification for requiring it on all harvest units.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):

This supplement is unnecessary and advocates for inefficient work practices. Current technologies (GIS), and harvest techniques (logger-select) provide much more efficient ways to protect and conserve legacy trees. While physical identification can be beneficial in some cases, there is no justification for requiring it on all harvest units.

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):

These are important (though by themselves insufficient) pieces of what is needed to better protect old growth in the Standard, including per the Board's 2019 directive.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

6.6.3 and supplements fail to require more proactive protection of existing old growth. Across the USFS old growth has greatly diminished. Federal lands offer the best opportunity for Type 1 and Type 2 protection and expansion. Prior comments include the need for smaller threshold for Type 2 protection.

**Q60: Please share any additional comments you have regarding Federal Lands Supplement2 to Indicator 6.6.3.**

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):

These are important (though by themselves insufficient) pieces of what is needed to better protect old growth in the Standard, including per the Board's 2019 directive.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

none

**Q61: Please share any additional comments you have regarding Federal Lands Supplement1 to Indicator 6.6.5.**

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):

This supplement does not add material to the intent or meaning of the base indicator.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):

This supplement does not add material to the intent or meaning of the base indicator.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

Indicator 6.6.5 supplement 1 this is subject to a too flexible interpretation of ecological or restoration objectives.

**Q62: Please share any additional comments you have regarding Federal Lands Supplement2 to Indicator 6.6.5.**

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):

This supplement does not add material to the intent or meaning of the base indicator.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):

This supplement does not add material to the intent or meaning of the base indicator.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
clarification needed that opening sizes should still conform with Regional guidelines

**Q63: Please share any additional comments you have regarding Federal Lands Supplement1 to Indicator 6.7.3.**

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):  
This updated language from the existing Standard will be crucial to maintain. It also relates to expectations in the Board's 2019 directive.

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):  
This supplement does not add material to the intent or meaning of the base indicator.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):  
This supplement does not add material to the intent or meaning of the base indicator.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
none

**Q64: Please share any additional comments you have regarding Federal Lands Supplement2 to Indicator 6.7.3.**

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):  
This updated language from the existing Standard will be crucial to maintain. It also relates to expectations in the Board's 2019 directive.

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):  
This supplement does not add material to the intent or meaning of the base indicator.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):  
This supplement does not add material to the intent or meaning of the base indicator.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
the agency needs to demonstrate reasonable progress towards closing decommissioned roads and road maintenance.

Bill Wilkinson, Individual Member (Social - member, ):  
In the text [of this supplement] it wasn't clear to me what is meant by the word 'reclaim'. That word doesn't seem to show up in the context of a road system elsewhere and I wonder what FSC is getting at. Opening up previously closed roads, maybe? Anyhow just concerned about what the process of reclaiming might entail as it implies a lot of it will be going on.

**Q65: Please share any additional comments you have regarding Federal Lands Supplement to Indicator 6.7.4.**

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
While 100 threshold may be generally OK for required minimum, given the impacts of Climate change and the dynamics of flooding in smaller rivers/streams, USFS should be encourage to assess whether 100 year threshold as minimum is appropriate. Bridges and water crossings are used by the public and safety needs to be major consideration. Ask that the agency provide documentation based on recent watershed information about whether a higher threshold should be considered, and if warranted that should be required.

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):  
This supplement does not add material to the intent or meaning of the base indicator. Indicators should be about outcomes. If USFS would like to use a 100-year peak flow to establish their internal procedures they can do so. We should not use the FSC standard to drive procedural decisions within any organization.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):  
This supplement does not add material to the intent or meaning of the base indicator. Indicators should be about outcomes. If USFS would like to use a 100-year peak flow to establish their internal procedures they can do so. We should not use the FSC standard to drive procedural decisions within any organization.

**Q66: Please share any additional comments you have regarding Federal Lands Supplement1 to Indicator 6.7.7.**

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
none

Carolyn Loeb, NEPCon (Environmental - nonmember, Environmental NGO, Certification Body):  
I assume this indicator is not applicable if there are no legacy issues relating to water protection on the MU.

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):  
As currently written the supplement is not clear as to the scope of the requirement.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):  
As currently written the supplement is not clear as to the scope of the requirement.

