

Report on the First Public Consultation of the FSC US Controlled Wood National Risk Assessment

FSC US began development of a Controlled Wood National Risk Assessment (NRA) in 2012 by assembling a working group. With input from the working group, FSC US developed a first draft NRA for Categories 3 and 4 and held a public consultation early in 2015. During the consultation, FSC US held three webinars to discuss the draft NRA, the Controlled Wood system, and the public consultation. Over 100 stakeholders registered for the three webinars.

FSC received comments from 34 stakeholders during the 2015 public consultation. Of these 34 stakeholders, 26 were economic stakeholders (including 21 certificate holders, 2 certification bodies, and 3 non-certified companies) and eight were environmental stakeholders (including 4 FSC members and 4 non-member organizations).

The following is a summary of the key issues identified during the consultation and how they were addressed in the second draft. The individual comments on the first draft of the NRA are presented in Annex A. For confidentiality, the names of individual respondents have been omitted in this report. All comments were analyzed and considered by the original working group, FSC US, and the Technical Advisory Group when developing the second draft of the NRA.

Key Issue: Centralized National Risk Assessments (CNRAs)

The first draft of the NRA included only assessments for Categories 3 and 4, while FSC International led separate but concurrent public consultations for the Category 1, 2, and 5 CNRAs from March 2 – April 2, 2015. This short consultation timeline for the CNRAs was difficult for US stakeholders and they expressed frustration that the NRA and CNRAs were consulted separately.

The following is a summary of stakeholder comments from the first public consultation:

- There are challenges with the Category 2 (Traditional & Civil Rights) CNRA, primarily related to the focus on requirements of the ILO Core Conventions.
- The second public consultation should include the CNRAs and be long enough so stakeholders have time to adequately review the content alongside the NRA.

The draft of the CNRA for Category 2 that was prepared by a consultant on behalf of FSC International proposed specified risk designations for two indicators: 1) regarding violations of workers' rights, specifically the right to organize and to collective bargaining, and 2) regarding violations of indigenous peoples' rights. FSC US worked with experts in these areas to identify additional sources of information and to look more closely at the situation in the forest sector.

The draft CNRA content related to workers' rights focused on requirements of the ILO Core Conventions which have not been ratified by the United States. FSC US' additional assessment for the second draft NRA re-focused on requirements under the ILO Fundamental Principles and Rights at Work, whether there is evidence of widespread violations of these workers' rights, whether there is evidence of effective processes for addressing violations when they occur, and whether there is widespread violations of rights specifically in the forest sector.

The draft CNRA content related to indigenous peoples' rights broadly assessed historic and recent violations of rights throughout the entire US across all sectors. FSC US' additional assessment for the second draft NRA provides information about more recent changes in tribal relations at the federal level and re-focused on whether there is evidence of widespread violations of rights specifically in the forest sector.

For each of these indicators, the conclusion from the additional assessments was that there is a low risk of sourcing unacceptable materials. The additional information and assessments for Category 2, along with the finalized CNRAs for Categories 1 and 5, have been incorporated into the second draft of the NRA. Therefore, the second public consultation draft contains risk assessments for all five Controlled Wood Categories.

Key Issue: Supplier Agreements

The first draft of the US NRA required certificate holders to have supplier agreements for all of their direct suppliers and some indirect suppliers. These agreements were to contain information to help implement control measures. There was a lot of discontent around this idea from stakeholders. Many questioned if there was a reasonable alternative to supplier agreements. Stakeholders also questioned what the consequence might be of making supplier agreements an option but not a requirement for direct purchases.

The following is a summary of stakeholder comments from the first public consultation:

- Supplier agreements will be costly and time consuming to implement, particularly for primary mills that may have hundreds of direct suppliers.
- Certificate holders have expressed concerns about the liability of signing a document saying that they will do certain things, even if they agree with the intent. This is of particular concern for the vaguer requirements such as maintaining habitats and landscapes.
- Supplier agreements are at the core of potential anti-trust concerns.
- There is strong perspective that requiring a control measure as stringent as supplier agreements is not proportionate with the rigor of the HCV analysis.
- Supplier agreements for Type 1 Indirect Purchases have created a lot of confusion.

Requirements for supplier agreements have been removed from the second draft of the NRA. The supplier agreements included in the first draft of the NRA were intended to ensure that each individual supplier complied with the Controlled Wood program and that the control measures were effective at the scale of the supply area. The revised control measures for the second draft were designed for compliance verification of certificate holders and for effectiveness verification at a landscape scale rather than for the individual supply unit or harvest area. FSC US believes that this approach negates the need for certificate holders to request suppliers to provide information from sub-suppliers.

Key Issue: Independent Landowners & Antitrust Concerns

Many comments from stakeholders on the first draft of the NRA were related to antitrust concerns with various aspects of the proposed requirements. FSC US will need to be conscious of concerns around anti-trust that have been brought up as part of the first consultation.

The following is a summary of stakeholder comments from the first public consultation:

- There is concern that the standard development process does not accommodate meaningful representation from non-certified landowners.
- In particular, there is concern over supplier agreements and other mandatory measures that would potentially require wood exclusion.
- Supplier agreements and conversion are at the core of potential anti-trust concerns.

In response to concerns raised by forest industry representatives, FSC US contracted with an attorney to complete an analysis of the US antitrust risks associated with the first draft NRA in 2013. Their conclusion was that the NRA should be found lawful if challenged under US

antitrust law. Following the 2015 approval of the revised Controlled Wood standards (FSC-STD-40-004 v3-0) that included new requirements, FSC International contracted with the same attorney to review the issues in 2017. Again, the conclusion was that the revised standard did not raise substantial antitrust risk “so long as FSC continues to engage in an open and balanced process to set standards for voluntary certification and maintains safeguards to minimize the risk of exclusionary conduct by participants, such standard setting should be found to be procompetitive and lawful.”

Additional concerns were related to the process of identifying areas of specified risk, which could potentially result in areas that were previously available but now must be avoided during harvest. The concern is that this process could result in a ‘group boycott’ of and economic harm to non-certified landowners, particularly in sectors or regions where a landowner only has the option to sell to CoC/CW certificate holders. The 2017 attorney review found that this concern does not raise substantial antitrust risk. The following aspects of the second draft of the NRA also address this issue:

- FSC US will provide educational materials that may be used by certificate holders to fulfill one of the control measures and therefore the certificate holders themselves will not be required to determine what guidance is shared.
- The collaborative dialogue at the regional meetings will result in a set of mitigation actions, development of this set of actions will include a diversity of stakeholders beyond just certificate holders, and certificate holders will not be asked at the meetings which action(s) they will implement. They will make a decision independently after the regional meeting is over and FSC US has shared a meeting report.
- Non-certified landowners will be encouraged to participate in the dialogue at regional meetings so that they are part of identifying the set of mitigation actions.
- The second draft of the NRA clearly states that there are pathways for appeals, complaints, and disputes, whether through the compliant process detailed in the controlled wood standard, or through direct communication with FSC US.
- The regional meetings and any published guidelines will include explicit statements that no price, volume, or cost information should be shared by meeting participants.

Another area of stakeholder concern with the first draft NRA was related to the requirements for information from sub-suppliers and the potential for antitrust violations, particularly in complex supply chains where certificate holders may be competitors, customers, and suppliers all at the same time. The controlled wood standard only requires information from sub-suppliers if it is necessary to implement control measures. By addressing risk mitigation and effectiveness verification at a landscape scale instead of at individual supply units or harvest areas, FSC US believes that the approach taken in the second draft of the NRA negates the need for certificate holders to request suppliers to provide information from sub-suppliers. These agreements are no longer required.

Key Issue: System complexity

The complexity of the first draft of the NRA led to a lot of confusion about what companies actually need to do to implement the FSC Controlled Wood system and that the costs are much greater than the benefits. There was additional concern that small mills do not have the capacity to implement such a complex system.

The following is a summary of stakeholder comments from the first public consultation:

- The overall structure, content, and length of the NRA has led to substantial confusion around what companies need to actually do to implement the CW system.

- The piecemeal development of the NRA is also a major source of confusion. That is, developing the NRA, CNRA, and CW Standards on different timeframes with separate consultations.
- In the NRA, background information is interspersed with the actual requirements for compliance. This makes it difficult for companies to identify all the points of compliance, especially related to HCVs.
- There is substantial concern that the complexity of the NRA will be a significant barrier to entry for small and medium sized Certificate Holders. This barrier will in turn reduce access to markets for FM certified material. Even where CHs are not fully precluded from the system, there is significant concern over the consequences of additional costs without clear benefits.

Efforts have been made to greatly simplify the second draft of the NRA, both in the structure of the document and also by ensuring that elements addressed in the new Controlled Wood standard (FSC-STD-40-005 V3-0) are not duplicated in the NRA, including the removal of a Due Diligence System requirement from the NRA. Additionally, the scale of risk designations has been changed to make it easier for certificate holders to determine whether they need to address risk without acquiring additional ecological or occurrence information.

The following aspects of the second draft of the NRA also reduce the complexity related to implementing the FSC Controlled Wood system:

- FSC US will provide educational materials that may be used by certificate holders to fulfill one of the control measures and therefore the certificate holders themselves will not be required to develop materials or determine what guidance is shared.
- The collaborative dialogue at the regional meetings will result in a set of mitigation actions from which Certificate holders will select one or more actions to implement, instead of having to develop mitigation actions themselves.
- The division between direct and indirect purchases has been removed, and mitigation for all sourced materials will occur in the same manner.
- The NRA has also been incorporated into the FSC International template as is required by the FSC procedure.

Key Issues: HCV Classification & Risk Designations

Based on stakeholder comments of the first draft NRA, FSC US needs to review how HCV are described and defined (e.g. Priority forests). The HCV need to be aligned with recognized classification systems. FSC US also needs to review which risk designations have a large impact in the system and whether or not any are worth removing or adding.

The following is a summary of stakeholder comments from the first public consultation:

- The ecosystem / habitat classifications used in the NRA do not use commonly accepted ecosystem classification systems.
- The NRA does not assess the adequacy of current programs and laws that already address these ecosystems. Comments suggested that many of these designations, particularly those for Priority T&E species, fail to consider current regulatory protections like the Endangered Species Act.
- The species and habitat HCV designations, including Priority T&E Species, habitats within Critical Biodiversity Areas, and Priority Forest Types are considered by some stakeholders to be arbitrary designations. Stringent control measures cannot be placed on species or ecosystems without stringent justification.

- The “quantity and quality” and “maintain across the landscape” clauses associated with HCV specified risk designations are not implementable as control measures. They can be stated goals, but not the performance outcome.

FSC US has addressed these specific stakeholder concerns listed above in the following ways:

- HCV 1 species identification are now based upon data and information publicly available from NatureServe. NatureServe is well respected within the environmental and other communities due to the high standards and scientific rigor used in their data collection and analysis processes.
- Critical Biodiversity Areas as distinct spatial areas are identified as HCV 1, with recognition that there are important habitats that occur within them that drive the high biodiversity of the area, but strict definition of those habitats is no longer essential.
- Identified HCV have been more thoroughly assessed for protections and for threats from forest management activities, with some conclusions of ‘Low Risk’ as a result
- The ‘quantity and quality’ and ‘maintain across the landscape’ clauses associated with control measures have been removed

FSC US, in partnership with the Technical Advisory Group, primarily built on the Category 3 framework developed by the original working group. In order to meet the NRA content and procedural requirements, much additional work was carried out to document and provide rationale for the risk designations (both low and specified). The goal was to ensure that the risk designations were not just based on the presence of a particular HCV within an area, but also on an assessment of whether or not the HCV is threatened by forest management activities. The Category 3 detailed assessments and associated documentation that provide rationale for the risk designations have been included in Annex E of the second draft of the NRA. The assessment used to develop the second draft of the NRA resulted in proposed specified risk designations for specific HCV 1 and HCV 3 within some of the FSC US Regions, but not all.

A significant difference between the approach of the original working group and the work done on the second draft was how individual species were identified as potential HCV 1. Instead of basing this identification on expert opinion, as was done by the original working group, the new approach used NatureServe data as the basis for a systematic approach to identifying HCV 1 priority species. The resulting species list was quite different than in the first draft NRA, but based on the definitions of HCV 1 and other available guidance, FSC US believes that the methodology used is defensible.

Key Issue: Conversion

Stakeholder comments on the first draft of the NRA challenged FSC US to consider if Conversion should be moved to specified risk, given that the Due Diligence System around it essentially treats it as specified risk. Comments also encouraged FSC US to better address plantations given the very complex FSC definition of “P10” plantations.

The following is a summary of stakeholder comments from the first public consultation:

- Many economic stakeholders feel that avoidance of conversion is not warranted given that forest management decisions are not the drivers of conversion, and the material will be wasted if not used.
- Stakeholders commented that it is often not evident at harvest if a forest has been converted. Conversion depends on the intent of the landowner after harvest takes place.
- Stakeholders felt that there is a “lack of compelling need” to control for conversion given that landcover was shown to be relatively stable.

- There is a lot of confusion around the definition of Plantations in FSC. This distinction will be difficult to implement in supplier agreements or training.

FSC International provided a draft CNRA for Category 4 that included an assessment of applicable legislation that has been incorporated into the second draft NRA. The US does not have comprehensive legislation that prohibits conversion, so it was necessary to further assess the rates of conversion in the US to determine risk. The original working group focused on data analysis to try and determine if the rates of conversion in the assessment area (the conterminous US) exceeded the threshold established by FSC International for low risk. Due to the resolution of the data available, it was not possible to conclude whether or not the threshold was exceeded as the threshold was smaller than the margin of error of the data analysis. This conclusion led the original working group to propose a specified risk designation for the entire assessment area.

The Technical Advisory Group disagreed with this approach and asked FSC US to identify additional sources of information that could help to determine the risk of conversion at a finer scale for the second draft of the NRA. FSC US reviewed available literature and regional datasets. This literature review clearly indicated that conversion is a more significant issue in the Pacific Coast and Southeast regions, which aligned with the general conclusions of the original data analysis. The literature review also indicated that urbanization is the primary driver of conversion in these regions. FSC US used state-scale data on urbanization to guide the determinations of specific risk within the Pacific Coast and Southeast regions and a portion of the Mississippi Alluvial Valley region. The assessment and associated documentation have been included in Annex G of the second draft of the NRA.

FSC has clearly articulated that the consideration of risk of materials from areas of conversion is required, even if the conversion is not due to forest management activities. Although stakeholder comments felt that avoidance of materials conversion is not needed because urbanization is the main driver of conversion in the US, conversion remains as specified risk for some portions of the US in the second draft of the NRA.

The second draft of the NRA also maintains the distinction between natural forest, semi-natural forest and plantations, but directs users to the FSC US Plantation guidance for assistance. Additional clarification has been included to further explain that just because a stand is planted, it is not necessarily a plantation.

Key Issue: Due Diligence System (DDS)

The first draft of the NRA contained requirements for a company to develop a DDS. It was originally included to simplify the conversion framework, but may not have achieved this purpose. The DDS in the first draft of the NRA also included a Stakeholder Portal. This Stakeholder Portal was intended to be a database that contained known and specific stakeholder concerns related to the Controlled Wood categories of risk. The Portal was to be provided to inform the DDS for low risk areas. This idea was an area of major discontent among stakeholders.

The following is a summary of stakeholder comments from the first public consultation:

- The DDS creates confusion since it requires additional analysis beyond the NRA's low risk designations. Some stakeholders feel this is a risk assessment within a risk assessment.
- The DDS & Stakeholder Portal are felt to be redundant with the DDS and complaints mechanism in STD-40-005.

- The burden of proof required by the DDS is unclear. Specifically, the requirement to “consider” the stakeholder portal is unclear.
- The Stakeholder Portal is a major source of contention. Organizations feel that it unnecessarily opens them up to liability.
- There are strong feelings from stakeholders that if the Stakeholder Portal is retained, it needs to be carefully curated by FSC US.

A DDS is now required as a part of conforming to the Controlled Wood standard (FSC-STD-40-005 V3-1), so it is no longer included as a required element of the second draft of the NRA. The Stakeholder Portal has also been removed from the second draft, though there are still avenues for stakeholders to relay any concerns they have related to the Controlled Wood categories of risk. The regional meetings are open to all stakeholders, so any concerns that may have been brought to the stakeholder portal can be addressed through the collaborative dialogue during the meeting. The second draft of the NRA also clearly states that there are pathways for appeals, complaints, and disputes, whether through the compliant process detailed in the controlled wood standard, or through direct communication with FSC US.

Key Issue: Supplier training

The first draft of the NRA contained a requirement that certificate holders train their suppliers in the effective implementation of the company’s controlled wood policy, and the control measures required to address specified risk.

Stakeholder comments received during the first public consultation suggested that the supplier training requirement was interpreted to be a much more stringent requirement than was intended by FSC US. The requirements to pass training as far down the supply chain as necessary were received by stakeholders as unclear and impractical for certificate holders to implement. Comments also suggested that there is strong support for an FSC US led regional process to clarify and implement supplier training process in a way that is not interpreted by certificate holders as overly burdensome or punitive.

