

March 18, 2010

RE: **2009 – 2010 Recertification - Response to Comments**

Dear Stakeholder:

The Department of Conservation and Recreation (DCR) – Bureau of Forestry (BOF) originally received Forest Stewardship Council (FSC) certification of sustainable forestry practices in May of 2004. In April of 2009, that five-year certificate expired. A complete recertification audit was conducted in March 2009, upon which the final report was issued in August of 2009. (See http://www.mass.gov/Eoeea/docs/eea/lf/green_certification_report_2009.pdf.)

The audit report contained two major corrective action requests (CARS.) Major CAR 2009.3 requested that summaries of biological monitoring information be made publicly available. Throughout 2009, DCR – BOF posted monitoring information and reports, including a Fiscal year 2008 Annual Report, on its webpage, at <http://www.mass.gov/dcr/stewardship/forestry>. The second corrective action request involved obtaining and responding to comments on the narrowing of the certificate scope. Major CAR 2009.4 stated:

BoF, DWSP, and DFW must make publicly available a complete listing of lands to be included in the scope of the certificate, lands to be excluded from the scope of certification, and an explanation of the reasons for exclusion. Public notification and stakeholder consultation about the change in the scope of the certificate must also be completed and documented

During the period November 20, 2009 – December 20, 2009, DCR – BOF received comments that were solicited from a website posting at <http://www.mass.gov/dcr/stewardship/forestry/pdf/recertificationletter.pdf> and through a stakeholder emailing, which provided a link to the listing of properties and an explanation of the reasons for exclusion. The DCR – BOF received comments from 29 organizations and individuals which can be viewed in their entirety in http://www.mass.gov/dcr/stewardship/forestry/pdf/fsc_appendix1.pdf. The DCR – BOF responses to the pertinent comments received can be viewed in Table 1 below. Additional public comments were received relative to FSC certification of BOF lands and general forest management of BOF lands and these comments are addressed in Table 2 below. The comments and respective responses are summarized by theme are not attributed to any one individual or organization unless a singular individual or organization is listed. The comment summary captures the theme of the comments submitted by the individuals or organizations listed.

Additional letters and comments regarding general conservation, forestry and DCR issues were also received but have not been summarized here.

Many of the comments we received questioned the wisdom and rational for taking input on scoping of properties during the Forest Futures Visioning Process (FFVP) because the FFVP has recommended increased amounts of reserves and parklands that would be exempt from commercial forestry. As the FFVP is concluded, subsequent forest planning and plan amendments will specifically identify which

properties will be precluded from timber harvesting, and Forest Resource Management Plans that are amended or written will list and map the specific properties that are off-limits to harvesting, similar to the currently established reserves. At that time, if a certificate has been awarded, the properties can be removed from the scope of the certificate if it is deemed appropriate. It is important to understand that properties that are a part of the certificate are not necessarily considered open to harvesting; existing reserves, except for significant exceptions, do not allow commercial harvesting. They are part of a balanced forest management approach and an integral part of the FSC Certificate. Management direction for the reserves and maps that specify their location can be found in each approved Forest Resource Management Plan located at <http://www.mass.gov/dcr/stewardship/forestry/manage/planning.htm>.

Please also note that, due to feedback received in the comments, we have made modifications to the property listings at <http://www.mass.gov/dcr/stewardship/forestry/pdf/recertification-west.pdf> and <http://www.mass.gov/dcr/stewardship/forestry/pdf/recertification-east.pdf>, which better explain exclusion of certain properties from certification.

Table 1. Comments relative to individual DCR-BOF properties and narrowing the FSC scope.