**Q67: Please share any additional comments you have regarding Federal Lands Supplement2 to Indicator 6.7.7.**

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
none

**Q68: Please share any additional comments you have regarding Federal Lands Intent statement for Federal Lands Supplement1 to Indicator 6.7.7.**

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
none

**Q69: Please share any additional comments you have regarding Federal Lands Supplement1 to Indicator 6.7.9.**

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
why was the verb avoid removed? shouldn't avoidance be the first priority?

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):  
These provisions are important to maintain, including to avoid weakening the Standard's existing requirements, to address the Board's 2019 directive, and to address important resource challenges in many federal lands.

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):  
Criteria 6.7 is focused on water quality and quantity, this supplement seems out of place.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):  
Criteria 6.7 is focused on water quality and quantity, this supplement seems out of place.

**Q70: Please share any additional comments you have regarding Federal Lands Supplement2 to Indicator 6.7.9.**

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
in the Guidance section clarify that "unauthorized grazing" includes abuse of existing permits.

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):  
Criteria 6.7 is focused on water quality and quantity, this supplement seems out of place.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):  
Criteria 6.7 is focused on water quality and quantity, this supplement seems out of place.

**Q71: Please share any additional comments you have regarding Federal Lands Indicator 6.7.10.**

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):  
These provisions are important to maintain, including to avoid weakening the Standard's existing requirements, to address the Board's 2019 directive, and to address important resource challenges in many federal lands.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
none

**Q72: Please share any additional comments you have regarding Federal Lands Indicator 6.7.11.**

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):  
These provisions are important to maintain, including to avoid weakening the Standard's existing requirements, to address the Board's 2019 directive, and to address important resource challenges in many federal lands.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
none

**Q73: Please share any additional comments you have regarding Federal Lands Indicator 6.7.12.**

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
none

**Q74: Please share any additional comments you have regarding Federal Lands Supplement to Indicator 6.8.1.**

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):  
This supplement does not add material to the intent or meaning of the base indicator. Indicator 6.8.1 and 6.8.2 adequately outline conservation and protection of old growth, as well as management for a variety of successional stages. An organization cannot expand old growth beyond what exists on the management unit.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):  
This supplement does not add material to the intent or meaning of the base indicator. Indicator 6.8.1 and 6.8.2 adequately outline conservation and protection of old growth, as well as management for a variety of successional stages. An organization cannot expand old growth beyond what exists on the management unit.

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):

The supplement reads: “Old growth and other underrepresented successional stages are expanded in distribution.” This language is grossly insufficient to address the Board’s 2019 directive for development of the supplemental indicators, and also growing scientific consensus about the need to expand late successional and old growth forests to something closer to their historical extent, to counter the biodiversity and climate crises. The Board’s 2019 directive to the TWG called for supplemental indicators to “require that land management decisions on the FMU do not reduce the extent of old growth and include active and specific measures to increase the extent of old growth over time.” The extent of old growth will only be increased if precursors to old growth (i.e., late successional stands), are protected and expanded – and neither this supplemental indicator nor other indicators require the protection of late successional stands. Equally important, the supplemental indicator, as edited by the consultation draft, no longer requires any particular level of performance to be achieved over time. Even the tiniest future increase in the amount of old growth and other underrepresented stages would be in compliance, despite how in many National Forests and BLM lands, old growth and late successional forests are drastically below their natural levels. Moreover, substantial losses of late successional forest would be allowed in some locations, as long as other locations – including Wilderness Areas, stream buffers, and other already protected areas – are managed such that a slight net increase in late successional forests results across the entirety of a National Forest or BLM management unit. This would fall far short of what can, and should, happen in our federal public lands. To address such issues, a majority of the TWG recommended the following supplemental indicators and intent statement be included in the Standard. Supplement 1 and the intent statement should be returned to the document. The supplemental indicator now in the document should also be edited to fully reflect the TWG recommendation, i.e., the words “so they will no longer be underrepresented” should be returned to the indicator. • Supplement 1: “Late-successional stands greater than 3 acres are identified. Forest management within these stands is conducted only to maintain or enhance the late-successional composition, structures, and functions.” • Supplement 2: “Underrepresented Old growth and other underrepresented successional stages are expanded in distribution so they will no longer be underrepresented.” • Intent: “If these late-successional stands are of forest systems that under natural disturbance regimes would develop old growth characteristics, they are managed to recruit old growth.”