While providing educational materials to suppliers is still included as a control measure in the second draft of the NRA, supplier training is not. FSC US intends to provide educational materials for topics associated with specified risk that may be used by certificate holders to fulfill this requirement. The educational materials will meet goals similar to the trainings required in the first draft. The educational materials will be designed to provide information about why there is a specified risk designation, a statement that materials are avoided if they come from areas where conversions larger than 100 acres are taking place or where HCVs are threatened by forest management, and guidance for mitigating risk and/or avoiding sourcing from these areas.

Annex A – Compilation of all comments received

List of all commenters

American Forest and Paper Association	Economic
Appvion, Inc.	Economic
Boise Cascade	Economic
Columbia Forest Products	Economic
Dogwood Alliance	Environmental
Domtar Paper Co.	Economic
Drax Biomass	Economic
Enviva	Economic
Evergreen Packaging	Economic
ForestEthics	Environmental
Georgia-Pacific	Economic
Glatfelter	Economic
Green Press Initiative	Environmental
Greenpeace US	Environmental
Hancock Timber Resource Group	Economic
International Paper	Economic
J.D. Irving, Limited	Economic
KapStone Kraft Paper Corporation	Economic
Klamath Siskiyou Wildlands Center	Environmental
MeadWestvaco	Economic
Mendocino Redwood Company, Humboldt Redwood Company, Mendocino Forest Products, All Weather Wood	Economic
Michigan Department of Natural Resources	Economic
National Association of Forest Owners	Economic
National Council for Air and Stream Improvement, Inc.	Economic
Natural Resources Defense Council	Environmental
Oregon Wild	Environmental
Rainforest Alliance	Economic
Resolute Forest Products	Economic
Resource Management Service, LLC	Economic
RockTenn	Economic
SCS Global Services	Economic
Sierra Club	Environmental
Verso Corporation	Economic
Weyerhaeuser	Economic

Compilation of all comments received				
Clause	Comment	Recommendation	FSC US Response	Chamber Affiliation
<u>Part 1: Company Controlled Wood Program & DDS</u>				
I. Program Elements	<p>“This document contains programmatic requirements for organizations to make controlled wood claims for uncertified materials source from the conterminous United States.” Why is Alaska left out? Also, a company is not always wanting to make controlled wood claims - 95% of the time, companies are wanting to mix it with their other FSC stocks to have a mix label – not make a controlled wood claim which is entirely different.</p>	Change “make controlled claims” to “make controlled wood claims or mix into an FSC mix claim”. Alaska really should be included. Is it no man’s land then? No one shall ever source controlled material from there ever?	Thank you for your comment. Alaska remains outside of the scope of the FSC US Controlled Wood Risk Assessment.	Economic
I. Program Elements	<p>Part 1 of the FSC US NRA includes different vernacular, definitions, and requirements than the requirements in the FSC Controlled Wood Standard, FSC STD 40-005.</p> <p>This is going to cause issues for Certificate Holders and Certification Bodies; questioning whether or not we (CHs and CBs) are to follow the requirements of Part I of the NRA or the requirements of the actual controlled wood standard. ASI will audit CBs to the controlled wood standard.</p> <p>Comments below include inconsistency between the NRA and the actual standard language</p>	Use language from the actual Controlled Wood standard in the NRA, leave Part I out of the NRA, the NRA should include only the results of the NRA, risk designations, justification, source of information, and the applicable control measures. The other data from Part II and Part III should be available as appendices for reference. Keep it user friendly.	FSC US has aligned the second draft of the risk assessment with the approved Controlled Wood standard so that elements are not duplicated.	Economic
I. Program Elements	<p>Anyone (there are over 11 million forest owners in the U.S.) who sells wood directly or indirectly to any company with an FSC CoC certificate will fall under the Controlled Wood requirements. The only exception is sale of residual chips. So if, for example, a landowner sells logs through a logger that go in part to a sawmill and in part to a chip mill, and a company with an FSC CoC certificate buys from the chip mill, all of the landowner’s harvesting will fall under the Controlled Wood standard. Even if the FSC buyer is several steps removed, the standard requires that the buyer implement a series of contracts through which their immediate suppliers impose requirements on their suppliers, and so on, until the requirements reach all landowners in the supply area.</p>		The revised control measures for the second draft were designed to include compliance and effectiveness verification at a landscape scale rather than for the individual supply unit or harvest area. FSC US believes that this approach negates the need for certificate holders to request suppliers to provide information from sub-suppliers.	Economic
I. Program Elements	<p>The Table of Contents is much too brief to be helpful and it’s confusing to have three separate TOCs for one document.</p> <p>The use of roman numerals to designate the three separate parts of the document as well as the sub-sections is confusing (ex: Part III, Section III).</p>	If the NRA is intended to be a single, contiguous document there should be one TOC at the beginning and all the pages should be	FSC US has updated the document’s structure in the second draft	Economic

	<p>There does not seem to be a summary of risk findings. This is a very useful resource for CBs who have to manage the findings of multiple NRAs.</p>	<p>numbered consecutively (currently, Part III contains no page numbers).</p> <p>Re-organize the numbering structure such that roman numerals are not used to designate both Parts and Sections.</p> <p>Include a table at the beginning of the document which provides a summary of risk designations. This doesn't need to be simple – e.g. see the summary table for Chile natural forests.</p>		
I. Program Elements	<p>Complexity creates confusion, confusion produces many interpretations, many interpretations leads to gaming the system, the system then loses its integrity and we all become complacent in applying principles of good forestry.</p> <p>A national level risk assessment is too cumbersome to navigate and implement.</p> <p>National stakeholders involved in development of the NRA do not have the knowledge about local resources nor the best interests at heart to develop an accurate risk assessment or proper control measures that match a localized region.</p> <p>Did the European Union develop a risk assessment for the entirety of their political boundaries? No, each country has their own risk assessment. Each state in the US are legally sovereign and should be allowed to develop their own risk assessment. FSC FM standards are regionally based. Why would risk assessments be handled differently?</p>	<p>Establish risk assessments on regional (ie SE, NE or Western), state or ecosystem levels.</p>	<p>Risk has been assessed at a finer scale in the second draft. As a result, no specified risk designations are at a national level. This will assist certificate holders in deciding whether or not they areas of specified risk are within their supply areas.</p>	Economic
1.1 NOTE	<p>It's difficult to understand what the exact requirements will be under FSC-STD-40-005 since the final version has not yet been released. For review purposes, it's appropriate to put reference the version that reviewers are supposed to review for their comments (i.e. FSC-STD-40-005 V3-0 DRAFT 2-0). It's not transparent or ok for FSC to claim a fair and honest review process when many of the elements of this NRA depend on what the final version of that standard (40-005) will look like. For the purposes of this review, I utilized V3-0 DRAFT 2-0, major changes to that draft may change my comments related to this National Risk Assessment</p> <p>I think the QMS is worthy of its own description in this document – rather than referring back to 40-005.</p>	<p>Please reference the version of the document (40-005 V3-0 DRAFT 2-0) reviewers are to utilize in their review of this document. Comments on this document may change as changes to that document occur. I'm not repeating this comment everywhere this occurs, but please reference the most current draft document where you refer back to 40-005.</p> <p>To the maximum extent possible, best to define the requirements or references from 40-005 in this document, this will require FSC-US to maintain an up-to-date document with 40-005, but this is really the right</p>	<p>The second draft of the NRA aligns with the approved CW standard FSC-STD-40-005 v3-1</p>	Economic

		thing to do keep all NRA users up-to-date on current requirements. This meets the needs of many economic stakeholders trying to understand all the requirements they must meet. Also, once the CNRA is complete, would be nice to incorporate the key elements in the NRA rather than referring to yet another document with additional requirements.		
II. CW Policy	Controlled Wood Policy: It is reasonable and appropriate to provide descriptions of the supply area, areas of specified risk, control measures, and a summary of the Company Controlled Wood Program within a public policy statement. These requirements exceed what normally would constitute a public policy statement. Company management would not allow.	Controlled Wood Policy should address only the (5) five categories of risk identified by FSC.	A Controlled Wood Policy is no longer required in the second draft of the NRA.	Economic
II. CW Policy	A Generic Policy meeting this intent should be allowable, without specific reference to "Controlled Wood Policy". Organizations are often certified to multiple systems, and one policy should be able to cover all systems	Allow an organization to have a Procurement Policy that deals with the issues.	A Controlled Wood Policy is no longer required in the second draft of the NRA.	Economic
II. CW Policy	Clarification – is the policy to be called "Controlled Wood Policy? The FSC CoC does not allow companies to use the phrase FSC Controlled Wood publicly, so will that change, or does this need a different name? Or is this allowed because it doesn't use "FSC."	Unsure at this time – clarification may resolve	A Controlled Wood Policy is no longer required in the second draft of the NRA.	Economic
II. CW Policy	Information required exceeds what would normally constitute a public policy statement of commitment to avoid controversial sources.		A Controlled Wood Policy is no longer required in the second draft of the NRA.	Economic
II. CW Policy	The requirement for a publicly available Controlled Wood Policy inappropriately includes descriptions of the supply area, areas of specified risk and associated control measures and a summary of the Company Controlled Wood Program. These requirements for information exceed what normally would constitute a public policy statement of commitment to avoid controversial sources.		A Controlled Wood Policy is no longer required in the second draft of the NRA.	Economic
II. CW Policy	Use of the vernacular "intends to avoid" could result in controversial sources entering the supply chain.	Suggested Revision: A clear statement The Organization shall not accept supply from controversial sources.	A Controlled Wood Policy is no longer required in the second draft of the NRA.	Economic
II. CW Policy	This statement is fine as far as it goes but an Organization may not have the luxury of just simply avoiding controversial source. There may be times when a company has to purchase logs from a controversial source in order to run. An organization may have to purchase wood from a controversial source in order to run and just produce an un-controlled product that is not included with or sold as a mixed credit product.	Suggest changing this to read: A clear statement that the organization intends to avoid controversial sources; however, if material is purchased from a controversial source that material will be segregated and processed as un-controlled and not included	A Controlled Wood Policy is no longer required in the second draft of the NRA.	Economic

		with or sold as a mixed credit product.		
II. CW Policy	Company Controlled Wood Policy and Description of Supply area: The proposed standard seems to go beyond a public commitment to a controlled wood policy. Of concern are the specificity of the supply area and material types and the summary of a program to implement the controlled wood program. The supply area can be described in general terms and on a larger scale.	Controlled Wood Policy should address a commitment to the policy overall. The policy should address in general terms, the five categories of potential risk (Legality; Traditional & Civil Rights; High Conservation Values; Forest Conversion and Genetically Modified Organisms).	A Controlled Wood Policy is no longer required in the second draft of the NRA.	Economic
II. CW Policy	The requirement for a publicly available Controlled Wood Policy inappropriately includes descriptions of the supply area, areas of specified risk and associated control measures and a summary of the Company Controlled Wood Program. These requirements for information exceed what normally would constitute a public policy statement of commitment to avoid controversial sources.		A Controlled Wood Policy is no longer required in the second draft of the NRA.	Economic
2.1 Policy Elements				
III. CW-DDS	The controlled wood standard is placing a higher change impact requirement on lands that are under a long term wood supply agreement and enrolled in other forestry certification systems that carry an accreditation and are globally recognized and endorsed. Those lands are audited to ensure BMPs are implemented and stand level characteristics are preserved. Those audits also ensure that staff have adequate training on implementation and foster a trained workforce. Contract language is also in place to maintain these certifications where wood supply agreements are in place. The current standard has a costly impact and time impact on 3rd party certified lands where the time/impact could be better spent with monitoring of non certified lands.	Change DDS section and requirements to acknowledge third party certifications as meeting control measures for HCVs. Change DDS to remove all required monitoring from certificate holders on third party certified lands.	A DDS is now required as a part of conforming to the Controlled Wood standard (FSC-STD-40-005 V3-1), so it is no longer included as a required element of the second draft of the NRA.	Economic
III. CW-DDS	The current NRA relies heavily on a new Due Diligence System (DDS) designed to set out Certificate Holder's responsibilities when they encounter unacceptable sources in areas not designated specified risk. The DDS system is an important compromise that allows risk to be designated in more granular areas while still addressing key concerns of the environmental chamber regarding system integrity and environmental performance. But this compromise proposal appears to rest on uncertain footing. It is currently unclear whether FSC International will support the mandatory DDS requirements in areas where there is not specified risk. If somehow FSC US is unable to move forward with this system, we believe the draft NRA would not sufficiently protect against risk to HCVs and conversion across the landscape. Without the DDS, it could be necessary to designate "risk" for these values in other places across the landscape to insure that mandatory control measures are taken to control for the risk.		A DDS is now required as a part of conforming to the Controlled Wood standard (FSC-STD-40-005 V3-1), so it is no longer included as a required element of the second draft of the NRA.	Environmental
III. CW-DDS	The Draft NRA is Incomplete. FSC-US has only addressed two of the five controversial sources governed by the Controlled Wood system: HCVFs and Conversion. The other three controversial sources (legality, indigenous rights, and GMOs) areas were evaluated by firms in the United Kingdom and put out for public comment only recently. No information has been provided about how the outcomes of these other evaluations will be incorporated into the (partial) draft NRA currently out for comment. Participants should not be forced to conduct piecemeal review and comment on portions of the draft NRA, which will ultimately be combined into a single comment. The draft US NRA should be withdrawn, combined with the other three elements by a newly constituted working group that includes materially affected landowners, and re-released for comment after the full assessment is available.		The second draft of the NRA contains risk assessments for all five controlled wood categories.	Economic

3.1 DDS req.	The requirement to implement a Due Diligence System for all inputs, regardless of risk designation, imposes controls and requirements on all sources of wood supply without the assessment of risk. FSC Certificate Holders do not have the authority to exert control measures on independent loggers and landowners.		A DDS is now required as a part of conforming to the Controlled Wood standard (FSC-STD-40-005 V3-1), so it is no longer included as a required element of the second draft of the NRA.	Economic
3.1 DDS req.	In addition, assuming the DDS moves forward it is critical that when the DDS is triggered by the identification of impacts to HCVs outside of a designated area that mandatory objective and explicit control measures are required. Currently the draft DDS requires that a system be designed to avoid material where it is known HCVs are threatened by forest management activities. But when covered species are found in the sourcing area, logically the control measures should be substantively the same as in areas of designated risk for the exact same HCV. Therefore, the DDS must include supplier agreements and a requirement for suppliers/source forests to implement population and habitat protections that meet objective performance thresholds, as is required for T&E species which are flagged as having risk.		A DDS is now required as a part of conforming to the Controlled Wood standard (FSC-STD-40-005 V3-1), so it is no longer included as a required element of the second draft of the NRA.	Environmental
3.1 DDS req.	The current requirement does not specify which inputs require a due diligence system; add clarifying language regarding which inputs require a due diligence system in the CW NRA	The Organization shall have a due diligence system for controlled wood inputs.	A DDS is now required as a part of conforming to the Controlled Wood standard (FSC-STD-40-005 V3-1), so it is no longer included as a required element of the second draft of the NRA.	Economic
3.1 DDS req.	Due Diligence system for all inputs. It appears that the Controlled Wood program is being designed for more than it can accomplish.... This section specifically notes that even if there is a low risk, the DDS "is designed to avoid those sources." If a risk is determined as low, then the due diligence should stop there.	A DDS should not have to develop a program for low risk designations.	A DDS is now required as a part of conforming to the Controlled Wood standard (FSC-STD-40-005 V3-1), so it is no longer included as a required element of the second draft of the NRA.	Economic
3.1 DDS req.	The requirement to implement a Due Diligence System for all inputs, regardless of risk designation, imposes controls and requirements on all sources of wood supply without the assessment of risk. FSC Certificate Holders do not have the authority to exert control measures on independent loggers and landowners.		A DDS is now required as a part of conforming to the Controlled Wood standard (FSC-STD-40-005 V3-1), so it is no longer included as a required element	Economic