Individual or Organization	Public Comment Summary	BOF Response
Massachusetts Forest Fire Council Nature Conservancy	Understand and support that properties without management plans and those that are inappropriate for certification are excluded from the scope of the FSC certificate.	The BOF appreciates the support of these two organizations to pursue FSC certification for most state forest and park lands.
Claudia Hurley Nan Finkenaur, MA Audubon Society	Many properties, particularly those that have values more often thought of as state parks than state forests, and are often in the urbanized eastern portion of Massachusetts, should be classified as not appropriate for commercial timber harvesting and FSC certification. These properties are refuges for rare and endangered species and also for recreation in a suburban environment. Specific properties are listed by the stakeholders and recommended for removal from FSC Certification: Bradley-Palmer State Park, Boxford State Forest, Cleveland Farms State Forest, Georgetown-Rowley State Forest, Harold Parker State Forest, Mount Holyoke Range State Park, Mount Sugarloaf State Reservation, Mount Tom Reservation, Skinner State Park, Willowdale State Forest.	<p>The BOF recognizes that each property on which it has forestry oversight has certain values and pressures placed on it by all of its stakeholders. Historically, the DCR (and its predecessors) has not made a distinction in land use directives between state forests, parks and reservations within the current Division of State Parks and Recreation. BOF has been successful in integrating forest management and recreation for many decades.</p> <p>The Forest Futures Visioning Process is examining a new proposed zoning allocation called “Parklands” on Division of State Parks and Recreation lands. This zoning exercise will evaluate all properties (including the ones mentioned in the comments) to determine their value as parklands and what land uses there are appropriate.</p>
MA Audubon Society	<p>Recommends that all properties with the name “State Park” be excluded from active forest management and FSC Certification until each property can be evaluated in terms of being appropriate for active forest management.</p> <p>Supports Forest Visioning Process clarification of forestland and parkland designations and therefore further narrow the scope of the FSC Certificate.</p>	See response above.
Claudia Hurley	<p>Additional clarity and explanation is needed regarding what it means to be within the scope of the FSC certificate. Assumption that FSC Certification, other than designated reserve, means that the property is eligible for commercial timber harvesting.</p> <p>Appreciation expressed that Robinson State Park has been listed as not appropriate for FSC certification.</p>	<p>Lands included in the scope of the FSC certificate means that management activities (active and passive) must comply with the Forest Stewardship Council Principles and Standards. Lands within the scope of the certificate unless otherwise specified (such as reserves) would be eligible for harvesting. Lands other than reserves, such as parks could be within the scope of the certificate and be specifically excluded from commercial harvesting within a Forest Management Plan. If an emergency salvage harvest did have to occur on a ‘park’ property, it would be constrained by FSC standards.</p>

		It was determined prior to the 2009 audit that Robinson State Park was not appropriate for FSC certification.
Nature Conservancy	A rationale column was not included in DCRs property list of excluded properties thereby not providing a clear explanation of why certain properties were excluded from the scope.	BOF regrets the confusion. To provide clarity BOF has updated the posted lists with a rational column providing an explanation for exclusion from the certificate.
Vincent Bucca	Did not see Blue Hills Reservation on either list of properties.	The Blue Hills Reservation is part of the Department of Conservation and Recreation's Urban Park system and not a part of the forest lands where the Bureau of Forestry would conduct forest management activities. Therefore, it has never been considered in the scope of the Forest Certification Certificate.
Donna Williams	Clarify what "Yes" means in the table of forest lands without review management plans. Specifically clarify Douglas State Forest, Purgatory Chasm State Reservation, Sutton State Forest and Upton State Forest.	"Yes" means that when that specific property is covered by a forest management plan, it is appropriate for certification and will be included in the scope of the certificate. The properties cited are not covered by a publicly reviewed Forest Resource Management Plan. The table indicates that yes, these properties would be a within the scope of the FSC certificate when the Mid State District has a publicly reviewed, approved Forest Resource Management Plan.

Table 2. Comments relative to BOF lands and/or FSC Certification in general.