Carolyn Loeb, NEPCon (Environmental - nonmember, Environmental NGO, Certification Body):

It might be good to provide guidance here on how much expansion is enough to meet the intent of this requirement.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

"expanded in distribution" is too weak. Actually this could mean that distribution is expanded but no increase in total acres. Could even be a decrease in acreage as long as there is greater distribution. clarify to include increase in size and distribution. Also the size expansion should be meaningful relevant.

**Q75: Please share any additional comments you have regarding the Federal Lands Supplement to Indicator 6.8.2.**

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):

This supplement does not add material to the intent or meaning of the base indicator. Indicator 6.8.1 and 6.8.2 adequately outline conservation and protection of old growth.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):

This supplement does not add material to the intent or meaning of the base indicator. Indicator 6.8.1 and 6.8.2 adequately outline conservation and protection of old growth.

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):

The Supplemental Indicator and Guidance are unacceptable as revised in the consultation draft. They replace more suitable and carefully crafted language recommended by the TWG per the FSC US Board's 2019 directive, which called for indicators to ensure that "decisions on the FMU do not reduce the extent of old growth." The consultation draft's version of the Supplemental Indicator reads "areas that are likely old growth are identified" and the Intent Statement reads: "Prior to implementing any management activities within these areas, The Organization is expected to identify Type 1 old growth and Type 2 old growth stands and forests at the scale they are defined to ensure conformance with base Indicator 6.8.2 and Principle 9." This language would only require old growth to be protected in areas the Forest Service, BLM, and other areas deem "likely" to contain old growth. This would conflict with Indicator 6.8.2, which clearly and properly requires Type 1 and Type 2 old growth to be protected wherever it exists, regardless of whether it was considered "likely" to exist. The new language introduces inappropriate amounts of subjectivity and chance into the Standard's approach to old growth, and thus gives undue discretion to federal agencies (e.g., the BLM and Forest Service) that have a demonstrated track record of failing to identify and protect old growth. Among other things, it would likely make old growth protection dependent upon forest inventories and other data sets that are often inherently incomplete and insufficient for identifying old growth at more granular levels, and it could even subject old growth protection to overly simplistic assumptions that are often made about the extent of damage to old growth from fires, other disturbances, and historical management. To refocus this language on supporting the Standard's expectations for old growth protection, the Supplemental Indicator should be edited to read: "Prior to implementing timber harvest or other industrial management activities in a forested area, The Organization surveys for and identifies all old growth in that area, including Type 1 and Type 2 old growth stands." In turn, the Guidance Statement should be deleted as unnecessary.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
none

**Q76: Do you have any comments regarding the Federal Lands elements (i.e., supplementary requirements, guidance, intent, applicability notes) in Principle 7 that are not indicator-specific?**

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
none

Mark Heyde, Wisconsin County Forests Association (Economic - nonmember, Other):  
No comments.

Carolyn Loeb, NEPCon (Environmental - nonmember, Environmental NGO, Certification Body):  
No

**Q77: Please share any additional comments you have regarding Federal Lands Supplement1 to Indicator 7.1.2.**

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
none

**Q78: Please share any additional comments you have regarding Federal Lands Supplement2 to Indicator 7.1.2.**

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

We are very disappointed that a greater commitment to ecosystem restoration and addressing climate change is not required. "consideration" is not enough, measurement through whatever means is not enough. The 2019 BOD letter to TWG suggested stronger measures be considered. Obviously, carbon storage, (only one aspect here) should not be required to drive every management element. But unless

the assumption is that all USFS lands are already at peak balance between carbon storage and other management elements, more storage should be required.