			of the second draft of the NRA.	
3.1 DDS req.	Does “known controversial activities” mean activities where laws have been violated laws and offenders have been convicted or areas where laws has been violated systemically without retribution for the victims? Clarification of this term is essential so participants know why a region is deemed controversial.	Identification of the problem will help participants coordinate with their communities to get better and more robust laws established to solve any systemic unresolved problems.	A DDS is now required as a part of conforming to the Controlled Wood standard (FSC-STD-40-005 V3-1), so it is no longer included as a required element of the second draft of the NRA.	Economic
3.2 DDS summary	Since all this will be established in the NRA, why is it necessary to restate it?	Allow general statement “the control measures specified in the NRA will be adopted”	A DDS is now required as a part of conforming to the Controlled Wood standard (FSC-STD-40-005 V3-1), so it is no longer included as a required element of the second draft of the NRA.	Economic
3.2 DDS summary	If control measures are being met using the NRA framework the certificate holder should be able to highlight the risk areas that are specified within their assessment and that they are using the NRA control measure. If alternative control measures are used this is the ONLY situation where a brief description should be necessary.	Change wording to streamline public summaries so that they highlight areas of risk defined as specified and only highlight additional control measures used. Indicate that the approved NRA control measures will be deemed as adequate for all companies. This requirement to publically state control measures is unnecessary if all companies will be stating exactly the same thing.	A DDS is now required as a part of conforming to the Controlled Wood standard (FSC-STD-40-005 V3-1), so it is no longer included as a required element of the second draft of the NRA.	Economic
3.2 DDS summary	NOTE: Change should to shall. To ensure Certificate Holders (CH) are providing adequate descriptions of HCVs and control measures in their public summary and to ensure all Certification Bodies (CB) audit the CH to the same level of conformance, FSC_US should develop supplementary guidance for this requirement.	This only needs to be a general description of the control measures. Descriptions of HCVs and control measures shall be sufficiently detailed to demonstrate compliance with this section, but can be generalized where necessary to protect sensitive or proprietary information.	A DDS is now required as a part of conforming to the Controlled Wood standard (FSC-STD-40-005 V3-1), so it is no longer included as a required element of the second draft of the NRA.	Economic
3.2 DDS summary	Public Summary: A summary should not have to include how a company is specifically taking measures to avoid controversial sources, but instead this should be accomplished through the third party audit process that the appropriate processes are in place to in fact avoid such sources. Furthermore, a company’s unique procedures	Delete the specifics of 3.2.1 and 3.2.2 and require a summary only of DDS.	A DDS is now required as a part of conforming to the Controlled	Economic

	could be considered proprietary as it may be a discussion of how a company can meet such requirements more efficiently than a competitor and therefore such information should not be publically available.		Wood standard (FSC-STD-40-005 V3-1), so it is no longer included as a required element of the second draft of the NRA.	
3.3 CW STD ref	There is a reference to Section 4 of FSC-STD-40-005 and associated international due diligence system elements, but the version of FSC-STD-40-005 available from the FSC web site (https://ic.fsc.org/standards.340.htm) does not include a Section 4 with this content.	Provide greater clarification as to what document is being referenced as "FSC-STD-40-005."	A DDS is now required as a part of conforming to the Controlled Wood standard (FSC-STD-40-005 V3-1), so it is no longer included as a required element of the second draft of the NRA.	Economic
3.4 DDS elements	Category 1 and Category 2: FSC inappropriately delegates responsibility for assessing risk associated with Traditional and Civil Rights and Legality to the Centralized Risk Assessment to be conducted by FSC International. Since this work has yet to be completed it is not possible for certificate holders to adequately assess impacts and provide comments.	This assessment should come back to FSC US working groups to be addressed with US certificate holder input.	The second draft of the NRA contains risk assessments for all five controlled wood categories and has designated Low Risk for Categories 1 and 2.	Economic
3.4 DDS elements	3.4.1 Legality :FSC-US should have a say on this. 3.4.2 Traditional and Civil Rights : FSC US should have a say on this		The second draft of the NRA contains risk assessments for all five controlled wood categories and has designated Low Risk for Categories 1 and 2.	Economic
3.4 DDS elements	FSC US has apparently delegated responsibility for assessing risk associated with Traditional and Civil Rights to a Centralized Risk Assessment, to be conducted by FSC International, without any effective review and comment by affected parties and certificate holders in the U.S. FSC US includes a vague requirement to implement "a system designed to avoid" inputs from illegal harvests and where traditional or civil right are being violated. Given that FSC US has identified both categories as Low Risk, it is not clear what system elements would be appropriate or required.		The second draft of the NRA contains risk assessments for all five controlled wood categories and has designated Low Risk for Category 2.	Economic
3.4 DDS elements	We are concerned about the lack of detail provided as to what "a system" might need to encompass to achieve the expectations of this requirement and the potential burden that this requirement could potentially place on our customers. However, without the ability to review the international due diligence system elements referenced in 3.3, it is difficult to assess what the additional elements in 3.4 would entail.	Provide more information regarding the potential or required components of "a system" that will achieve this section of the standard.	A DDS is now required as a part of conforming to the Controlled Wood standard (FSC-STD-40-005 V3-1), so it is no longer included as a required element	Economic

			of the second draft of the NRA.	
3.4 DDS elements	<p>FSC US has apparently delegated responsibility for assessing risk associated with Traditional and Civil Rights to a Centralized Risk Assessment, to be conducted by FSC International, without any effective review and comment by affected parties and certificate holders in the U.S.</p> <p>FSC US includes a vague requirement to implement "a system designed to avoid" inputs from illegal harvests and where traditional or civil right are being violated. Given that FSC US has identified both categories as Low Risk, it is not clear what system elements would be appropriate or required.</p>		The second draft of the NRA contains risk assessments for all five controlled wood categories.	Economic
3.4.2 Question for Consultation Category 2 (Traditional & Civil rights) comments based on most current understanding	Analysis and conclusions for designating risk for Category 2 has inappropriately been delegated to an undefined Centralized National Risk Assessment with no provision for stakeholder review or comment. This approach is unacceptable and not an open, transparent and inclusive process.	Adequate time was not provided to include comments on the draft CNRA documents by the March 13 deadline.	The second draft of the NRA contains risk assessments for all five controlled wood categories and has designated Low Risk for Category 2.	Economic
3.4.2 Question for Consultation Category 2 (Traditional & Civil rights) comments based on most current understanding	RE: CNRA Category 2: Since this came out so recently, I have not had time to review findings related to the National Risk Assessment – can't really comment on this at this point.	No change.	The second draft of the NRA contains risk assessments for all five controlled wood categories and has designated Low Risk for Category 2.	Economic
3.4.2 Question for Consultation Category 2 (Traditional & Civil rights) comments based on most current understanding	Cursory review shows many areas of concerns with the FSC CNR for the US on Category 2. Suggest waiting until next draft comes out as we can expect much stakeholder feedback to FSC regarding their risk designations	NA	The second draft of the NRA contains risk assessments for all five controlled wood categories and has designated Low Risk for Category 2.	Economic
3.4.2 Question for Consultation Category 2 (Traditional & Civil rights) comments based on most current understanding	The continued inclusion of the ILO conventions must be resolved by FSC International in all FSC standards. In the Draft United States CNRA currently out for public consultation, FSC continues to include requirements related to compliance the ILO core conventions, which are incompatible with national law in a number of countries, including the United States. Certificate holders and their suppliers cannot fully comply with ILO core conventions in countries where the conventions have not been ratified. National and local laws in the United States supercede any ILO requirements.		The second draft of the NRA contains risk assessments for all five controlled wood categories and has designated Low Risk for Category 2.	Economic
3.4.2 Question for Consultation Category 2 (Traditional & Civil rights) comments based on most current understanding	Firms in the business of buying and processing forest products generally do not have the specialized knowledge or the resources to develop programs focused on civil or traditional rights.		The second draft of the NRA contains risk assessments for all five controlled wood categories and has designated Low Risk for Category 2.	Economic
3.4.2 Question for Consultation Category 2 (Traditional & Civil rights)	Wood procurement organizations in the business of buying and processing forest products generally do not have the specialized knowledge or the resources to develop programs focused on civil or traditional rights.		The second draft of the NRA contains risk assessments for all five controlled wood	Economic

comments based on most current understanding			categories and has designated Low Risk for Category 2.	
3.4.2 Question for Consultation Category 2 (Traditional & Civil rights) comments based on most current understanding	There is currently a CNRA open for draft consultation. Category 2 within the CNRA indicator 2.2 and 2.3 call for specified risk due to ILO issues within the US. There is an ILO working group that has been meeting to come to solutions for the US that work for certificate holders. Until this working group can come to a conclusion the CNRA for the US should not be finalized.	FSCUS should align their comments and stance on ILO issues to back the government and laws in the country where they are based. A process to outline a clear path forward should be determined by the CWWG and stated to certificate holders so that clarity is added to the system instead of additional burden. If FSCUS cannot define a clear path forward, all items regarding ILO should not be incorporated into the document until the ILO working group has concluded.	The second draft of the NRA contains risk assessments for all five controlled wood categories and has designated Low Risk for Category 2.	Economic
3.4.2 Question for Consultation Category 2 (Traditional & Civil rights) comments based on most current understanding	<p>The US has only ratified two of the eight ILO Conventions. By agreeing to uphold the ILO FPRW, the document itself says that even if a country has not ratified the conventions, it is agreeing to uphold them anyway. ILO FPRW also references/incorporates the ILO Philadelphia Declaration, which in turn references/incorporates the ILO Social Justice Declaration. This is one of the problems with referencing external sources; you do not know “how far the rabbit hole goes” when standards reference other standards.</p> <p>Once again, this references an ILO convention that the US has not ratified. Neither Columbia, nor other US business can comply with this indicator without violating Principle 1 of the FSC Principles and Criteria.</p>	Instead of mating ILO conventions into FSC standards, FSC simply needs to list a performance indicator. For example, “Organization complies with US Child Labor Laws,” instead of pointing to ILO conventions.	The second draft of the NRA contains risk assessments for all five controlled wood categories and has designated Low Risk for Category 2.	Economic
3.4.2 Question for Consultation Category 2 (Traditional & Civil rights) comments based on most current understanding	MWV requests that the second comment period for the draft NRA be at least 60 days to allow for a thorough analysis of both the draft Centralized NRA (CNRA) and the anticipated second draft of the FSC-US NRA. Certificate holders and members need sufficient time to adequately review Risk Category 1, 2, and 5 of the CNRA, which will be part of the comprehensive NRA that eventually will be finalized. In addition, conclusions reached in the CNRA, such as Risk Category 2 – Traditional & Civil Rights assessments will require revision by FSC-US, limiting the effectiveness of comments by stakeholders.		The second draft of the NRA contains risk assessments for all five controlled wood categories and has designated Low Risk for Categories 1, 2 and 5. The second public consultation will be 60 days.	Economic
3.4.2 Question for Consultation Category 2 (Traditional & Civil rights) comments based on most current understanding	Category 1 and Category 2: FSC inappropriately delegates responsibility for assessing risk associated with Traditional and Civil Rights and Legality to the Centralized Risk Assessment to be conducted by FSC International. Since this work has yet to be completed, it is not possible for certificate holders to adequately assess impacts and provide comments.	This assessment should come back to FSC US working groups to be addressed with US certificate holder input.	The second draft of the NRA contains risk assessments for all five controlled wood categories and has designated Low Risk for Category 2.	Economic
3.4.2 Question for Consultation Category 2	Wood procurement organizations in the business of buying and processing forest products generally do not have the specialized knowledge or the resources to develop programs focused on civil or traditional rights.		The second draft of the NRA contains risk assessments	Economic

(Traditional & Civil rights) comments based on most current understanding			for all five controlled wood categories and has designated Low Risk for Category 2.	
3.4.2 <i>Question for Consultation</i> Category 2 (Traditional & Civil rights) comments based on most current understanding	If specified risk is designated it is appropriate that control measures will be implemented in areas where rights are being violated.	Prefer the term “systemically violated” instead of just “violated.”	The second draft of the NRA contains risk assessments for all five controlled wood categories and has designated Low Risk for Category 2.	Economic
3.4.3 HCV DDS	“The HCVs to be addressed include federally or state designated Endangered or Threatened species where they are known to occur”. Yet the priority listing (3.2.1.3 of HCV 1 assessment) includes only a very small subset of endangered or threatened species in the U.S.	1) where they are known to occur – what exactly does this mean – anytime presence is detected? Where range indicates they may exist? Perhaps there is a better way to state this? 2) Priority listing is a very small subset of T and E species in the U.S. and appears to be cherry-picked specific to pacific coast. More on this later.	The methodology for identifying individual species changed from expert opinion to the more systematic approach that uses the NatureServe database and assessing the threats to each species from forest management activities. The resulting list of species is quite different than that included in the first draft. The scale of risk designations has also been revised to assist certificate holders in deciding whether or not they areas of specified risk are within their supply areas.	Economic
3.4.3 HCV DDS	Again an organization may have to purchase wood from a controversial source in order to run and just produce an un-controlled product that is not included with or sold as a mixed credit product.	Again suggest expanding the statement by including language stating that if an organization purchases material from a controversial source that that material will be segregated and processed as un-controlled and not included with or sold as a mixed credit product.	This requirement has been removed from the second draft of the NRA and is addressed in the DDS section of the approved FSC-STD-40-005 v3.	Economic

3.4.3 HCV DDS	There is an opportunity to clarify language such that the avoidance of material from sources that impact HCV's, actually means avoidance of material that adversely impacts T&E species that currently populate the site.	Category 3 – High Conservation Values: The organization shall implement a system designed to avoid, including through language in the Controlled Wood Policy, material from sources where it is known that federal or state endangered species currently occupy the site, and are threatened by forest management activities.	This requirement has been removed from the second draft of the NRA and is addressed in the DDS section of the approved FSC-STD-40-005 v3.	Economic
3.4.4 Conversion DDS	<p>Conversion of natural or semi-natural forest to plantations: Land conversion decisions are not driven by wood values. FSC US offers no evidence that excluding wood from FSC Chain of Custody certified mills will bring any benefits in terms of reduced land use conversion. The National Risk Assessment also does not evaluate the tradeoffs of alternative disposal and non-use of wood material as associated environmental impacts.</p> <p>Plantation Note: This draft redefines and expands "Forest Plantations" from the definition contained in the FSC US National Forest Management Standard. Thus, the Controlled Wood Standard has become more stringent than the Standard intended for landowners that volunteer to implement the FSC Forest Management Standard.</p> <p>Conversion of natural or semi-natural to plantations: The arbitrary limits of 20 acres or less for plantations is unrealistic and not based on the reality of forestry in the US context. There is not stated rationale or basis for such a small acreage size limitation.</p>	<p>Plantation Note: The plantation definitions need to be simplified so it can be effectively communication to suppliers.</p> <p>Conversion of natural or semi-natural to plantations: Provide a more realistic size limitation. Suggest 60 acres.</p>	<p>FSC has clearly articulated that the consideration of risk of materials from areas of conversion is required, even if the conversion is not due to forest management activities.</p> <p>The second draft of the NRA directs users to the FSC US Plantation guidance for assistance. Additional clarification has been included to further explain that just because a stand is planted, it is not necessarily a plantation.</p> <p>The de minimus size for conversion has been changed to 100 acres.</p>	Economic
3.4.4 Conversion DDS	Given the conversion exceptions in 3.4.4.1 and 3.4.4.2, it seems unnecessary to require supplier agreements to avoid sourcing from an area that has already been designated "low risk". The exceptions in 3.4.4.1 and 3.4.4.2 are reasonable.	Eliminate the supplier agreements requirement for category 4	Supplier agreements are no longer required in the second draft of the NRA.	Economic
3.4.4 Conversion DDS	Should state that there are exemptions to sourcing wood from conversions in the higher-level requirement which states explicitly, "The organization shall implement a system designed to avoid,..., material from land where natural forest cover is being converted to non-forest uses or plantations." How am I supposed to put in place a system that explicitly talks about how I will avoid sourcing wood from conversions when I likely will be sourcing wood from small conversions < 40 acres? This places the Organization in a very awkward position.	Please clarify in the higher level statement about organization putting into place a system designed to avoid conversion some language that makes it clear	FSC has clearly articulated that the consideration of risk of materials from areas of conversion is	Economic

	<p>Exotic Species: “Cultivation of exotic species or recognized exotic sub-species...”</p> <p>“Block plantings of cloned trees resulting in a major reduction of within-stand genetic diversity compared to what would be found in a natural stand of the same species.” Throughout this document subjective words like “major reduction” should be removed and replaced with more specific language. Much like every other FSC document – this NRA needs to be specific and auditable. Please replace “major reduction” with a more specific term – i.e. reduction of over 50% of the stand’s genetic diversity, 25% whatever number is appropriate. I really don’t have a good handle for what would be considered a “major reduction in genetic diversity.”</p>	<p>that there are exemptions (maybe something like, “aside from allowances stated below.”)</p> <p>Exotic Species: Need definition of exotic species added to the glossary. Many arguments about what an exotic species actually is...</p> <p>Please replace “major reduction” with a more specific term – i.e. reduction of over 50% of the stand’s genetic diversity, 25% whatever number is appropriate. I really don’t have a good handle for what would be considered a “major reduction in genetic diversity.”</p>	<p>required, even if the conversion is not due to forest management activities.</p> <p>The second draft of the NRA directs users to the FSC US Plantation guidance for assistance. Additional clarification has been included to further explain that just because a stand is planted, it is not necessarily a plantation.</p>	
3.4.4 Conversion DDS	<p>Disagree with requirements that some conversion sources are not allowed as controlled wood fiber input. Land use decisions are made by private corporate and family forest landowners in the United States based upon economic returns, long-term management planning, and landowner objectives for property they own. Imposing vague and arbitrary land use controls such as acreage size restrictions for legal land conversions, may cause conversion wood fiber not to be utilized when harvested during land use change and left behind as waste versus being utilized within the circular economy. Certified organizations will have to procure alternative fiber to replace wasted conversion sources, creating the necessity to harvest other forests. Certain land conversions (such as mining) will occur regardless of requirements to exclude it as controlled wood source. Conversion sources should be allowed as controlled wood input</p>		<p>FSC has clearly articulated that the consideration of risk of materials from areas of conversion is required, even if the conversion is not due to forest management activities.</p>	Economic
3.4.4 Conversion DDS	<p>It is not clear how the monitoring and evaluation component for 3.4.4.1 and 3.4.4.2 would be completed by companies attempting to meet these requirements, and it may prove to be impossible or unduly burdensome. U.S. facilities source from hundreds to thousands of private timberland owners in a year. Landowners are under no legal obligation to disclose the intent of their forest activities. Certificate holders easily could be put in the untenable position of having, in good faith, purchased and utilized what they believed to be low-risk material, and then, after the fact, finding out that this was not the case and being forced to take corrective action.</p>		<p>The second draft of the NRA contains control measures where the exact mitigation actions will be determined during a collaborative dialogue at a regional meeting. Therefore, monitoring and evaluation are not explicitly included in the second draft.</p>	Economic
3.4.4 Conversion DDS	<p>The inclusion of conversion is not justified for indirect purchases and by-products. It imposes an undue and unreasonable burden on companies without a scientific basis. The NRA states that conversion is low risk and it should be treated that way. There is no credible way to verify that by-product material does not come from a legal land conversion. The burden then seems to shift to companies to either abandon this supply source or to test the limits of legality and dig into our supplier’s supply chains. By-product supply is a critical component of the supply chain. Forcing a company to exclude or minimize this will cause an economic decision that cannot be favorable for continued FSC certification. Most of the sellers of this material can readily find another market</p>		<p>Second draft of NRA removes differentiation between direct and indirect suppliers and no longer uses</p>	Economic