Individual or Organization	Public Comment Summary	BOF Response
Massachusetts Forest Watch Chris Bryant Barbara Earley Nan Finkenaur Sharl Heller Claudia Hurley Becky Kalagher Brian W. Ruth Wheeler Lenox Robert Lererett	FSC Certification is an inappropriate program for Massachusetts Public Lands and opposes its use. <i>There were a variety of reasons listed for having this opinion. They are summarized below:</i> 1. FSC standards are designed to promote sustainable commercial timber extraction from private industrial-based lands and are not suitable for tracts of public lands 2. FSC Certification is market based and undermines conservation on state lands 3. FSC is a private organization in competition with other certification systems with a vested interest in	BOF respectfully disagrees that FSC certification is inappropriate for state forest lands and notes that FSC certification for public lands is widely supported in several other states (e.g., Pennsylvania, Michigan, ...) 1. BOF agrees that FSC standards help insure that any commercial timber extraction is done sustainably, but disagrees that the standards are specifically designed to promote commercial extraction. BOF contends that the FSC standards are designed to promote economically, ecologically, and socially sustainable forest management practices, and thus help insure that any commercial timber extraction is done sustainably. BOF has not identified any pressure from FSC relative to commercial timber extraction on state forest lands. BOF does not believe that any of the numerous forest certification conditions that FSC (via SCS) placed on BOF during the initial 5-year certification period of 2004-2009 promoted commercial timber