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):

The Supplement's language is insufficient to meet the FSC US Board's 2019 directive to the TWG, as well as public expectations for the management of National Forests, BLM lands, and National Parks, and may also be weaker than the Standard's existing requirements for National Forests. The Supplement must be revised to clearly require that restoration of degraded ecosystems, providing carbon storage and ecosystem services, and improving forest resilience to climate change is an overriding priority for forest management, as recommended by some TWG members, and as called for in the FSC US Board's 2019 directive to the TWG. That directive called for supplemental indicators that "strengthen the focus on climate change mitigation as a driver for management activities." Merely including something as a "consideration" for management planning, as called for in the consultation draft, is quite insufficient for it to be a "driver." Such language leaves the outcomes and emphases of planning entirely to the discretion of the Forest Service, BLM, and other managers. The Forest Service and BLM could even comply with the consultation draft's language while moving away from maintaining and enhancing carbon storage and resilience, as long as they could demonstrate having thought about doing otherwise. With regard to carbon and climate objectives, the consultation draft's language may even be weaker than the existing Standard's overly vague USFS Supplement to Indicator 6.3.i, which that "management practices shall also be based on forest carbon objectives."

**Q79: Please share any additional comments you have regarding Federal Lands Supplement3 to Indicator 7.1.2.**

No Comments

**Q80: Please share any additional comments you have regarding Federal Lands Supplement to Indicator 7.2.6.**

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):

This is an important and valuable supplemental indicator, and must move forward.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

none

**Q81: Please share any additional comments you have regarding Federal Lands Supplement to Indicator 7.2.14.**

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):

This maintains and expands a crucial requirement of the existing Standard, and should move forward.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

none

Carolyn Loeb, NEPCon (Environmental - nonmember, Environmental NGO, Certification Body):

- Federal Lands Supplement to Indicator 7.2.14 (DOD/DOE Supplement1 to Criterion 10.1) "If the Management Unit\* contains plantations\* on forest\* soils\* then the management plan\* includes a strategy and implementation plan for restoring the plantations\* to natural forest\* or semi-natural forest\* per PL Indicator 6.6.2.1" Does there need to be some additional clarification around timelines here? As written, an FMP could specify the above as a strategy with a 100-year target and it would pass muster.



**Q82: Please share any additional comments you have regarding the Federal Lands Guidance for Indicator 7.4.1.**

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
agency guidelines for maintenance of plan is the minimum, but if issues arise concerning terms required in FSC certification which are greater than those required by agency guidelines, then USFS will need to act to make updates or other maintenance actions to meet FSC requirements.

**Q83: Please share any additional comments you have regarding Federal Lands Supplement1 to Indicator 7.6.4.**

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
none

**Q84: Please share any additional comments you have regarding Federal Lands Supplement2 to Indicator 7.6.4.**

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
The public must have enough detail and advance notice to be able to make site specific comments on plans and proposed actions in a timely manner

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):  
Part A appears to provide no additional meaning to the base indicator.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):  
Part A appears to provide no additional meaning to the base indicator.

**Q85: Please share any additional comments you have regarding Federal Lands Indicator 7.6.5.**

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
none

Carolyn Loeb, NEPCon (Environmental - nonmember, Environmental NGO, Certification Body):  
- 7.6.5: "Upon issuance of a certificate, The Organization\* Forest Service shall posts the full certification report and the conformity assessment body's public summary on their website...." Since the public summary is an abbreviated form of the full report, why does it need to be posted where the full report shall also be posted? Is this a requirement for reassessments as well? Please clarify. What if the organization was certified prior to the adoption of this indicator? Do they need to go back and post their original assessment report on their website?

**Q86: Do you have any comments regarding the Federal Lands elements (i.e., supplementary requirements, guidance, intent, applicability notes) in Principle 8 that are not indicator-specific?**

Mark Heyde, Wisconsin County Forests Association (Economic - nonmember, Other):  
No comments.

Carolyn Loeb, NEPCon (Environmental - nonmember, Environmental NGO, Certification Body):  
No

**Q87: Please share any additional comments you have regarding Federal Lands Supplement1 to Indicator 8.2.1.**

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):  
It is unclear exactly which watercourse buffer delineation that the supplement is referring to. This appears to be duplicative of Federal Lands Indicator 8.2.4.g

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):

It is unclear exactly which watercourse buffer delineation that the supplement is referring to. This appears to be duplicative of Federal Lands Indicator 8.2.4.g

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

add "adequately " monitored so as to ensure monitoring us at degree and scale to meet site specific needs.