	<p>(energy) and this requirement will have no impact to practices on the ground. For the few that can't, the loss of their market due to FSC requirements will be very damaging.</p> <p>This is a clear example of a requirement that will make FSC certified companies less competitive trying to procure raw material and will do nothing to improve on the ground outcomes. The allowance of some types of conversion and not others speaks directly to this. The only place that conversion can credibly be excluded is in direct purchases. Conversion at an ecoregionally significant level or of primary HCV forest should be excluded for this supply segment. The requirements as laid out do not accomplish this.</p>		the term byproduct.	
3.4.4 Conversion DDS	<p>Language in supplier agreements should only be required for conversion if there is specified risk. Because there is no specified risk, language in supplier agreements should not be required. If companies are monitoring their supply and have a DDS in place to avoid materials of controversy, it is unnecessary to add this contract language or require monitoring/auditing of contract language. The NRA states that risk for conversion is not specified, provided that a due diligence approach is followed. This addition in supplier agreements may infringe on anti-trust laws.</p> <p>This reference should exclude examples and reference FSCUS guidance which is subject to change based on the current and upcoming new FSCUSFM standard.</p> <p>The intent of avoiding conversion is understood, but the mechanics behind avoiding and monitoring do not work in common practice. The current industry norm is to monitor tracts as they are being managed. Prior to management activity, tracts are not visited by procurement organizations. The conversion DDS implies that wood is avoided. In most instances the purchaser will not know the outcome of this harvesting until after the fact. The DDS and monitoring section needs to allow for flexibility in when field verification and monitoring may occur. The system and risk assessment should also acknowledge the intent of mitigating but not eliminating all risk of receiving conversion material.</p>	<p>Remove supplier agreement wording from this section of standard. Is it intentional from FSC IC that this wording is in all supplier agreements worldwide? I would not accept this in the US if it will not be required in Canada or everywhere else within the world at a global rate for risk assessments that highlight no specified risk being in place. This will place the US at a disadvantage compared to another country where risk of conversion is found to be low and no DDS requirements are in place.</p> <p>Reference Plantation Guidance from FSCUS only with no examples.</p> <p>Add a note below 3.4.4.2 that states the DDS intent of the standard and conversion as has been stated at the beginning of the DDS section III.</p>	<p>Supplier agreements are no longer required in the second draft of the NRA.</p> <p>The second draft of the NRA directs users to the FSC US Plantation guidance for assistance. Additional clarification has been included to further explain that just because a stand is planted, it is not necessarily a plantation.</p>	Economic
3.4.4 Conversion DDS	<p>Excluding wood from conversion of natural forests is a core FSC principle. It is critical that the DDS set out a clear and reasonable effort to keep this controversial fiber out of the FSC supply chain. The thresholds for forest conversion currently represent a fair compromise that provides operational room for certificate holders, while still working to limit conversion-derived wood in the FSC system. In support of the current compromise, the language for conversion for public purpose must clearly address more controversial conversion sources, including transmission lines and other private energy projects. In addition, there are concerns that the acreage limits could somehow be "gamed" by parsing larger conversions into 10 or 20 acre increments (i.e., a phased development of a shopping mall outside city limits). The language should make clear that the certificate holder needs to look at the larger parcel and project area under development when calculating exceptions.</p>		<p>FSC has clearly articulated that the consideration of risk of materials from areas of conversion is required, even if the conversion is not due to forest management activities.</p> <p>The de minimus size for conversion has been changed to 100 acres.</p>	Environmental

3.4.4 Conversion DDS	<p>These indicators serve a useful role, and correctly note that de minimis levels of conversion may occur. However, it is not clear how the monitoring and evaluation component of these programs would be completed by companies attempting to meet these requirements, and it may prove to be impossible or unduly burdensome. U.S. facilities source from hundreds to thousands of private timberland owners in a year. Landowners are under no legal obligation to disclose the intent of their forest activities. Certificate holders easily could be put in the untenable position of having, in good faith, purchased and utilized what they believed to be low-risk material, and then, after the fact, finding out that this was not the case and being forced to take corrective action.</p>		<p>A DDS is now required as a part of conforming to the Controlled Wood standard (FSC-STD-40-005 V3-1), so it is no longer included as a required element of the second draft of the NRA. The control measures where the exact mitigation actions will be determined during a collaborative dialogue at a regional meeting. Therefore, monitoring and evaluation are not explicitly included in the second draft.</p>	Economic
3.4.4 Conversion DDS	<p>The exception for a conversion of natural or semi-natural forest to plantations is not broad enough and tends to assume that all plantations are intensively managed which may include practices such as bedding, fertilization and herbicide use. Many plantations that are established outside of the coastal plain and lower piedmont are not intensively managed at all and should not be considered a conversion. On upper piedmont and mountain properties in the eastern and south eastern US most plantations are established on poor mixed hardwood and pine sites. There is no bedding or fertilization and herbicides are not generally used. Usually natural hardwood regeneration will be intermingled with the planted pines. These plantings are also widely scattered and are not common practice on the landscape. The rotation age is generally also much longer than 15 to 20 years as is common in the intensively managed plantations of the coastal plain and lower piedmont.</p> <p>The 40 acre exception to known instances of conversion of natural or semi-natural forest to non-forest conditions seems arbitrary and too small when we know that forest loss on the overall landscape in the United States cannot be demonstrated. There will be many instances where harvesting occurs were no evidence of conversion, even when it is going to take place will be known for years. Even in coal country an area could be harvested with the intent to surface mine and then if markets change the mining may never take place.</p>	<p>Suggest re-writing this exception to say. "Instances of conversion of natural or semi-natural forest to intensively established and managed plantations in the coastal plain and lower piedmont shall be limited to 50 acres or less. Plantations established in the upper piedmont and mountains of the eastern and south eastern US shall not be considered a conversion if bedding, fertilization and herbicides are not used in the establishment or management of the plantation."</p> <p>The 40 acres exception should be increased to a minimum of 100 acres and this should be applied only to areas where there is certainty that a permanent conversion will take place.</p> <p>Suggest that the wording in this bullet be changed to read " Instances of</p>	<p>FSC has clearly articulated that the consideration of risk of materials from areas of conversion is required, even if the conversion is not due to forest management activities.</p> <p>The public benefit exception has been removed.</p> <p>The second draft of the NRA directs users to the FSC US Plantation guidance for assistance. Additional clarification has been included to further explain that just because a stand is planted, it is not necessarily a plantation.</p>	Economic

		<p>conversion of natural forest to non-forest conditions within or adjacent to the municipal boundaries of an incorporated city or town”</p> <p>Revise to read “instances of conversion of natural forest to non-forest conditions as part of a public benefit development such as rights of ways for highways, rail roads, power lines, gas lines, and oil lines. Conversion for the construction of hospitals, schools and homes and all other conversion projects that can be deem as a short term conversion such as federally regulated clearing for surface mining or shale oil drilling”.</p>		
	<p>The exception for instances of conversion of natural forest to non-forest conditions within the municipal boundaries of an incorporated city or town should be expanded since as cities or towns grow they continuously annex the property beyond their borders. It is very probable that wood from an area will be avoided because a conversion takes place outside of the municipal boundary then that area will be annexed allowing wood from future conversions to be used.</p> <p>The exception for instances of conversion of natural forest to non-forest conditions as part of a public benefit development such as a right-of-way, power lines, etc. could be expanded to list as many specific exceptions as possible so there is no confusion of what will be allowed and what will not be allowed. During the FSC-US hosted webinar on January 28th someone asked the question “if material from an area cleared for a wind farm would be allowed under the public benefit exception” and the answer was that it would. Why would wood coming from a wind farm site be considered non-controversial? Is it because it is considered “green energy” and is probably subsidized? Are we forgetting that wind projects have been documented to kill birds by the thousands.</p>			
	<p>A follow up questions was then asked stating that if wood from an area cleared for a wind farm would be allowed in the system would wood cleared from an area for surface mining or shale gas wells be allowed. The answer to this question was no. This is difficult to understand as it could be argued that surface mining is a short term conversion since federal reclamation laws now require that the ground disturbed for mining be restored as close to the original landscape as possible and then re-forested. Also, over 50% of the electricity in the US is generated from the burning of coal. Is low cost un-subsidised power generation not also a public benefit? There is simply too much gray area here and too many exceptions. It could be argued that any road, coal mine, gas well, wind farm, hospital or school is a public benefit citing the examples in the standard. Perhaps FSC should just consider simplifying this and just say that conversions less than 100 acres are OK.</p>			
3.4.4 Conversion DDS	<p>By including the bullet that describes plantations as “Stands established through hydrological modification, including the installation of pattern ditching, that affects the water table and resulting stand hydrology”, FSC US has redefined and expanded the current definition of plantations as described in the FSC US Forest Management Standard.</p> <p>In the United States conversion of sites from forestland to other land use types is not driven by the sale of forest products. Economic factors related to landowner preference determine land use decisions. By restricting the purchase of timber from conversion sites, FSC is reducing the perceived value of forestland to property owners, thereby increasing the potential for conversion of forests to non-forest land uses.</p>	<p>Remove the third bullet in the Note that states: “Stands established through hydrological modification, including the installation of pattern ditching, that affects the water table and resulting stand hydrology” There is no explanation for this change and it would appear that the</p>	<p>FSC has clearly articulated that the consideration of risk of materials from areas of conversion is required, even if the conversion is not due to forest management</p>	Economic

	<p>The limit of 40 acres for conversion sites does not cover typical conversions that occur in the US (development, agriculture) over which forest product companies have no control. The allowance of exceptions for conversion is intended to allow FSC certificate holders to utilize wood from sites that will continue to be cleared whether the industry purchases the wood or not. Recognizing that the industry has no control over these conversions, and that FSC certificate holders will be at a significant disadvantage re. wood purchases in basins where development is occurring, FSC should increase the acreage limit to 100 acres.</p>	<p>change has been made to satisfy a single stakeholder group, rather than in the best interests of advancing the standard. Option 1 [preferred by MWV] Suggested wording: 3.4.4 Category 4 – Conversion: The Organization shall implement a system designed to avoid, including through language in the Controlled Wood Policy, material from land where natural forest cover is being converted to plantations. Remove 3.4.4.2 in its entirety.</p>	<p>activities. The second draft of the NRA requires a stakeholder to develop educational materials that state they will not accept materials from converted forest areas that are greater than 100 acres.</p>	
		<p>Option 2 Suggested wording: 3.4.4.2 Wood from known instances of conversion of natural or semi-natural forest to non-forest conditions is avoided with the following exceptions: - Instances of conversion of natural forest to non- forest conditions of 100 acres or less, OR - Instances of conversion resulting directly from the expansion of a FSC Chain of Custody certified mill, OR - Instances of conversion of natural forest to non- forest conditions within the municipal boundaries of an incorporated city or town, OR - Instances of conversion as part of a publicly participative and interactive community development plan, OR - Instances of conversion of natural forest to non-forest conditions as part of a public benefit development such as a right-of-way, power lines, etc.</p>		
3.4.4 Conversion DDS	<p>Unworkable Definitions and Lack of Rationale to Limit Use of Wood Salvaged from Land Use Change. The draft NRA would block mills from buying wood salvaged from forest land converted to another land use, if the area converted is larger than 40 acres in size. It is unclear how this would be implemented, particularly whether the 40-acre reference means contiguous acres, a single geographic area, one forest owner, one purchaser, one</p>		<p>FSC has clearly articulated that the consideration of risk of materials</p>	Economic

	<p>transaction, or one FSC certificate. Another concern is whether the forest owner's intent will have to be documented and if so, in what manner. Documentation would be a significant intrusion in both a business transaction and property ownership. This is both unrealistic and inappropriate, especially in the absence of a compelling need: the NRA's analysis shows that conversion of forest land is not a major problem in the US. And nothing in the NRA suggests that a boycott of salvaged wood would have any effect on the levels of land use change, which is driven by other factors, not the value of the salvaged wood.</p>		<p>from areas of conversion is required, even if the conversion is not due to forest management activities. The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including specified risk at a state-wide scale rather than the entire US.</p>	
3.4.4 Conversion DDS	<p>Conversion of natural or semi-natural forest to plantations: The NRA provides that based on two datasets and separate analyses by FSC-US, that "forest cover in the United States is relatively stable." Therefore, it is hard to understand why there is a need for a due diligence system for conversion designed to avoid, through both policy and supplier agreements, material from land where natural forest cover is being converted to non-forest uses or plantations. If there is not a problem, then why would there be the requirement to perform due diligence? With reference to the exemptions, these are too small (e.g. 20 acres and 40 acres) to even be able to identify in a large supply system....it is the equivalent of tracking to an acre. The conversion issues should also be recognized as one that is driven more by economics of a forest owner..... if there is too much regulation and it is too costly to maintain land in a working forest status, the landowner will have the obligation to consider other economic capabilities of agriculture or possibly development. We should be doing all we can to help the economics of keeping working forests as working forests rather than making it too difficult to provide markets for the landowner's wood products.</p> <p>The NRA should evaluate the tradeoffs of alternative disposal and non-use of wood material as associated environmental impacts.</p>	Delete requirement.	<p>FSC has clearly articulated that the consideration of risk of materials from areas of conversion is required, even if the conversion is not due to forest management activities. The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including specified risk at a state-wide scale rather than the entire US.</p>	Economic
3.4.4 Conversion DDS	<p>FSC US proposes limits to land use changes that are inconsistent with the reality of forestry and land use change, particularly in the Southern U.S. Land use decisions are made by private landowners and individuals based upon economic returns and personal preference. FSC now seeks to impose its own set of land use planning controls that are vague and arbitrary. The NRA would effectively cause landowners to conclude that forestry is not a good investment and result in the forest conversions that FSC US seeks to avoid.</p>		<p>FSC has clearly articulated that the consideration of risk of materials from areas of conversion is required, even if the conversion is not due to forest management activities. The second draft of the NRA includes a much greater level of documentation</p>	Economic

			and rationale provided for the risk designations, including specified risk at a state-wide scale rather than the entire US.	
3.4.4 Conversion DDS	Does forest harvested from within designated metro areas or from unified city/county governments count as from within “municipal boundaries of an incorporated city or town?”	Reconsider or clarify the definition of “municipal boundaries of an independent city or town” when considering unified governments.	This requirement has been removed from the second draft of the NRA.	Economic
3.4.5 GMOs	Since GMOs are not currently an issue in the US, “implementing a system” should be delayed until GMOs become a concern in the US.	FSC US should monitor USDA Aphis communications and determine if and when GMO “avoidance systems” are necessary in the US. GMOs are closely regulated and permitted, and not likely to be widely introduced in the near future.	The CNRA for Category 5 has been incorporated into the NRA and is designated as Low Risk.	Economic
3.4.6 Stakeholder Portal	<p>Stakeholder portal. I have major concerns here. So many potential problems with a stakeholder portal – how will this be managed? How will stakeholders be registered? Who will monitor? If FSC-US really wants to pursue this stakeholder concern type thing – it would be better if stakeholders directed concerns to FSC-US who would then investigate, make a determination, and THEN place it on a portal. Too much noise in stakeholder concerns to separate real concerns versus folks who simply don’t like timber harvest, or have other bones to pick with specific businesses.</p> <p>If FSC-US/the CWWG insists on the stakeholder portal, then FSC-US should maintain some level of oversight on the portal.</p>	I suggest a better use of FSC-US time, and companies time is to set up an e-library with verifiable reports of potential controversial sources with FSC-US investigations and outcomes and peer-reviewed scientific reports. If there is a desire to include a stakeholder component – then let the FSC-US office be the filter for verifiable reports of stakeholder concerns (which I expect there are some) versus making a business wade through a portal of everyone’s comments and concerns – as presented, the portal could be a never-ending exercise. Would prefer to find a way to collate and utilize meaningful information that will help all companies comply with the standard.	The Stakeholder Portal has been removed from the second draft of the NRA.	Economic
		“Controversial instances noted in the controlled wood stakeholder portal shall be evaluated, initially by FSC-US for accuracy and applicability, if FSC-US		