<p>Mike Leonard</p> <p>Heather Linscott</p> <p>Paul Lauenstein</p> <p>Judy McCaffrey Perry</p> <p>Jeff Kellogg</p> <p>Carl Rosenstein</p> <p>Susan Wismer</p>	<p>increasing and keeping lands under their certification.</p> <p>4. The FSC auditing company, Scientific Certification Systems, benefits financially from keeping FSC in business and keeping clients certified.</p> <p>5. The auditors of Scientific Certification Systems do not respect or understand the intent of MGL c. 21 s. 2F which requires full value Resource Management Plans for each DCR park, reservation and forest. Although the Northeast Standard requires that a client complies with all state laws, they conveniently deem compliance with this law as unnecessary to meet FSC requirements. MGL c. 21 s. 2F was intended to find balance among competing values on Massachusetts public lands. This balance is being ignored by SCS. See discussion of Criterion 7.1 (beginning on page 95) of the SCS report.</p> <p>6. SCS revised its requirement for site specific forest management plans when the state did not comply.</p> <p>7. FSC certification also makes no mention of the other economic values state public forests provide, such as preserving aesthetic and scenic areas for the tourism values they provide. Economic value to certification is simply timber value.</p> <p>8. SCS has not questioned why there are so many FOIA requests from citizens with respect to 2 forestry issues.</p> <p>9. Climate change is upon us but not covered by FSC certification. Our state forests play a significant role in mitigating the effects of climate change. FSC certification does not take climate change into consideration in any of its forestry guidelines.</p> <p>10. FSC Certification has been used to leverage funding from the legislature to facilitate commercial logging on public lands. Scarce funds have been diverted from Massachusetts public land ecological and recreational stewardship goals as a result, for the purposes of constructing logging roads, mapping public forest land for timber production and other expenses to prepare the lands for logging.</p>	<p>extraction on state forest lands.</p> <p>2. BOF respectfully disagrees that FSC certification has hindered BOF efforts at biological diversity conservation, ecological restoration, and recreation on state forest lands. The four completed BOF Forest Resource Management Plans are a direct result of the initial FSC audit conditions. These plans describe clearly the philosophy and direction for conservation that meets FSC standards.</p> <p>3. In general, BOF maintains that competition among private companies is beneficial to consumers, and observes that all private companies seek to retain customers.</p> <p>4. Provided that sustainability criteria are rigorously and evenly enforced, BOF maintains that this situation is not inappropriate.</p> <p>5. BOF respectfully submits that SCS has properly interpreted the BOF process for complying with MGL c. 21 s 2F as discussed for Criterion 7.1, page 95 of the audit report.</p> <p>6. The SCS condition for management planning on BOF lands has consistently required completion of publicly reviewed plans on an ecoregion-based Forest Management Zone (FMZ) basis.</p> <p>7. BOF agrees that aesthetic, scenic, and tourism values are important, and that these values are reflected in existing FSC standards for socially sustainable forest management practices.</p> <p>8. BOF has received numerous public records requests and responded fully to those requests.</p> <p>9. BOF agrees that Massachusetts forestlands play a significant role in mitigating the effects of climate change. These landscapes permanently preserved in a forested state serve as a carbon sink. BOF long range landscape goals call for at least 20% of lands to be in reserve status and the majority of state forest and park lands to occur as 90+ years old or uneven aged, which results in BOF lands contributing to net carbon storage.</p> <p>10. BOF has not used any capital monies provided for certification to facilitate commercial logging on state lands. All commercial logging on BOF lands is designed to meet existing landscape goals for a diversity of successional forest habitats, and has proceeded similarly both before and after any involvement with FSC certification. Capital funds provided to BOF during the initial certification period from 2004-2009 were used to: 1) conducted an inventory of roads and trails 2) Develop Conservation Management Practices (CMPs) for threatened and endangered species 3) work with Natural Heritage and Endangered Species Program to construct a framework for identifying the elements of High Conservation Value Forests 4) locate and mark property boundaries; and 5) map, assess, and repair woods roads to address on-going</p>
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	<p>11. FSC Certification has not provided the oversight and enforcement needed on MA forestry operations.</p> <p>12. FSC Certification is an unnecessary expense, an extra bureaucratic layer, and is not codified in state law, when what we need is stronger state laws and enforcement mechanisms defining a smaller percentage of state lands where exemplary forestry will set an example of performance to the highest standards.</p> <p>13. FSC certification promotes clearcutting and logging - Forests must be preserved for other uses, not just clear cutting/timber harvesting. Forests provide important biological and ecological benefits, recreational benefits, forests are in the forefront of helping to combat climate changes, forests need to be preserved for their aesthetic and scenic value for tourism.</p> <p>14. Certification does not lower the tax base.</p> <p>15. FSC Certification does not protect state owned forest land.</p> <p>16. Too much money is spent on forest certification</p>	<p>damage to state forest and park lands from illegal ATV/ORV activity.</p> <p>11. The audit review is the oversight and enforcement of FSC standards that FSC provides. The auditors did enforce their standards by issuing conditions which must be met before a certificate is awarded.</p> <p>12. BOF agrees that FSC certification is not essential for meeting forestry goals on BOF lands, but maintains that FSC certification is beneficial for providing a third party assessment of BOF management practices.</p> <p>13. BOF disagrees that FSC forest certification promotes any specific silviculture such as clearcutting or logging in general. BOF believes that forest certification promotes responsible forest stewardship that includes sustainable, environmentally sound timber harvesting balanced with reserve lands protected for biological and ecological benefits, and lands used primarily for recreation.</p> <p>14. BOF agrees in principle that FSC certification does not lower the tax base.</p> <p>15. FSC Certification by itself does not protect state land. Assuming protection means protecting against non sustainable practices, BOF would contend that FSC certification does provide the protection by proxy. Forest managers in their desire to obtain or maintain certification should protect the land against unsustainable practices. This does not mean that mistakes and poor practices can't happen; BOF has admitted as much.</p> <p>16. BOF concedes that the Commonwealth has spent significant funds on forest certification but contends that spending too much is a relative term. BOF also concedes that "out of pocket" costs are not inexpensive but believes strongly that it is worth the cost. In the most recent audit BOF, Division of Fish and Wildlife, and the Division of Water Supply Protection agreed to pay \$85,159 to certify 550,000 acres; approximately \$0.15/acre</p>
<p>MA Audubon Society</p>	<p>Considering that this certification has been in place for five years, it is disappointing that so many aspects of compliance with the FSC standards remain unresolved. FSC certification is touted as evidence that an entity has achieved compliance with high standards. As one example, the abuse of public lands by illegal riding of Off-Road Vehicles continues unabated despite the efforts applied to analyzing</p>	<p>BOF shares the disappointment that many aspects of compliance with FSC certification conditions on BOF lands remain unmet. BOF maintains that it has made a good faith effort towards meeting conditions for inventory, boundary marking, road assessment and mitigation, and management planning, but acknowledges that staff and funding limitations prevent BOF from meeting all conditions. While BOF is committed to making progress on all remaining certification conditions, we agree that the on-going damage to state forest and park lands from</p>