**Q88: Please share any additional comments you have regarding Federal Lands Supplement2 to Indicator 8.2.1.**

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

none

**Q89: Please share any additional comments you have regarding the Federal Lands Intent statement for Indicator 8.2.1.**

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

none

**Q90: Please share any additional comments you have regarding the Federal Lands Guidance for Federal Lands Supplement2 to Indicator 8.2.1.**

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

none

**Q91: Please share any additional comments you have regarding Federal Lands Indicator 8.2.4.**

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

none

**Q92: Please share any additional comments you have regarding the Federal Lands Supplement to Indicator 8.3.1.**

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):

This does not appear to expand or add to the meaning or intent of the base indicator.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):

This does not appear to expand or add to the meaning or intent of the base indicator.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

none

Carolyn Loeb, NEPCon (Environmental - nonmember, Environmental NGO, Certification Body):

- 8.3.1: I would add "in a reasonable amount of time"(or other similar language) to this requirement so that this holds water from the auditor's point of view.

**Q93: Do you have any comments regarding the Federal Lands elements (i.e., supplementary requirements, guidance, intent, applicability notes) in Principle 9 that are not indicator-specific?**

Brendan Grady, SCS Global Services (Economic - member, ):

The expectation of nation-wide stakeholder consultation will be challenging to implement.

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):

The consultation draft omits the TWG's recommendation for an additional indicator (or at least an intent statement) clarifying that HCV assessments must be conducted across the entirety of certified

management units. This should be corrected. While the TWG's recommendation was made in the context of federal public forests, it would be equally suitable and important in the context of all management units, including non-federal units. While this is presumably consistent with existing FSC best practice, the scope of HCV assessments is crucial and should not be left in doubt. Indeed, the FSC US Board's 2019 directive for the development of the supplemental indicators called for managers to "undertake and document FMU-wide actions to identify and map high conservation value roadless areas."

Mark Heyde, Wisconsin County Forests Association (Economic - nonmember, Other):  
No comments.

Carolyn Loeb, NEPCon (Environmental - nonmember, Environmental NGO, Certification Body):  
No

**Q94: Please share any additional comments you have regarding the Federal Lands Guidance for Principle 9.**

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):

While not as effective as the normative indicators proposed by the TWG, this non-normative guidance is better than nothing, and maintains the requirements of the existing Standard.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

include language to require that management provide timely, and site specific information so that the public can adequately comment. Under current NEPA and Categorical Exclusion expansions, this is often not the case. FSC should require better information for the public who want to comment.

**Q95: Please share any additional comments you have regarding the Federal Lands Supplement to Indicator 9.1.1.**

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):

This maintains an important provision from the existing Standard, and should move forward.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

again, agency must provide timely and specific information on management actions so that the public can adequately comment.

**Q96: Please share any additional comments you have regarding the Federal Lands Supplement to Indicator 9.2.3.**

Brendan Grady, SCS Global Services (Economic - member, ):

The requirement that the entire IFL be considered as a core area is not in keeping with the concept of the core areas are being implemented internationally, which is intended to allow management within the IFL as long as the core is kept intact.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
none

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):

Given how rare IFLs have become within the US, it is crucial they be fully protected in their entirety. This indicator absolutely must move forward.

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):

Consider rewording to " The entirety of each Intact Forest Landscape within the Management Unit is

designated as core area.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):

Consider rewording to " The entirety of each Intact Forest Landscape within the Management Unit is designated as core area.

**Q97: Do you have any comments regarding the Federal Lands elements (i.e., supplementary requirements, guidance, intent, applicability notes) in Principle 10 that are not indicator-specific?**

Mark Heyde, Wisconsin County Forests Association (Economic - nonmember, Other):

No comments.

Carolyn Loeb, NEPCon (Environmental - nonmember, Environmental NGO, Certification Body):

No

**Q98: Please share any additional comments you have regarding Federal Lands Supplement1 to Indicator 10.5.1.**

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):

The supplement provides important, if not sufficient, goals and parameters for restoration harvests, and should move forward.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

consideration also of size and timing of harvest/non harvest options

**Q99: Please share any additional comments you have regarding Federal Lands Supplement2 to Indicator 10.5.1.**

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):

The supplement provides important, if not sufficient, goals and parameters for salvage logging, and should move forward.