		believes there may be an issue, the complaint shall be evaluated by the Organization for accuracy and applicability...”		
3.4.6 Stakeholder Portal	The idea of a Stakeholder Portal seems ok in theory. However it needs strict monitoring and minimum criterial for what can be posted. Otherwise it would likely turn into a forum for anti-industry representatives to attempt to discredit certified companies or derail certification processes.	As it is yet to be developed, suggest instead maybe a set of evaluation criteria for certificate holders and stakeholders to evaluate instances of controversial sources and have this monitored by CBs rather than FSC developing this portal. This way, stakeholders will understand the expectations of data needed for a credible instance of controversial sources, and companies will also have a way to evaluate the applicability of a stakeholder concern. The CB can validate if both parties have acted accordingly	The Stakeholder Portal has been removed from the second draft of the NRA.	Economic
3.4.6 Stakeholder Portal	Stakeholder portal. Numerous indicators apparently rely on a “stakeholder portal” which doesn’t currently exist, but is defined as “a database maintained by FSC-US that contains known specific stakeholder concerns as they may relate to the CW categories of risk.” Such a system of engaging stakeholders can be easily abused to impede business transactions. In addition, it is not clear how suppliers or CoC holders will have to investigate or respond to the list of stakeholder “concerns”. Stakeholder outreach should be the responsibility of the CoC holder and be conducted at a scale that is appropriate for their operation. Providing the activist community a portal to disrupt forestry in the United States is not something we think FSC should enable.		The Stakeholder Portal has been removed from the second draft of the NRA.	Economic
3.4.6 Stakeholder Portal	The management of a stakeholder portal will require significant resources to screen for valid concerns. We would like to further understand how FSC will manage and staff to determine valid concerns from any public stakeholder with unsubstantiated claims. The value of the propostion is not clear. Currently complaints are handled by certificate holder, certification bodies and FSC. There is no explanation on how a certificate holder would respond to stakeholder comments on the stakeholder portal.		The Stakeholder Portal has been removed from the second draft of the NRA.	Economic
3.4.6 Stakeholder Portal	This is fundamentally a reasonable proposal for capturing and meeting stakeholder input requirements. However, it is something that FSC-US must commit resources to being the operator of and the initial assessor of input. It should not be expected that individual certificate holders be required to read and evaluate every comment that is submitted, as this could easily get out of hand. FSC-US should review & filter all input to be sure that i) only legitimate & significant issues are identified for further action and ii) required actions are consistently applied among all certificate holders that may be impacted.		The Stakeholder Portal has been removed from the second draft of the NRA.	Economic
3.4.6 Stakeholder Portal	Stakeholder portal. All postings to the stakeholder portal must be fully vetted for accuracy by FSC prior to being considered by a company. The potential for frivolous, biased, and unsubstantiated claims here is immense. Companies cannot reasonably be expected to address CW in this manner. It allows an ENGO or non-cooperative industry the opportunity to basically rewrite the NRA to their liking. The CW draft standard only allowed for revision every three years while this allows for revision on the fly. This has the potential to cripple the system. There is no review frequency requirement and without that there is little point in having it.		The Stakeholder Portal has been removed from the second draft of the NRA.	Economic
3.4.6 Stakeholder Portal	Incorporating voices from civil society into its processes is a core FSC value. And it remains critical to include this perspective in the CW system. The proposed “stakeholder portal” is a critical component of the system and would serve the key FSC value of incorporating environmental, social and economic stakeholders into the system. In areas not explicitly identified as having “risk” in the NRA it is important to recognize that FSC forest		The Stakeholder Portal has also been removed from the second	Environmental

	values can still be negatively impacted by forest management and in many cases forest activists and others have already flagged where there are problems with HCVs, conversion, legal violations, etc.. The stakeholder portal can effectively host that critical on-the-ground information to be considered by the certificate holder as they run their DDS. In addition, the burden on the certificate holder would be minimal as most likely there would be only limited material on the site and would be focused only on the most controversial sources that the FSC is working to address. In the absence of the Stakeholder Portal, it would be critical to incorporate such concerns into the NRA - which would undoubtedly require an expansion to the areas of specified risk.		draft, though there are still avenues for stakeholders to relay any concerns they have related to the Controlled Wood categories of risk through regional meetings, the dispute resolution process, or direct communication with FSC US.	
3.4.6 Stakeholder Portal	<p>Stakeholder Portal (3.4.6)</p> <p>The creation and use of a stakeholder portal as described in the NRA is a very loose concept, with little guidance for companies that would be required to utilize this tool. We are concerned that a stakeholder portal easily could be abused by stakeholders with more interest in stopping all harvest (even harvest on FSC-certified lands) than in sustainable forest management. There is also little information on how companies would respond to concerns or incorporate them into the CW-DDS. If a stakeholder portal is hosted by FSC-US, it must be well-defined and the design made available for comment. Further, if FSC-US is hosting this service, there must be appropriate staff resources devoted to managing the database to ensure the information contained within is accurate, understandable, and not duplicative. Without proper management, a stakeholder portal may quickly descend to a level akin to the comment section of an online newspaper, becoming a morass that is impossible for companies to effectively review and incorporate into the CW-DDS.</p>	If a stakeholder portal is hosted by FSC-US, it must be well-defined and the design made available for comment. Further, if FSC-US is hosting this service, there must be appropriate staff resources devoted to managing the database to ensure the information contained within is accurate, understandable, and not duplicative. Without proper management, a stakeholder portal may quickly descend to a level akin to the comment section of an online newspaper, becoming a morass that is impossible for companies to effectively review and incorporate into the CW-DDS.	The Stakeholder Portal has been removed from the second draft of the NRA.	Economic
3.4.6 Stakeholder Portal	<p>The FSC US Controlled Wood Stakeholder Portal is not yet available to review by CBs and CHs; which makes commenting on it difficult.</p> <p>Will the Company be automatically notified if stakeholder concerns and reports of controversial activities with the supply area impact them?</p> <p>How often does the Company have to consult the stakeholder portal to be in conformance with this requirement? The Stakeholder Portal should automatically notify the Company if their supply area is part of a stakeholder concern and report.</p> <p>Will FSC_US review and evaluate the stakeholder concerns and reports to ensure the concerns/reports are valid prior the Organizations evaluation? This would make the process more efficient for cert holders and certification bodies.</p> <p>A required response time for the Organization to conduct their evaluation of stakeholder concerns/reports should be established for this requirement. To ensure concerns/reports are evaluated within a timely manner and ensure controversial sources are not part of the supply area.</p>	<p>The FSC_US CW Stakeholder portal should be available to review for the next round of CW NRA consultation.</p> <p>If a mechanism to automatically notify the Company is not developed, then consulting the stakeholder portal quarterly seems sufficient to ensure the requirement does not become burdensome to the certificate holder. FSC-US will evaluate the validity of the stakeholder concerns and reports prior to the concerns and reports being posted in the FSC-US</p>	The Stakeholder Portal has been removed from the second draft of the NRA.	Economic

	Documenting the evaluation and maintaining records of evaluation will make the requirement more auditable.	Controlled Wood Stakeholder Portal. All valid stakeholder concerns and reports will be posted on the portal and the Organizations impacted will be notified so they may conduct their evaluation.		
		<p>The Organization shall evaluate stakeholder concerns and reports within 5-10 business days to ensure controversial sources are not part of the supply area. The Organization shall notify their Certification Body with the results of their stakeholder concern and report evaluation.</p> <p>The Organization's evaluation of stakeholder concerns shall be documented, maintained for at least 5 years, and available for auditor review during annual evaluations.</p>		
3.4.6 Stakeholder Portal	It is not clear how a company should address stakeholder concerns that are posted on the FSC US Controlled Wood Stakeholder Portal. It is one thing to require companies to consult this portal for stakeholder concerns but quite another to require companies to take action on these concerns. Most organizations will not have the time or skills to evaluate these concerns for accuracy and applicability and if they were to do so would have to hire experts to carry out these evaluations. These concerns may be frivolous and non-scientific in nature and organizations should not be required to evaluate or respond to them in any way. In fact, some stakeholders may use this portal to harass and otherwise attempt to prevent an organization from using wood sourced from certain areas.	Suggest making it very clear in this statement that an organization is not required to evaluate for accuracy and applicability stake holder concerns that are posted to this portal. This portal should be used by the organization for information purposes only.	The Stakeholder Portal has been removed from the second draft of the NRA.	Economic
3.4.6 Stakeholder Portal	The creation of a stakeholder portal as described will increase certificate holder costs and could easily degenerate into a situation where stakeholders hijack the process in an attempt to prevent harvests on land that they do not believe should be cut. This could occur with both non-certified and certified land. Controlled Wood certificate holders are already required to have a procedure in place to receive and respond to complaints related to certification (FSC-STD-40-005 Part 3 Section 14). Adding a new portal will simply increase costs and complexity and is of questionable value. Proposed changes of this magnitude should be tested in pilot form, and evaluated with the input of both members and certificate holders before being proposed for inclusion in standards.	Remove 3.4.6, and 3.4.6.1 in their entirety.	The Stakeholder Portal has been removed from the second draft of the NRA.	Economic
3.4.6 Stakeholder Portal	FSC US poses the question of use of a stakeholder portal as one element "in order to ensure the efficacy of the Controlled Wood DDS." To provide this type of assurance, the third party audit review of a DDS should suffice. Stakeholder involvement is the responsibility of the FSC during the development of the NRA. It seems that the public comment period that FSC has extended on such a complex program including specified risk for so many areas of the US for HCVF provides ample opportunity and time for stakeholders to comment. Any additional portal input as a company develops its own DDS creates uncertainty in terms of time and context, as well as opportunity for opposition to anything that might occur on the ground. In addition to impacting negatively certificate holders, it also has the potential to impact private landowners who have no relationship to FSC.	Stakeholder portal should be maintained as an opportunity for stakeholder input on FSC standards and program developments. It should not include a certificate holder's development of DDS or how a company might meet the	The Stakeholder Portal has been removed from the second draft of the NRA.	Economic

		requirements of a DDS. The ability to also provide concerns to the Dispute Resolution should be maintained as noted on the current stakeholder portal which states "the stakeholder must submit in writing to the certifying body any disputes." If this is not continued, there could be abuse and frivolous accusations.		
3.4.6 Question for Consultation: DDS stakedholder portal, DDS database use, & DDS supplier agreements	<p>Portal: FSC US inappropriately proposes a "Controlled Wood Stakeholder Portal" as an online forum for "any" stakeholder to post information that is potentially relevant to Controlled Wood, that certificate holders would be required to consult. Any input would have to be addressed and responded to by FSC Certificate Holders as if it constituted "known instances of controversial sources." Consulting such an online portal and responding to any stakeholder input would impose unreasonable and inappropriate costs and burdens on wood procurement organizations. The portal provides an opportunity for abuse by groups wishing to move forward their own agendas.</p> <p>Supplier Agreements: FSC US inappropriately mandates that Supplier Agreements or other control measures would "require compliance" on the part of independent suppliers and landowners. Wood procurement organizations are not in a position to "require" suppliers and landowners to implement Control Measures, particularly for the vast majority of landowners that have not chosen to voluntarily participate in the FSC scheme. This requirement puts the fate of the FSC program in the hands of organizations whom have chosen not to participate in the FSC program.</p>		<p>The Stakeholder Portal has been removed from the second draft of the NRA.</p> <p>Supplier agreements are no longer required in the second draft of the NRA.</p>	Economic
3.4.6 Question for Consultation: DDS stakedholder portal, DDS database use, & DDS supplier agreements	<p>Stakeholder Portal is preferable to potential requirement for individual CHs to engage stakeholders directly. Portal allows stakeholders to engage, and eliminates the need for CHs to identify, engage and document interactions with stakeholders. Would FSC US have any role in establishing legitimacy of postings? Would stakeholders be required to identify themselves and provide contact information? Is FSC US in a position to engage CHs to assist in addressing Stakeholders concerns? Using FSC US as an intermediary could be helpful, and might add credibility to the process of dealing with Stakeholder concerns.</p>	<p>Stakeholder Portal: FSC US should take an active role interacting with stakeholders, filtering their concerns, and assisting CHs in dealing with identified issues.</p> <p>Supplier agreements: Minimize or eliminate requirements for supplier agreements. It is costly to implement changes to contracts, and requirements may prove to be a disadvantage when competing with non-FSC markets that do not mandate these agreements.</p> <p>Consultation of relevant databases for T&E species: Encourage, but do not require.</p>	<p>The Stakeholder Portal has been removed from the second draft of the NRA.</p> <p>Supplier agreements are no longer required in the second draft of the NRA.</p>	Economic
3.4.6 Question for Consultation: DDS stakedholder portal, DDS		Stakeholder Portal: I would prefer to see FSC-US create an e-library that can collate verifiable reports of sourcing	The Stakeholder Portal has been removed from the second draft of the	Economic

database use, & DDS supplier agreements		<p>from controversial sources as well as scientific reports that will help US companies comply with the NRA. So no – I don't think the stakeholder portal as described makes sense. Also, no the requirement to evaluate information is not fairly balanced – someone needs to filter that information before businesses are required to evaluate it (a first check to ensure it is a verifiable report.)</p> <p>Supplier Agreements: The only problem I see with supplier agreements is that they may be very complicated – if a specified risk cuts a county in half I may have multiple agreements based on very specific areas within the supplier footprint. Could be very complex.</p>	<p>NRA.</p> <p>Supplier agreements are no longer required in the second draft of the NRA.</p>	
		<p>Database search: This gets to be a bit of a mess. A nice idea in concept but the problem is multiple databases with differing reports on range; occurrences; etc. Not all have the same level of QC. At some level, we have to have some trust in suppliers and in the expertise of the implementers to assure that T and E species are addressed appropriately. Also, do we just think the federal and state ESAs are BS? There appears to be little trust in how these laws are being implemented.</p>		
3.4.6 Question for Consultation: DDS stakeholder portal, DDS database use, & DDS supplier agreements	<p>It has been our experience that NatureServe and/or state Natural Heritage databases will not readily share site-specific element occurrence information with procurement organizations when they are not the actual landowner or land manager. As such, reliance on data that may not be available could potentially force a “survey and manage” approach to meeting the intent of the Standard.</p>		<p>Thank you for your comment. FSC US has provided references to available data when possible.</p>	Economic

3.4.6 Question for Consultation: DDS stakeholder portal, DDS database use, & DDS supplier agreements	Certificate holders are not in the position to enforce supplier agreements with independent landowners and logging contractors who have not voluntarily chosen to participate in the FSC certification scheme. Certificate holders do make strong efforts to influence landowners and logging contractors to comply with laws and regulations, implement BMPs, participate in training programs, and take other proactive measures. It is not reasonable to expect certificate holders to require and enforce control measures on independent landowners and logging contractors that go beyond laws and regulations.		Supplier agreements are no longer required in the second draft of the NRA.	Economic
3.4.6 Question for Consultation: DDS stakeholder portal, DDS database use, & DDS supplier agreements	<p>The management of the stakeholder portal will require significant resources to screen comments for validity to help avoid it from becoming cluttered with irrelevant concerns</p> <p>Management of a program for “consultation of relevant databases for threatened and endangered species occurrences” will require significant time and resources. Who is expected to do this work? Procurement programs at our mills have limited resources from competing demands on their time.</p>		The Stakeholder Portal has been removed from the second draft of the NRA.	Economic
3.4.6 Question for Consultation: DDS stakeholder portal, DDS database use, & DDS supplier agreements	<p>The creation and use of a stakeholder portal as described in the NRA is a very loose concept, with little guidance for companies that would be required to utilize this tool. We are concerned that a stakeholder portal easily could be abused by stakeholders with more interest in stopping all harvest (even harvest on FSC-certified lands) than in sustainable forest management. There is also little information on how companies would respond to concerns or incorporate them into the CW-DDS.</p> <p>If a stakeholder portal is hosted by FSC-US, it must be well-defined and the design made available for comment. Further, if FSC-US is hosting this service, there must be appropriate staff resources devoted to managing the database to ensure the information contained within is accurate, understandable, and not duplicative. Without proper management, a stakeholder portal may quickly descend to a level akin to the comment section of an online newspaper, becoming a morass that is impossible for companies to effectively review and incorporate into the CW-DDS.</p> <p>Furthermore, management of a program for “consultation of relevant databases for threatened and endangered species occurrences” will require significant time and resources. Who is expected to do this work? Procurement programs at our mills have limited resources, particularly staff members not already stretched thin from competing demands on their time.</p>		Supplier agreements are no longer required and the Stakeholder Portal has been removed from the second draft of the NRA.	Economic
3.4.6 Question for Consultation: DDS stakeholder portal, DDS database use, & DDS supplier agreements	<p>In the time that this standard has been out for DRAFT, FSC has implemented their own stakeholder portal. FSCUS should not manage any portal on their own resources.</p> <p>The stakeholder portal should not be used as it is described in the NRA. The FSC 40-005 Standard draft 7.2 requires that any company using an additional control measure passes this information on to the national initiative. The stakeholder portal would just double up on this information unnecessarily. The new 40-005 standard also requires a complaints process where complaints are forwarded to a national initiative. The national initiative can appropriately follow up with stakeholders as needed without FSCUS managing a portal and database which will have an unknown added cost.</p> <p>If databases and concerns were brought up through the FSCUS NRA process there is no reason why they should be additionally consulted by CH's during DDS drafting. If the DDS is a true FSC US designed DDS why would more also be needed? This would be an added redundancy compared to the draft 40-005 standard.</p> <p>The 40-005 standard requires that complaints are forwarded to the national initiative and that additional control measures are also forwarded to the national initiative. This feedback loop will cause any new items to be on the radar of FSC US. There is not a reason to add additional burden on the certificate holders in the US.</p>	<p>Remove Stakeholder portal as a function for feedback and change to a FSCUS managed file of complaints, and additional control measures that are used to assist in having a system where the national initiative is aware and helps with consistency of implementation throughout their region.</p> <p>Change 3.4.6: Company checks national initiative information to ensure that their DDS is up to date on current issues and updates DDS where necessary.</p> <p>Change 3.4.6.1: This is a redundant indicator. There is no need to have two indicators present for one</p>	<p>The Stakeholder Portal has been removed from the second draft of the NRA.</p> <p>Supplier agreements are no longer required in the second draft of the NRA.</p> <p>CHs are not required to complete database searches in the second draft of the NRA.</p>	Economic