	<p>the issue and proposing legislative improvements.</p> <p>We also recommend that DCR formally adopt the High Conservation Value Forest (HCVF) provisions prepared by the Division of Fisheries and Wildlife (DFW), including designation of all Priority Habitats for rare species associated with closed-canopy forest and all late-seral forests (dominated by trees >150 years in age) as HCVF.</p>	<p>illegal off-road vehicles is especially upsetting. At the same time, BOF wants to thank the Massachusetts Environmental Police for responding positively and aggressively to specific requests from DCR park managers for law enforcement action on individual forest or park properties with focused off-road vehicle trespass activity. However, without passage of the proposed legislation relating to off-road vehicles, both the Environmental Police and DCR Division of State Parks and Recreation lack adequate resources to successfully address this ubiquitous problem.</p> <p>The BOF thanks the Natural Heritage and Endangered Species Program for their efforts to develop the HCVF provisions. The BOF has adopted the HCVF provisions within the publicly reviewed and approved FRMPs. The plans state all Forest Reserve Areas, all rare species habitat, all Municipal watershed areas and forested lands that have not ever been cultivated are identified as “High Conservation Value Forest” according to the Forest Stewardship Council Northeast Standards for sustainable and well-managed forests. The BOF does commit to continuing analysis of DCR-BOF lands for the provisions in the HCVF document.</p>
Robert Leverett	Reserve System promised in initial certification was not fulfilled.	Work towards a reserve system statewide was underway at the time of the FSC audit. The process of Forest Resource Management Planning and further reserve designation was halted due to the Forest Futures Visioning Process (FFV). When the FFV is complete, planning will resume including the fulfillment of the reserve system plans.
Carl Rosenstein	International foreign bodies have no business in our state. First a complete moratorium should be place on all logging in state lands and then new state law must be passed. Mass Wildlife and DCR have demonstrated a complete abuse of the public trust and used "green certification" to hoodwink the public.	BOF is unsure what the commenter means by ‘International foreign bodies’, but assumes that this is a reference to the Forest Stewardship Council (FSC), which is an international organization. BOF respectfully disagrees that foreign entities have no place in our state. Numerous foreign companies operate businesses here and employ many residents of Massachusetts, and other valued international certification organizations review and support Massachusetts companies (e.g., ISO 9001).
MA Chapter of The Nature Conservancy	The Nature Conservancy has supported FSC certification of the Massachusetts DCR and BOF forest lands since first certified in 2004.	The BOF appreciates the support of the Nature Conservancy
MA Forest Fire Council	We would be remiss however, if we did not express our concern regarding the DCR’s ability to provide adequate fire prevention, control and enforcement throughout these holdings.	BOF recognizes that in the face of the recent reduction of workforce within the Bureau of Forest Fire Control, it may be difficult to fulfill the directive to contain, confine and control fire in a safe and aggressive manner. BOF along with Fire Control will work with all means available towards that end.
Ellen Arnold	Why is the audit and certification	The audit and certification is not “necessary”. It is

	<p>necessary?</p> <p>Resource Management Plans should be completed prior to Forest Management Plans. Disagrees that district Forest Resource Management Plans can cover all properties in the area.</p>	<p>desired so that BOF can carry the label of a well managed forest assuring the public well conducted sustainable forest management on public lands.</p> <p>BOF respectfully submits that (as stated in the publicly reviewed and approved Forest Resource Management Plans) “FRMPs serve as baseline information focusing on forest resource management and will be integrated into RMPs that address the wide range of issues above. The FRMPs are based on extensive resource inventory information, and are designed and developed to protect natural and cultural resources and recreational uses and values in the context of forest management. This information is developed and analyzed at the site-specific level using field and aerial inventories and Geographic Information Systems (GIS) analysis. While future property-specific RMPs will contain additional information, such as more details on existing infrastructure and facilities, operational and maintenance needs, staffing needs and priorities, the FRMPs provide foundational resource information and related management recommendations in support of the Department’s RMP requirements, pursuant to MGL Ch. 21 S. 2F.”</p>
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