Brendan Grady, SCS Global Services (Economic - member, ):

The restoration harvest concept needs further explanation. As an auditor I would be uncertain when this indicator would apply. It simply says that a restoration harvest intends to move a forest closer to principal characteristics and key elements of native ecosystems. But all harvests would move a forest either towards or away from PCKE. Would the indicator not apply if the harvest created a system that was further from a native ecosystem? Its not clear what this indicator is trying to accomplish.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

consideration also of size and timing of salvage harvest and non harvest options

**Q100: Please share any additional comments you have regarding the Federal Lands Supplement to Indicator 10.9.1.**

No Comment

**Q101: Please share any comments you have regarding the definition of "Restoration Harvest" for Federal Lands: "A harvest that is intended to move a forest closer to the principle characteristics and key elements of the native forest ecosystem."**

Mark Heyde, Wisconsin County Forests Association (Economic - nonmember, Other):

We note that since 'restore (restoration)' is already a defined term, there is no need to have a separate

definition for 'restoration harvest'

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

not bad for one sentence, but restoration is too complex and fraught with opportunities for mischief for one sentence. One improvement would be to add something like: "A harvest that is intended to move a forest closer to the principle characteristics and key elements of the native forest ecosystem and in which all management actions support that goal."

Michael Dickinson, C.F. Martin & Co., Inc. (Economic - member, Certificate Holder (CoC)):

looks good

**Q102: Are there are any definitions in Annex A that are not adequate for Federal Lands management units. Please explain.**

Mark Heyde, Wisconsin County Forests Association (Economic - nonmember, Other):

No.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

Affected stakeholder - include the general public. Age class - please don't refer to trees as a crop. Confidential Information - totally inappropriate for the USFS. Already USFS uses a broad definition of what issues are under discussion/determination and thus refusing to share data, agency communications and interim assessments with the public, This stall tactic can be prolonged, major FOIA issue. Good faith- include sharing of relevant, requested information as a necessary part or working in good faith. Old growth - Type 2 twenty acre requirement should be greatly reduced. Succession - possibly a note that some historical "natural processes" included an historical human element, such as burning.

**Q103: Please share any further comments you have regarding whether Annex C adequately addresses the guidance needs for Federal Lands management units.**

No Comment

**Q104: Please share any further comments you have regarding whether Annex D adequately addresses the guidance needs for Federal Lands management units.**

No Comment

**Q105: Please share any further comments you have regarding whether Annex E adequately addresses the guidance needs for Federal Lands management units.**

No Comment

**Q106: Please share any further comments you have regarding whether Annex F adequately addresses the guidance needs for Federal Lands management units.**

No Comment

**Q107: Please share any further comments you have regarding whether Annex G adequately addresses the guidance needs for Federal Lands management units.**

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

Representative Sample Areas- notes on terminology. The circumstances of " cost prohibitive to restore".

should be clarified for USFS to indicate that a long and short range view of "cost prohibitive" needs to be applied. What may seem cost prohibitive presently, may be more feasible later. Smaller or larger areas may be restored. Agencies should be required to plan to for eventual restoration, except in cases of as identified in b. I, or b v.

**Q108: Please share any further comments you have regarding whether Annex H adequately addresses the guidance needs for Federal Lands management units.**

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

HCV2 definitions - per earlier comments, Ecological Provinces is too large a scale to be used for HCV2. A smaller scale ( still landscape in character) will capture more connections and conservation opportunities in today's often fragmented environments. This scale is more appropriate to the need.

**Q109: Please share any further comments you have regarding whether Annex I adequately addresses the guidance needs for Federal Lands management units.**

No Comment

**Q110: Please share any further comments you have regarding whether Annex J adequately addresses the guidance needs for Federal Lands management units.**

No comment

**Q111: Please share any further comments you have regarding whether Annex K adequately addresses the guidance needs for Federal Lands management units.**

No Comment

**Q112: Please share any further comments you have regarding whether Annex L adequately addresses the guidance needs for Federal Lands management units.**

Mark Heyde, Wisconsin County Forests Association (Economic - nonmember, Other):

The USDA Forest Service is a leader in climate science. The toolkit is largely a product of forest service research.