		<p>point</p> <p>Database: Allow for the complaints, control measures and FSC national initiative notification process within the FSC-STD-40-005 to create this loop instead of adding a redundancy to the USNRA.</p>		
3.4.6 Question for Consultation: DDS stakedholder portal, DDS database use, & DDS supplier agreements	<p>It is critical that the DDS require consultation of the relevant databases to ascertain potential threats to T/E species in the certificate holders' supply area. While the data sets have their limits, the system would lose credibility if it failed to consider such critical information that is readily available. Further, without knowledge of the sourcing area, it is hard to imagine effective implementation of any DDS measures. In addition, this would work to seamlessly complement the NRA designations which themselves are the process of compromise. Finally, such consultation does not seem to be unduly burdensome.</p>		<p>A DDS is now required as a part of conforming to the Controlled Wood standard (FSC-STD-40-005 V3-1), so it is no longer included as a required element of the second draft of the NRA.</p> <p>CHs are not required to complete database searches in the second draft of the NRA.</p>	Environmental
3.4.6 Question for Consultation: DDS stakedholder portal, DDS database use, & DDS supplier agreements	<ul style="list-style-type: none"> • STAKEHOLDER PORTAL: Unless the FSC_US verifies the validity of stakeholder concerns and reports prior to them being publically available, the stakeholder portal could end up publically damaging the reputations of CW certificate holders, their suppliers, and their Certification Bodies. (See proposed changes in above rows regarding the stakeholder portal). • SUPPLIER AGREEMENTS: The agreements should be part of the DDS. • DATABASE CONSULTATION: Yes, consultation of the relevant databases for RT&E species occurrence should be required as part of the DDS. Databases are accessible to everyone at no cost. 		<p>The Stakeholder Portal has been removed from the second draft of the NRA.</p> <p>Supplier agreements are no longer required in the second draft of the NRA.</p> <p>CHs are not required to complete database searches in the second draft of the NRA.</p>	Economic
3.4.6 Question for Consultation: DDS stakedholder portal, DDS database use, & DDS supplier agreements	<p>Stakeholder Portal: Will organizations have to address every comment or controversy? This has the potential to cost tremendous time and money depending on the requirements for working with the Stakeholder Portal.</p> <p>Databases: Querying databases (dB) is done on a tract by tract basis. You have to fill out forms and submit tract boundaries on a top map. DB managers will tell you that a species occurs on site, or within a mile of the site and you need to survey for the species. It takes 1 to 4 weeks to get a response back from a dB query and some states charge for this service. Where states charge for dB access it is expensive. In order to access and use information from relevant databases, it would take hundreds of man hours and would also cost thousands of dollars annually in the states that charge for this service. Even if you try to do this at the county level, someone will have to verify habitat and species on the ground. This could also be problematic for rival companies who could end up in</p>	<p>Stakeholder Portal: Organizations need to have the flexibility to decide if an comment is not relevant and should not have to research and comment on everything that is posted to the stakeholder portal.</p> <p>Databases: Consulting</p>	<p>The Stakeholder Portal has been removed from the second draft of the NRA.</p> <p>CHs are not required to complete database searches in the</p>	Economic

	a position of having to inspect each other's open market suppliers and interpret dB search results with competitive advantages in mind.	relevant databases for RTE species as part of CW-DDS should not be considered. It is simply too expensive for companies to query and inspect every tract for RTEs.	second draft of the NRA.	
3.4.6 Question for Consultation: DDS stakeholder portal, DDS database use, & DDS supplier agreements	<p>In Michigan, the only state-wide database of this natural is the state Natural Heritage database, but at this time the cost of access to the records of that database could potentially place a significant financial burden on some of our customers.</p> <p>Additionally, the records in this database are concentrated on lands that are already certified, already protected, or were inventoried as part of the development of a management or conservation plan. Requiring this consultation may not result in significant additional protection of the species.</p>	We will defer this question to those companies who would be required to consult as to whether or not it would place a significant burden on them.	CHs are not required to complete database searches in the second draft of the NRA.	Economic
3.4.6 Question for Consultation: DDS stakeholder portal, DDS database use, & DDS supplier agreements	<p>- The Stakeholder Portal should not be required as part of the Controlled Wood DDS. A stakeholder portal could easily be abused by stakeholders whose interest is solely in halting all timber harvests than in sustainable forestry.</p> <p>- Supplier agreements for indirect suppliers should not be required in the Controlled Wood DDS.</p> <p>- Consultation of relevant databases for T&E species should only be required for direct purchases of wood.</p>		<p>The Stakeholder Portal has been removed from the second draft of the NRA.</p> <p>Supplier agreements are no longer required in the second draft of the NRA.</p> <p>CHs are not required to complete database searches in the second draft of the NRA.</p>	Economic
3.4.6 Question for Consultation: DDS stakeholder portal, DDS database use, & DDS supplier agreements	<p>The management of the stakeholder portal will require significant resources to screen comments for validity to help avoid it from becoming cluttered with irrelevant concerns.</p> <p>Management of a program for “consultation of relevant databases for threatened and endangered species occurrences” will require significant time and resources. Who is expected to do this work? Procurement programs at our mills have limited resources, particularly staff members already stretched thin from competing demands on their time.</p>		<p>The Stakeholder Portal has been removed from the second draft of the NRA.</p> <p>CHs are not required to complete database searches in the second draft of the NRA.</p>	Economic
3.4.6 Question for Consultation: DDS stakeholder portal, DDS database use, & DDS supplier agreements	<ul style="list-style-type: none"> • If there are known sources why is this necessary? Does the mere appearance of a concern on the portal mean it needs to be addressed or may frivolous or malicious postings be ignored? How will FSC stop untruthful reports appearing or mitigate damage to a company's brand? Will there be consequences for those who post malicious, frivolous or untruthful reports? Who pays for the cost of following up and answering such reports? How will reports be weighted - is repetition on its own (eg as a result of an orchestrated but misleading campaign) have merit simply because of repetition? Will there be an equivalent portal for reporting good practice, or recognition of effective controls? Does FSC US discount the concerns of those without access to the portal? • Company policies stating these elements is fine but placing explicit restrictions into a supplier's agreement crosses the supplier, contractor employee line. • Requiring NS Data review is an effective tool to help avoid controversial sources but I know very few companies with the resources to pay NS \$31K a year for occurrence data much less refine it into a useful form. 	<ul style="list-style-type: none"> • If the stakeholder portal was a good idea to begin with... <p>Suggest restricting access to the portal by FSC members and customers. Each chamber would be weighted equally to reduce the noise. Encourage the use of the portal by FSC customers to complement a participant's</p>	<p>The Stakeholder Portal has been removed from the second draft of the NRA.</p> <p>Supplier agreements are no longer required in the second draft of the NRA.</p>	Economic

	<ul style="list-style-type: none"> • Agree with review of available information such as databases but disagree with limiting method of review in this way. 	<p>practices and help balance the feedback. Consider a process where the portal is open for a limited amount of time prior to recertification of a company to limit the administrative burden.</p> <ul style="list-style-type: none"> • Keep the inclusions into supplier agreements to a minimum. Keep it practical and sensible. • Develop a more cost effective and user friendly method to review species occurrence data before considering the requirement of the burden. 	CHs are not required to complete database searches in the second draft of the NRA.	
IV. Supply Area	<p>Question why supply area needs to be categorized by input type (direct, indirect, byproduct) Supply area should be as simple and general as possible.</p>	Define supply area as a whole, not by input type.	Second draft of NRA removes differentiation between direct and indirect suppliers and no longer uses the term byproduct.	Economic
IV. Supply Area	<p>The requirement does not reference the glossary.</p> <p>The CW NRA uses the term byproduct; FSC STD 40-005 V3.0 uses the term co-product. The Certificate Holder defines the supply area of all materials categorized by controlled wood input type (direct, indirect, and byproduct) – See Glossary for definitions of inputs.</p> <p>Terms within the CW NRA and FSC STD 40-005 shall be consistent. Use co-product, which is what CBs & CHs are accustomed to now.</p> <p>NOTE: Note: The supply area does not need to be a contiguous area. It may include multiple distinct areas and it may have areas excised from within it. Note: The Organization may excise parts of the supply area by verifying that there are no extractive activities taking place in some of these areas or that the source types of materials being extracted are different than the types of inputs purchased. These notes allow much needed flexibility for the Certificate Holder. E.g., if a RT&E has been identified in an area and it only resides in pine forests, the CH could excise the coniferous forest and access the hardwood from the deciduous forest for inclusion in their supply area.</p>	<p>NOTE: These notes allow much needed flexibility for the Certificate Holder. E.g., if a RT&E has been identified in an area and it only resides in pine forests, the CH could excise the coniferous forest and access the hardwood from the deciduous forest for inclusion in their supply area.</p>	This requirement has been removed from the second draft of the NRA.	Economic
V. Specified risk identification	FSC states that they want complaints to first be brought up with certificate holders. Having a national initiative manage a portal will be counterproductive in this regards.		A dispute resolution process is included in the second draft of the NRA as required by the FSC International template.	Economic
V. Specified risk identification	We are concerned about organizations using the TNC map of HCV-1 areas to determine areas of specified risk in their supply areas. The HCV-1 mapping appears general in nature and designates a large area of the central and southern Appalachians as an area of specified risk to HCV-1. How accurate are the sources of the data used in the construction of the map? The map does not list or suggest what species or habitats the organization needs	Suggest the HCV-1 areas be removed from TNC map.	The Critical Biodiversity Areas remain in the second draft, but	Economic

	to be concerned with or how the organizations DDS should differ in areas designated critical biodiversity areas. Painting such a broad area as HCV-1 will make a DDS very expensive in the Appalachians.		there is added documentation for the rationale behind the specified risk designations.	
V. Specified risk identification	Specifying risk for certain “product classes” could present the opportunity to allow stakeholders with markets that are threatened (ie fiber cost rising due to new competition) or ENGO stakeholders raising unfounded accusations about sustainability to potentially exclude or increase the burden for certain producers by influencing the risk classifications.	Remove the ability to specify risk based on “product classes”. Risk level should be set based on the forest as a whole not on what products are being extracted.	Specified risk designations are not based on product classes. Additional documentation behind the rationale of the risk designations has been included in the second draft of the NRA.	Economic
VI. Company System				
6.1 Control measure req.	Designations of specified risk are not based upon direct knowledge or analysis of wood supply areas in the US NRA. Instead the areas of specified risk are broad geographic areas where certain features, species and habitats may or may not exist and certain forestry practices may or may not be occurring. It appears the NRA assumes that forestry activity poses a significant risk every time, imposing control measure burden. The significant risk could be caused by circumstances unrelated to forestry activities. The broad geographic designations of specified risk and required control measures will impose significant, unwarranted cost and require resources not readily available to certificate holders, landowners and loggers. It will be difficult for certificate holders to monitor and enforce this requirement.		The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest management. Additionally, the scale of risk designations has been reevaluated to make it easier for CHs to determine if there are areas of specified risk within their supply chains.	Economic
6.1 Control measure req.	FSC US inappropriately requires FSC Certificate Holders to designate control measures for any and all instances and types of designated "Specified Risk," as determined by FSC US and FSC International, and potentially any interest group through the proposed on-line stakeholder portal. These designations of specified risk are not based upon direct knowledge or analysis of wood supply areas. Rather, they are broad geographic areas where certain features, species and habitats may exist and where forestry may or may not be occurring, with the assumption that any forestry activity poses a significant risk, thus triggering imposition of Control Measures. This is an unacceptable and unprecedented rationale for imposing additional cost and resource burdens on FSC Certificate Holders, landowners and loggers.		The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the	Economic

			<p>HCV is threatened by forest management. Additionally, the scale of risk designations has been reevaluated to make it easier for CHs to determine if there are areas of specified risk within their supply chains. Additionally, the Control Measures include collaborative dialogues to determine a suite of appropriate mitigation activities that are commensurate with their scale of operations.</p>	
6.1 Control measure req.	<p>It is very unclear what an acceptable outcome for a company is. The NRA must spell out a minimum acceptable outcome for the control measures by product type. Failure to do so will leave the entire document open to interpretation and that will have a negative outcome.</p>		<p>The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest management. Additionally, the scale of risk designations has been reevaluated to make it easier for CHs to determine if there are areas of specified risk within their supply chains. Additionally, the Control Measures include collaborative dialogues to</p>	Economic

			determine a suite of appropriate mitigation activities that are commensurate with their scale of operations.	
6.1 Control measure req.	At a high level, the Environmental Chamber expects the control measures in areas of specified risk to be clear, mandatory and effective. In addition, it is critical that the performance of these measures must also be auditable whenever possible to provide assurance to all stakeholders regarding performance.		The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest management. Additionally, the scale of risk designations has been reevaluated to make it easier for CHs to determine if there are areas of specified risk within their supply chains. Additionally, the Control Measures include collaborative dialogues to determine a suite of appropriate mitigation activities that are commensurate with their scale of operations.	Environmental
6.1 Control measure req.	FSC US inappropriately requires FSC Certificate Holders to designate control measures for any and all instances and types of designated "Specified Risk," as determined by FSC US and FSC International, and potentially any interest group through the proposed on-line stakeholder portal. These designations of specified risk are not based upon direct knowledge or analysis of wood supply areas. Rather, they are broad geographic areas where certain features, species and habitats may exist and where forestry may or may not be occurring, with the assumption that any forestry activity poses a significant risk, thus triggering imposition of Control Measures. This is an unacceptable and unprecedented rationale for imposing additional cost and resource burdens on FSC Certificate Holders, landowners and loggers.		The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest	Economic

			management. Additionally, the scale of risk designations has been reevaluated to make it easier for CHs to determine if there are areas of specified risk within their supply chains. Additionally, the Control Measures include collaborative dialogues to determine a suite of appropriate mitigation activities that are commensurate with their scale of operations.	
6.2 Purchase type reqs.	<p>Direct Purchase Supplier Agreements: FSC US does not appreciate the system of procuring wood to supply manufacturing facilities in the U.S. FSC Chain of Custody Certificate Holders do not own or control the forest resource and can exert only minimal pressure on independent contractors.</p> <p>Supplier Agreements can contain certain requirements, but wood procurement organizations are not equipped or staffed to conduct Supplier Training Programs, impose Control Measures on suppliers and landowners, conduct monitoring, evaluate efficacy of Control Measures and invite expert and stakeholder input.</p> <p>Private forest landowners, loggers and others that are not FSC Certificate Holders will very likely not accept being dictated to by FSC Certificate Holders, FSC US or FSC Certification Bodies. Large investments based forest land holding companies in the U.S. control large areas of productive forest land and have voluntarily chosen not to participate in FSC due to unrealistic restrictions on productivity. Supplier agreements cannot dictate management activities on these privately held ownerships.</p> <p>It is unrealistic that every FSC Certificate Holder would conduct independent training programs not supported by the current existing training infrastructure. A typical paper mill in the South may have upwards of 150 or more wood producers/suppliers with wood material coming from hundreds of tracts owned by independent private landowners. Additional FSC Control Measure training programs, above and beyond those logger training programs of the SFI Implementation Committees and state forestry agencies, is unrealistic without a full-scale commitment by FSC US.</p>		Supplier agreements are no longer required in the second draft of the NRA.	Economic
6.2 Purchase type reqs.	<p>There is no evidence that FSC is prepared to implement the required supplier training programs. Certificate holders have the expectation that FSC would present a supplier training curriculum plan to certificate holders.</p> <p>Not reasonable to require certificate holders to enforce FSC controlled wood program requirements on indirect purchases of supply chain (independent contractors and landowners) with whom they have no direct contract agreement. Prior to this draft US NRA, certificate holder risk assessments confirmation of district of origin was sufficient.</p>		Explicit supplier training is no longer required in the second draft of the NRA.	Economic
6.2 Purchase type reqs.	<p>FSC US does not understand the system of procuring wood to supply manufacturing facilities in the U.S. FSC Chain of Custody Certificate Holders do not own or control the forest resource and can exert only minimal influence on independent contractors.</p> <p>It is even more unrealistic to propose that indirect Wood Suppliers that purchase wood from landowners and then deliver wood to FSC Certificate Holders are in a position to conduct training programs, enforce supplier agreements and monitor and evaluate the effectiveness of the FSC Certificate Holder's Control Measures.</p>		Supplier agreements are no longer required in the second draft of the NRA.	Economic