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):  
recommend that resistance efforts be retained amid adaptation actions

**Q113: Please provide any additional comments you have regarding this consultation.**

Caroline Pufalt, Sierra Club (Environmental - member, Environmental NGO):

Thank you for consideration of our comments. As FSC US knows, the Sierra Club, has opposed the insertion of forest management scenarios in USFS which include commercial logging. With that view though we have and will continue in good faith to participate with input into federal lands supplemental standards, guidance and intention statements in hopes to bring the best of FSC to USFS, if that agency does pursue certification. We are disappointed that the current revision fails to live up to the more promising guidance provided in the 2019 BOD guidance to TWG. We view FSC as the best available large scale certifier in the US or abroad. But quality certification is a hugely complex and often controversial process with lots of ups and downs, FSC's potential incursion on to US federal lands is an important and visible step that our members care much about. We hope that this continuing process will bring us closer to federal lands standards which can be viewed, if not as ideal as a framework which can help federal land management meet the current huge challenges of biodiversity loss and climate change,

We have also submitted comments via a letter of common concerns from other NGOs which will be submitted by Daniel Hall\*

Inka Musta, UPM\*\* (Economic - member, Certificate Holder (FM), Certificate Holder (CoC)):  
Overall the supplemental indicators will likely be fulfilled by existing federal agency policies and procedures. That being said, we feel that in many cases the supplemental indicators are either too prescriptive (focused on methods rather than outcomes), or do not add substantively to the base indicators. It appears that many supplemental indicators were added without a clear and foreseeable benefit in terms of outcomes. When creating or updating its standards, FSC should always keep in mind risk-based approach and the Global Strategy target of expanding the area of certified forests. Therefore the standards should be less bureaucratic and cost-efficient also for forest owners and certificate holders. It is still important to safeguard FSC's credibility.

Sawyer Scherer, UPM\*\* (Economic - nonmember, Certificate Holder (CoC)):  
Overall the supplemental indicators will likely be fulfilled by existing federal agency policies and procedures. That being said, we feel that in many cases the supplemental indicators are either too prescriptive (focused on methods rather than outcomes), or do not add substantively to the base indicators. It appears that many supplemental indicators were added without a clear and foreseeable benefit in terms of outcomes.

Daniel Hall\*, Guide Environmental (Environmental - member, Environmental NGO):  
Applicable portions of the conservation organizations' cover letter: We greatly appreciate the FSC's attention to our input and hope the FSC will make course corrections that are commensurate with the gravity of the problems highlighted below and detailed in the attachments. Absent such corrections, we are concerned that support for FSC from environmental groups will be undermined. Indeed, the FSC's failure to address outstanding concerns related to certifying federal lands are very disappointing and will only serve to reinforce opposition to such certification. Much of the forest landscape in the US is a shadow of its former self, with mature and old growth, wild areas, carbon stores, and many wildlife habitats and populations reduced to fractions of their natural extent. Our nation's federal public lands represent crucial opportunities to maintain and restore biodiversity, carbon stores, and other natural forest values and ecosystem services, while also providing important recreational opportunities and other social values—including at levels that will never occur on most non-federal lands, including FSC certified non-federal lands. If the FSC is to represent a genuine leadership benchmark for responsible forest management, then it must require our federal public lands to be managed primarily for ecosystem conservation, carbon storage, and other public trust values. The ongoing extinction and climate crises demand no less. Unfortunately, the draft revised supplemental indicators fail to sufficiently embrace such a vision for plantations and for our federal public lands. In some cases, they even do the opposite. Moving the FSC in the direction of certifying business-as-usual forestry may be a recipe for easily expanding the amount of FSC certified lands—but it is also a recipe for making the FSC ineffective, irrelevant, and open to legitimate charges of greenwashing. The FSC must remember that its core value proposition to consumers and responsible corporate purchasers, and to many certified companies and other stakeholders, is its role as a highly credible, leadership standard. We urge the FSC to build this value—not throw it away. Draft revisions to the supplemental indicators for federal lands include some important improvements that should continue to move forward. However, the revisions contain three core problems: (1) the draft expands the scope of federal lands, which raise additional land management issues; (2) the draft weakens or eliminates important provisions of the existing Standard's supplemental indicators; and also (3) fails to correct important problems with existing supplemental indicators for federal lands. Attached to this cover letter are detailed comments on the draft supplemental indicators for federal lands (Attachment A). First, the draft revisions expand the scope of federal land certification by making all Bureau of Land Management (BLM) lands, all National Parks, and all other federal lands eligible for FSC

certification based on those same inadequate indicators. We are opposed to this expansion and are at a loss as to why this occurred. The FSC US Board did not direct the TWG to consider BLM lands or National Parks when evaluating and revising the supplemental indicators for National Forests, the TWG did not recommend their inclusion, and the TWG did not address BLM lands or National Parks when revising the supplemental indicators. Inclusion of these lands raise additional management expectations and problems because BLM lands and especially National Parks often have significant management considerations above and beyond Forest Service lands. Among other things, the Standard and its indicators are not designed to address lands managed with recreation, scientific research, cultural preservation, and public education as principal goals. There are additional ramifications to federal lands certification that are beyond the FSC's control—and that necessitate the FSC be especially careful. FSC certification is already being misused by some market systems that traffic in greenwash ( e.g., the Sustainable Biomass Program). If National Forests and BLM lands are FSC certified, there is serious potential for Members of Congress, agency administrators, and others to cite this as reason for not making needed legislative or regulatory improvements, or to even propose certification as a substitute for existing regulatory programs, as was proposed by recent federal Administrations. Second, the consultation draft seriously weakens or eliminates provisions of the existing supplemental indicators. Among other things, the consultation draft: inserts new language likely to undercut the Standard's protections for old growth; eliminates requirements for surveys for threatened and endangered species; inserts new language saying management must be "economically viable." These changes are completely unacceptable. Including "economically viable" as a requirement for ecosystem restoration will drive harmful commercial incentives that most often undermine restoration. Virtually every project proposed by the Forest Service and Bureau of Land Management is proposed as a restoration, resilience or hazardous fuel reduction project as well as to increase timber volume. Most often, ecosystem restoration requires federal funding for road decommissioning and removing smaller material that has grown in from federal agencies fire suppression policies.. In the case of National Parks an incentive for commercial logging is completely inappropriate. The consultation draft for the Standard's "base" indicators also seriously weakens many existing "base" indicators that will be especially critical for federal lands. These changes run counter to the recommendations made by the TWG in the Standard revision process. Third, and equally important, the draft fails to meaningfully correct important problems with the existing Standard's supplemental indicators for federal lands, also contrary to the TWG recommendations. For example, the draft: fails to close gaps in the existing Standard's protections for old growth; fails to require protection of late successional forests, despite their importance for carbon storage and sequestration and recruitment of old growth to restore historical extent; fails to make ecosystem restoration and carbon sequestration and storage an unequivocal driver for management; allows Representative Sample Areas (RSAs) to be a collection of tiny, token areas, rather than being sized proportionate to the scale of management units, per the FSC's international standards; and fails to address agencies' misuse of exemptions to the Endangered Species Act and National Environmental Policy Act. These problems are explained further below and in the attachment. As a result, the FSC is not only making the draft indicators worse but it is also renegeing on its commitment to correct serious deficiencies in the existing supplemental indicators for National Forests. This commitment was expressed via the November 7, 2019, memo from the FSC US Board to the TWG regarding "Expanding the Scope of the 'USFS Supplementary Requirements' Priority Issue for the National Forest Stewardship Standard Revision Process." This directive addressed conservation organizations' long-standing input on certification of federal lands, and repeated demands for correction of problems in the existing Standard. These concerns were expressed most recently in comment letters of July, 2016 and 2017, regarding drafts of the existing Standard's supplemental indicators for National Forests, and in a July 2019 memo outlining corrections needed to those indicators. In sum, draft revisions to Standard supplementary indicators for both federal lands and plantations undermine public trust in the FSC by rewarding status quo practices with certification. We again urge the FSC to take the concerns in this letter and the attachments seriously. Should you have any questions regarding anything in this letter or these attachments, please contact



tom@wildcalifornia.org.