6.2 Purchase type reqs.	By products should be excluded. Production of these products does not drive forest management decisions and reliable documentation of supply area to a degree necessary to ascertain compliance is not possible. If the rest of the standard is revised, this may become possible.		The term byproduct is no longer used in the second draft of the NRA.	Economic
6.2 Purchase type reqs.	By products should be excluded. Production of these products does not drive forest management decisions and reliable documentation of supply area to a degree necessary to ascertain compliance is not possible. If the rest of the standard is revised, this may become possible.		The term byproduct is no longer used in the second draft of the NRA.	Economic
6.2 Purchase type reqs.	<p>There are no elements required for Type 2 and Type 3 indirect purchases.</p> <p>The NRA requires only a controlled wood policy for Byproducts.</p> <p>Co-products from FSC STD 40-005 require the following: 6.4 For co-product inputs, The Organization shall document the supply area with proof of purchase from the Supply Unit or by a legally effective and enforceable agreement with the supplier of the co-products that includes a statement on the sources of origin. This includes: 6.4.1 A written supply agreement shall include: a) Information about the geographical origin of the supplied co-products that at minimum reflect the scale applied in the National Risk Assessment and/or Interim Risk Assessment; b) A commitment that, in cases where the material is considered as originating from 'specified risk' areas, the supplier will support The Organization in collecting the information necessary for the implementation of established Control Measures; NOTE: For cases where field verification at the Supply Unit level is established by a Control Measure, information used to identify the forest of origin and the whole supply chain relating to that supply shall be collected.</p>	<p>Add Supplier Agreements for Type 2 Indirect Purchases and Type 3 Indirect Purchases.</p> <p>Within the FSC STD 40-005 the requirements for "co-products" differs from what is required for "byproducts" in the NRA.</p> <p>The NRA DDS requirement seem weak and should meet the standard requirements.</p>	<p>Supplier agreements are no longer required and the term byproduct is no longer used in the second draft of the NRA.</p>	Economic
	<p>6.4.2 In the case of a supply agreement, The Organization shall conduct a plausibility check to verify the information provided. These checks shall include at least the following evidentiary criteria: a) Is the supplied timber species commercially harvested in the declared supply area (and carries a CITES certificate if required)? b) Is the type and quality of the supplied material commercially available from the declared supply area? c) Are the distance and means of transportation to The Organization (or to the supplier site in case the supplier is purchasing co-product inputs) consistent with the declared supply area and economically viable? NOTE: It is the responsibility of The Organization to evaluate the above criteria and come to a fair and objective judgment regarding the plausibility and reliability of the information provided by the supplier. The precautionary principle should</p>			
6.2 Purchase type reqs.	Direct Purchase Supplier Agreements: While we appreciate FSC US efforts to consider the complexity of procuring wood in the US, the system is still far too complex and it does not provide the type of control that FSC is seeking. Certificate Holders do not own or control the forest resource and, thus, can only provide limited requirements. Of concern is the extent of expectation FSC US has by identifying significant parts of the US as specified risk. Trying to establish control measures on such an extent is not feasible (due to ownership and supply chain) even through a recognition of the types of purchase (e.g. direct, indirect and byproducts).		Supplier agreements are no longer required in the second draft of the NRA.	Economic
6.2 Purchase type reqs.	<p>Section 6.2.1 FSC US does not understand the system of procuring wood to supply manufacturing facilities in the U.S. FSC Chain of Custody Certificate Holders do not own or control the forest resource and can exert only minimal influence on independent contractors.</p> <p>Supplier Agreements can contain certain requirements, but wood procurement organizations are not equipped or staffed to conduct Supplier Training Programs, impose Control Measures on suppliers and landowners, conduct monitoring, evaluate efficacy of Control Measures and invite expert and stakeholder input.</p> <p>It is unrealistic that every FSC Certificate Holder would conduct their own independent training programs. Our Roaring Spring, PA facility has upwards of 100 wood producers/suppliers with wood material coming from hundreds of tracts owned by independent private landowners. Additional FSC Control Measure training programs, above and beyond those logger training programs of the SFI Implementation Committees and state</p>		Supplier agreements are no longer required in the second draft of the NRA.	Economic

	forestry agencies, is unrealistic without a full-scale commitment by FSC US.			
	Section 6.2.2 It is even more unrealistic to propose that indirect Wood Suppliers that purchase wood from landowners and then deliver wood to FSC Certificate Holders are in a position to conduct training programs, enforce supplier agreements and monitor and evaluate the effectiveness of the FSC Certificate Holder's Control Measures.			
6.3 Supplier Agreements	<p>FSC US inappropriately proposes legally binding Supplier Agreements between FSC Certificate Holders and Direct Purchase landowners and Wood Producers to implement FSC Control Measures.</p> <p>The alternative measures proposed by FSC US are unrealistic in terms of requiring field verification of Control Measures based upon a sub-sample, or Management Plans addressing required Control Measures and field verification. Wood procurement organizations are not sufficiently staffed or capable of implementing written management plans and field verification. The cost of the proposed actions will force certificate holders out of the program.</p>		Supplier agreements are no longer required in the second draft of the NRA.	Economic
6.3 Supplier Agreements	<p>Magnitude of this issue is unknown until the control measures are published for all categories. Worst case scenario would be to have a variety of control measures impacting groups of suppliers in different areas. This will be a burden to administer and keep up to date. Field verification would require development of evaluation forms for each control measure, and delineation of the geographic area where they would be applied. Lists of suppliers to be sampled will need to be kept current as they change areas.</p> <p>Suppliers servicing multiple markets are likely to have different requirements for agreements/monitoring/training established by each of their certified customers.</p> <p>All this is costly and redundant.</p>	<p>FSC US should establish "training" for each control measure and geographic area that can be accessed through the stakeholder portal. Certificate holders to provide communication to suppliers directing them to the portal for information about areas of specified risk and control measures. This would eliminate duplication of efforts, standardize the message, and reduce CH time and expense to implement.</p> <p>Suppliers who are certified themselves should be exempt from supplier agreements and training.</p>	Supplier agreements and explicit supplier training are no longer required in the second draft of the NRA.	Economic
6.3 Supplier Agreements	Re NOTE: "Verification by other forest certification systems..." Does this mean to imply the other auditing system must directly and specifically list the specified risk and control measures OR that the purchaser audits certification reports from other certification systems to make sure this is addressed?	Clarify intent in this note. It's unclear – see question in left column.	Supplier agreements are no longer required in the second draft of the NRA.	Economic
6.3 Supplier Agreements	This seems reasonable. Most companies already include the CW language in their supplier agreements, and this seems to be an extension of that. Also really appreciate the note regarding other forest certification programs.	One clarification may help – what forms can the supplier agreements take? Given procurement-only companies typically maintain one overarching contract with a supplier and then make "sub-contracts" for specific product deliveries, there may be times when there is specified risk and when there isn't, with the same supplier. So would an email or a signed side	Supplier agreements are no longer required in the second draft of the NRA.	Economic

		agreement that just addressed those instances in which control measures suffice?		
6.3 Supplier Agreements	<p>Supplier agreements. A system for addressing specified risk that pushes the responsibility for controlling risks to the landowner through supplier agreements is not only unworkable, but potentially harmful to supplier relationships throughout the supply chain. The decision to source from non-specified risk areas is the responsibility of the CoC holder and the NRA should be a tool to help make that determination. Supplier agreements are only as reliable as those who are signing them. Suppliers who are the more informed will be less likely to sign highly- restrictive FSC-required supplier agreements that cover non-FSC certified controlled wood. If a supplier is actually willing to commit to all that is required, they would probably be FSC forest management certified. The NRA should not be a tool to force forest certification standards on private landowners. This problem becomes more egregious when FSC ignores the value of third-party certification from SFI and ATFS and requires certified landowner to “do more” in the form of implementing duplicative control measures from a risk assessment that was produced using “expert opinion”. We strongly recommend the requirement for supplier agreements be removed in order to prevent unnecessary disruptions in the supply chain.</p>		Supplier agreements are no longer required in the second draft of the NRA.	Economic
6.3 Supplier Agreements	<p>Inappropriate to require legally binding supplier agreements to implement control measures. In many cases certificate holders will be asking non-FSC participants to agree to these terms and the burdensome requirements attached to the control measures. Actual successful implementation of control measures is a concern for suppliers, who are not FSC certificate holders themselves.</p> <p>Certificate holders are not in the position to enforce FSC control measures or demand to see management plans with suppliers, independent landowners, and logging contractors who have not voluntarily chosen to participate in the FSC certification scheme. Suppliers are not sufficiently staffed to write management plans for every tract. Attempts to implement field inspections becomes increasing difficult as one moves down the links of the supply chain. Private landowners may not give land access permission to FSC field verifiers, and they are not legally bound to give such permission for land access.</p> <p>Certificate holders cannot practically segregate non-complying inputs from other certified and controlled material in every case where there potentially may be control measure implementation issues by a single supplier.</p>		Supplier agreements are no longer required in the second draft of the NRA.	Economic
6.3 Supplier Agreements	Evergreen Packaging is not in a position to seek or enforce Supplier Agreements with independent landowners and loggers that have not voluntarily chosen to participate in the FSC scheme. While Evergreen Packaging clearly takes steps to influence landowners and loggers to comply with laws and regulations, implement BMPs, become SFI Logger Trained, and take other proactive measures, it is not reasonable to propose that procurement organizations require Control Measures on independent businesses that go beyond current laws and regulations.		Supplier agreements are no longer required in the second draft of the NRA.	Economic
6.3 Supplier Agreements	<p>Supplier Agreements can contain certain requirements, but wood procurement organizations are not equipped or staffed to conduct Supplier Training Programs, impose Control Measures on suppliers and landowners, conduct monitoring, evaluate efficacy of Control Measures and invite expert and stakeholder input.</p> <p>FSC US inappropriately proposes legally binding Supplier Agreements between FSC Certificate Holders and Direct Purchase landowners and Wood Producers to implement FSC Control Measures.</p> <p>The alternative measures proposed by FSC US are even more unrealistic in terms of requiring field verification of Control Measures based upon a sub-sample, or Management Plans addressing required Control Measures and field verification. Wood procurement organizations are not sufficiently staffed or capable of implementing such written agreements, supplier training, management plan development and field verification.</p> <p>It is not reasonable that FSC Certificate Holders can avoid sourcing wood, where suppliers and landowners refuse to abide by arbitrary and costly Control Measures. Most large manufacturing facilities cannot logistically or practically segregate non-complying inputs from other certified and controlled material. Wood yards cannot hold and account for separate inventories, let alone run exclusive batch runs of certified vs. uncontrolled material inputs. The only practical result is "boycotts" of certain lands, habitat types and forest practices that the FSC US has unilaterally decided are no longer acceptable.</p>		Supplier agreements are no longer required in the second draft of the NRA.	Economic

6.3 Supplier Agreements	<p>It is not achievable for supplier agreements, for either direct or type 1 indirect purchases, to contain language that requires them to impose many of the proposed control measures, beyond what is required by existing law or regulation, on the independent private landowners from whom they source wood. Landowners may simply refuse to implement certain control measures. See prior comment above: it will not be achievable for mills to avoid or “exclude” such materials.</p> <p>The field verification alternative (in lieu of supplier agreements for direct & type 1 indirect purchases) is not achievable. First, landowners are under no legal obligation to allow 3rd parties onto their property for such purposes (other than to ensure legal harvesting). Second, this will be cost prohibitive for wood procuring mills. Even on a sampling basis, this would be a significant program to implement in terms of additional personnel and resources.</p> <p>Supplier developed management plans is not an achievable alternative (in lieu of supplier agreements for direct & type 1 indirect purchases). First, suppliers cannot dictate to private landowners how they should manage their property, so long as the landowner is otherwise in legal & regulatory compliance. Second, this would be cost prohibitive for wood suppliers. This is not a customary function of wood suppliers, and they would have to develop in-house expertise or more likely engage consultants at very significant added cost.</p>		Supplier agreements are no longer required in the second draft of the NRA.	Economic
6.3 Supplier Agreements	<p>There is a question about supplier agreements requiring compliance with FSC CW by a non-certified supplier. This is not generally going to be feasible. In many instances, manufacturers of fiber products and solid wood cannot delve into the supply chains of our suppliers due to anti-trust issues. As mentioned earlier, there are also several very large, national scale suppliers that are hostile to FSC in general. This places the fate of the system into their hands and is an unconsidered outcome of this requirement. Compliance needs to rest in the hands of the certified company. This is the only way that they system can remain viable and credible.</p>		Supplier agreements are no longer required in the second draft of the NRA.	Economic
6.3 Supplier Agreements	<p>Additional field verification requirements are going to add a large cost to supply areas where previously could be managed by one staff an additional staff may be necessary. Some TIMOs and landowners are hesitant to let field visits occur within their land.</p> <p>It is clear that the intent is to allow for additional measures to be implemented when supplier agreements are not feasible, however the wording is too poor to support this from an auditing perspective.</p> <p>Some control measures are written at a landscape level outcome and are not written against a specific harvesting outcome such as BMPs. The supplier agreement wording will not catch these landscape level control measures in any effective way that will lead to impacts on the ground. Where control measures have a measurable result such as following BMPs this wording makes sense and should be included. Where impacts of supplier agreements will have no direct impacts on harvesting, control measures will need to be implemented in other ways.</p> <p>"Other certification systems" note: This implies that a management plan, certification report, and level of risk is included. Because certifications sometimes just call for effective BMP implementation on roads and streams it would be redundant to highlight that BMPs are being met. This wording should be clearer. Half of this is already in place in 6.3.2ii. The note should reflect only what the intent is. The note should read that the management plan and audit documents include a reference to the control measures that are used to control risk and an audit via a 3rd party of those control measures.</p>	<p>Insert an OR between two sections as verification is allowed if 6.3.1 cannot be met.</p> <p>ADD wording: for each control measure implemented having impacts on forestry operations such as BMPs. [so that it is possible to place them in supplier agreements or other communications]</p> <p>Change note to read: Verification by other forest certification systems is acceptable when item 6.3.2ii is used providing that a 3rd party inspects systems for upholding control measures and the management plan of the organization upholding those control measures. Example 3rd party BMP audit, 3rd party verification of age class and distribution or habitat maintenance.</p>	Field verification is no longer required in the second draft of the NRA.	Economic
6.3 Supplier Agreements	<p>The proposed control measures have a strong reliance on supplier agreements to address specified risk. For “direct sourcing” and “type 1 indirect sourcing”, it is critical that these agreements be in place to ensure that the designated risk is being adequately addressed. Therefore, the system must strongly encourage these agreements and not provide an easy way out. Currently the NRA is far too wide open about when alternatives</p>		Supplier agreements are no longer required in	Environmental

	<p>control measures may be substituted for supplier agreements with a “not feasible” threshold. “Not feasible” could mean anything, especially if it’s up to the purchaser company to determine when supplier agreements aren’t feasible. Exceptions from the requirement for a supplier agreement must be more limited with an expectation that certificate holders will be able to employ these agreements with their supply chain partners. Without the ability to bring these “direct” and “type 1 indirect” suppliers into alignment with the control measures, it may be necessary to develop new, more focused classifications, designed to give specific direction for the different relationships among certificate holders and their suppliers.</p> <p>There is also significant concern about relying on a forest management plan or an alternative forest management certification to satisfactorily address the specified risk at hand. If something outside of the FSC process were to be relied on to address specified risk, we are potentially exposing FSC performance and the FSC brand to something outside of FSC’s control. Therefore reliance on these tools must be very deliberate. In particular, if a certificate holder is relying on another certification scheme or management plan to mitigate risk, the management plans must explicitly include the control measures for HCV protection, as indicated in the risk designation. To be an acceptable alternative, the plan must contain the substantive equivalent to the control measures. And the elements of the alternative plan, as well as the performance of the plan in addressing the specified risk, must be audited to evaluate the sufficiency of the management measures addressing the designated risk.</p>		the second draft of the NRA.	
6.3 Supplier Agreements	<p>Supplier Agreements (6.3)</p> <p>FSC-US is proposing that the proposed Control Measures be implemented through supply agreements with “direct suppliers,” as defined in the NRA. In many cases, the Certificate Holders would be asking non-FSC participating suppliers to agree to these terms and the burdensome requirements attached to them. This may prove to be a difficult contract to develop and implement. FSC-US should instead consider relying on monitoring methods described in 7.4 for indirect purchases that include stakeholder feedback and state agency inspections or reports.</p>	FSC-US should instead consider relying on monitoring methods described in 7.4 for indirect purchases that include stakeholder feedback and state agency inspections or reports.	Supplier agreements are no longer required in the second draft of the NRA.	Economic
6.3 Supplier Agreements	<p>The current requirement requires supplier agreements between the Organization and direct purchase and Type 1 indirect purchase suppliers.</p>	All types of indirect purchase suppliers should be required to have a supplier agreement with the Organization.	Supplier agreements are no longer required in the second draft of the NRA.	Economic
6.3 Supplier Agreements	<p>Where the organization does not have the ability to influence a suppliers forest management activities it may not be possible to enter into supplier agreements for type 2 direct purchases and type 1 indirect purchases that implement specific control measures.</p>	Suggest supplier agreements only recommend and not mandate control measures to be followed unless a RTE species is known to exist at the source of the suppliers logs.	Supplier agreements are no longer required in the second draft of the NRA.	Economic
6.3 Supplier Agreements	<p>MWV already takes significant steps to influence landowners and loggers to comply with laws and regulations, implement BMPs, take part in logger training programs, and other proactive measures Asking U.S. companies to enforce Supplier Agreements that go beyond</p> <p>MWV suggests removing Supplier Agreements as a requirement for addressing specified risk within the supply area. current laws and regulations, with independent loggers who must enforce the requirements of those agreements on private landowners is not reasonable. In some instances the FSC certificate holder mill is the only financially viable market for wood products in the area and these agreements may create a barrier-to-entry to the market for these suppliers.</p>	Remove supplier agreements from 6.2.1 and 6.2.2. Remove 6.3, 6.3.1, 6.3.2, and 6.3.3 in their entirety.	Supplier agreements are no longer required in the second draft of the NRA.	Economic
6.3 Supplier Agreements	<p>Supplier Agreements can contain certain requirements, but wood procurement organizations are not equipped or staffed to: conduct Supplier Training Programs, impose Control Measures on suppliers/landowners, conduct monitoring, evaluate efficacy of Control Measures and/or invite expert and stakeholder input.</p> <p>Private forest landowners, loggers and others that are not FSC Certificate Holders will very likely not accept being dictated to by FSC Certificate Holders, FSC US or FSC Certification Bodies. Supplier Agreements cannot dictate management activities on privately held ownerships and we as a certificate holder do not feel it is necessary.</p>		Supplier agreements are no longer required in the second draft of the NRA.	Economic
6.3 Supplier Agreements	<p>Section 6.3.1 FSC US inappropriately proposes legally binding Supplier Agreements between FSC Certificate Holders and Direct Purchase landowners and Wood Producers to implement FSC Control Measures.</p>		Supplier agreements or any	Economic

	<p>Section 6.3.2 The alternative measures proposed by FSC US are even more unrealistic in terms of requiring field verification of Control Measures based upon a sub-sample, or Management Plans addressing required Control Measures and field verification. We are not sufficiently staffed or capable of implementing such written agreements, supplier training, management plan development and field verification.</p> <p>6.3.3 It is not reasonable that FSC Certificate Holders can avoid sourcing wood, where suppliers and landowners refuse to abide by arbitrary and costly Control Measures. Appvion's Roaring Spring facility cannot logistically or practically segregate non-complying inputs from other certified and controlled material. Our wood yard cannot hold and account for separate inventories, let alone run exclusive batch runs of certified vs. uncontrolled material inputs. The only practical result is "boycotts" of certain lands, habitat types and forest practices that the FSC US has unilaterally decided are no longer acceptable.</p>		alternative measures are no longer required in the second draft of the NRA.	
6.3 Supplier Agreements	<p>These arrangements are somewhat restrictive.</p> <p>No rights of egress or regress exist on material purchased indirectly so how can a company implement a field verification program from those supplies? Only option for US companies would be to incorporate each control measure not the supplier agreements.</p>	Company policies suffice to implement control measures. Procurement foresters are educated enough to impose control measures or cease purchases when they are aware of a risk identified via the DDS.	Supplier agreements or any alternative measures are no longer required in the second draft of the NRA.	Economic
6.3 Question for Consultation	Supplier Agreements and alternate measures: The concept of "Supplier Agreements" imposed by FSC Certificate Holders on largely private non-industrial landowners and independent contract loggers is unworkable as proposed. There is not a labor force sufficient to administer and enforce such agreements. Above all, this requirement will allow large non-FSC participating organizations to control the future of the FSC program by simply choosing not to sign agreements with FSC restrictions.		Supplier agreements or any alternative measures are no longer required in the second draft of the NRA.	Economic
6.3 Question for Consultation	Supplier Agreements, and alternative measures provide some choices to the CH, but all remain costly, time consuming, and focused on proving a negative i.e. that damage is not done when harvesting occurs.	Minimize or eliminate requirements for supplier agreements. It is costly to implement changes to contracts, and requirements may prove to be a disadvantage when competing with non-FSC markets that do not mandate these agreements.	Supplier agreements or any alternative measures are no longer required in the second draft of the NRA.	Economic
6.3 Question for Consultation	"Supplier agreements, and alternative measures, are intended to ensure that suppliers comply with the controlled wood program while still allowing companies the flexibility to implement verification in a manner that works with their supply chain. Are these measures sufficient, insufficient, or too restrictive?"	See general note above. If you want to maintain the current level of FSC fiber (including mix) in the system, then I think it's too restrictive. I expect some suppliers will be unwilling to sign any such agreement.	Supplier agreements or any alternative measures are no longer required in the second draft of the NRA.	Economic
6.3 Question for Consultation	Certificate holders have limited ability to monitor large number of independent landowners using the specified field verification protocols. Suppliers are not sufficiently staffed and may not have the technical knowledge to develop management plans that would satisfy the FSC standard control measures. If supplier agreements become more restrictive, more suppliers and landowners will leave the controlled wood system and not participate.		Supplier agreements or any alternative measures are no longer required in the second draft of the NRA.	Economic

6.3 Question for Consultation	Our primary mills have limited ability to monitor the independent landowners using field verification protocols specified. Suppliers are generally too small for the option of a management plan developed by the supplier to be feasible.		Supplier agreements or any alternative measures are no longer required in the second draft of the NRA.	Economic
6.3 Question for Consultation	Our primary mills have limited ability to monitor the independent landowners using field verification protocols specified. Suppliers (loggers/wood producers) are generally too small and unsophisticated to implement the option of developing management plans for landowners, particularly regarding prescriptive and restrictive Control Measures. FSC-US should instead consider relying on monitoring methods described in 7.4 for indirect purchases that include stakeholder feedback and state agency inspections or reports.		Supplier agreements or any alternative measures are no longer required in the second draft of the NRA.	Economic
6.3 Question for Consultation	Supplier agreements and other measures that require compliance on behalf of a CH should not be explicit and required. They should be optional measures that a CH can use to demonstrate compliance included along with other measures. CH's should be able to develop their DDS which is audited to ensure that a system is in place to avoid controversial materials. If this is in place without supplier agreements there should be no additional requirements. IP has concerns that the CNRA will require less compared to the FSCUS NRA. We feel that the USNRA measures are too restrictive. The standard should highlight what a DDS needs to do and not highlight how the certificate holder is required to do it! The DDS elements are meant to be a function of the 40-005 standard. It is unclear why this is in the DDS if it is not going to be at a global level.	Hold insertion of agreement language within standard until it is outlined that this will be occurring at a global level. If supplier agreement language is not going to be mandatory worldwide it should be considered an option used to control risk among others.	Supplier agreements or any alternative measures are no longer required in the second draft of the NRA.	Economic
6.3 Question for Consultation	The requirements are too restrictive. We are being asked to police our supply chain and get too far into our supplier's businesses. Asking for the documentation is getting close, if not over the line, to anti-trust issues and independent contract law. Also, it's very time consuming to chase down documentation.		Supplier agreements or any alternative measures are no longer required in the second draft of the NRA.	Economic
6.3 Question for Consultation	Supplier Agreements (specifically with indirect suppliers) have the potential to drive suppliers to non-FSC certified mills and where other markets are not available they may act as a barrier of entry to the market for some suppliers.		Supplier agreements or are no longer required in the second draft of the NRA.	Economic
6.3 Question for Consultation	FSC US seeks that certificate holders put in place Supplier Agreements or other control measures which would "require compliance" on the part of independent suppliers and landowners. Certificate holders, (e.g. wood procurement organizations) are not in a position to "require" suppliers and landowners to implement Control Measures, particularly for the vast majority of landowners that have not chosen to voluntarily participate in FSC. FSC US inappropriately proposes legally binding Supplier Agreements between FSC Certificate Holders and Direct Purchase landowners and Wood Producers to implement FSC Control Measures. The alternative measures proposed by FSC US are unrealistic in terms of requiring field verification of Control Measures based upon a sub-sample, or Management Plans addressing required Control Measures and field verification. Even a random sampling begins a process of attempting to exert control beyond the necessary measures. Controlled Wood is supposed to be a risk based program.... It is becoming an extensive control measure beyond certificate holders' capability or necessity.	It is hoped that the NRA would present more reasonable proof points for the certificate holder to provide documentation that control measures to avoid risk by the certificate holder are in place. FSC should not try to use the control measures of a certificate holder to mandate requirements on a non FSC participant (e.g. a forest landowner) and that is what the NRA seems to try to accomplish.	Supplier agreements or any alternative measures are no longer required in the second draft of the NRA.	Economic
6.3 Question for Consultation	Appvion is not in a position to enforce Supplier Agreements with independent landowners and loggers that have not voluntarily chosen to participate in the FSC scheme. While we takes steps to influence landowners and		Supplier agreements or any	Economic

	<p>loggers to comply with laws and regulations, implement BMPs, become SFI Logger Trained and take other proactive measures, it is not reasonable to propose that procurement organizations require and enforce Control Measures on independent businesses that go beyond current laws and regulations.</p> <p>We have a limited ability to monitor the independent landowners using field verification protocols specified. Suppliers (loggers/wood producers) are generally too small and unsophisticated to implement the option of developing management plans for landowners, particularly regarding prescriptive and restrictive Control Measures.</p>		alternative measures are no longer required in the second draft of the NRA.	
6.3 Question for Consultation	Elements of acceptable forest management plan will have to be presented and easily achieved.	Automatic acceptance of Stewardship Forest and ATFS management plans should be recognized without modification.	Thank you for your comment.	Economic
6.4 Supplier Training	<p>Supplier Training Programs: FSC US does not appreciate the effort that has gone into developing and administering the SFI Logger Training Programs at the state level. Such training programs only make sense as a collective effort by willing procurement organizations, state forestry associations, state forestry agencies, universities and the logging community. FSC US has not made the effort to understand what would involved in a training program to implement Control Measures that would further limit the property rights of landowners and managers that are not enrolled in the FSC Program.</p> <p>It is unrealistic to expect that loggers, wood producers and land managers can or would attend multiple training programs conducted by different FSC Certificate Holders.</p>	<p>FSC US must assume responsibility for generic training and seek to avoid duplicative training programs. It is unrealistic to expect that loggers, wood producers and land managers can or would attend multiple training programs conducted by different FSC Certificate Holders.</p> <p>FSC US must assume responsibility for developing and coordinating any such training of its arbitrarily imposed areas of Specified Risk and mandatory Control Measures.</p>	Explicit supplier training is no longer required in the second draft of the NRA. The second draft of the NRA includes a control measure that requires a CH to provide educational information (developed by FSC US) to be provided to suppliers.	Economic
6.4 Supplier Training	<p>It is impractical to require that training information be passed “down the supply chain as necessary to facilitate the implementation of the control measures”. It is unrealistic to think that CHs have the ability to ensure this happens.</p> <p>With limited resources, training should be prioritized, and provided to “willing workers” first.</p> <p>Until control measures are established and implemented, there is no way of knowing if they will be effective or not.</p>	<p>See 6.3 above</p> <p>Identify control measures with the most potential to impact the forest. Set priorities, and roll out training or information in a way to be able to achieve results. Simultaneous requirements for training on multiple control measures will overwhelm the target audience and probably turn them off.</p>	Explicit supplier training is no longer required in the second draft of the NRA. The second draft of the NRA includes a control measure that requires a CH to provide educational information (developed by FSC US) to be provided to suppliers.	Economic
6.4 Supplier Training	It is unrealistic that every FSC Certificate Holder would conduct their own independent training programs. A typical paper mill in the South may have upwards of 150 or more wood producers/suppliers with wood material coming from hundreds of tracts owned by independent private landowners. Additional FSC Control Measure training programs, above and beyond those logger training programs of the SFI Implementation Committees and state forestry agencies, is unrealistic without a full-scale commitment by FSC US.		Explicit supplier training is no longer required in the second draft of the NRA. The second draft of the	Economic

			NRA includes a control measure that requires a CH to provide educational information (developed by FSC US) to be provided to suppliers.	
6.4 Supplier Training	<p>The requirements are broad. This could turn out to be a significant effort on the part of individual certificate holders. Something like this is most efficiently & effectively implemented as a collective effort; however, FSC-US does not have the necessary infrastructure in place to accomplish as a collective effort. The SFI certified sourcing logger training program is excellent, covers BMP compliance, T&E awareness, and various other relevant topics. It is already well established.</p> <p>For type 2 indirect and by-product purchases, the requirement is not auditable or achievable that “suppliers pass training information as far down the supply chain as necessary to facilitate implementation of the control measures.”</p>	Expressly recognize SFI certified sourcing logger training programs as satisfying this requirement.	Explicit supplier training is no longer required in the second draft of the NRA. The second draft of the NRA includes a control measure that requires a CH to provide educational information (developed by FSC US) to be provided to suppliers.	Economic
6.4 Supplier Training	<p>This requirement is too broad. If the goal of the NRA-DDS is to have impact on control measure the wording should be specific to the supply area. Not just training on a general basis.</p> <p>Note below 6.4.3: IP does not see the resources for this to occur. Not sure that a note should be present here if this will not be followed through on.</p>	Change wording 6.4.1 - “trained in effective implementation of control measures identified within their supply area. “	Explicit supplier training is no longer required in the second draft of the NRA. The second draft of the NRA includes a control measure that requires a CH to provide educational information (developed by FSC US) to be provided to suppliers.	Economic
6.4 Supplier Training	<p>FSC-US will develop Regional Processes to come up with regionally standardized Controlled Wood materials where these conflicts arise.</p> <p>WHY WAIT for conflict?</p>	Be proactive, develop and define training prior to effective date of this NRA.	Explicit supplier training is no longer required in the second draft of the NRA. The second draft of the NRA includes a control measure that requires a CH to provide educational information (developed by FSC US) to be provided to suppliers.	Economic

6.4 Supplier Training	FSC certificate holders can provide training to their direct suppliers, they cannot “ensure” that the information gets passed any further along the supply chain and this expectation is unreasonable.	6.4.2 “For indirect purchases, the Organization ensures that suppliers receive the supplier training information.”	Explicit supplier training is no longer required in the second draft of the NRA. The second draft of the NRA includes a control measure that requires a CH to provide educational information (developed by FSC US) to be provided to suppliers.	Economic
6.4 Supplier Training	It is essential that these regional processes are developed and communicated before the requirement is in place, or else compliance will be expensive or impossible to achieve. Conflicts between training programs would be damaging for credibility.	Cannot pass and then find out what is in it. Please derive the concept of supplier training for review in next comment period.	Explicit supplier training is no longer required in the second draft of the NRA. The second draft of the NRA includes a control measure that requires a CH to provide educational information (developed by FSC US) to be provided to suppliers.	Economic
VII. Monitoring & Evaluation	I cannot comment on this section given the nature of the specified risk. I do not have a mechanism that would allow my company to monitor effectiveness of control measures on unmapped PFTs or legal conversion with the exceptions listed. For indirect and by product purchases, the process looks very expensive and does not have a defined outcome.		The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest management. Additionally, the scale of risk designations has been reevaluated to make it easier for CHs to determine if there are areas of specified risk within their supply chains.	Economic

VII. Monitoring & Evaluation	<p>To ensure credibility, it is critical that performance of the control measures is audited to ascertain effectiveness in the woods. While it is important to audit the plan to ensure it addresses the risk identified, it is just as important to verify that the management plan is indeed achieving the desired objectives on the ground. Reliance on verification through other certification schemes is problematic due to the well-known weakness of competing schemes. Reliance on alternative certification schemes might be allowable if the verification requirements for management plans and for addressing designated risks matched the rigor of the FSC system. Unless that equivalence can be ascertained, other measures -beyond reliance on other certification schemes - would be required.</p>		<p>The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest management. Additionally, the scale of risk designations has been reevaluated to make it easier for CHs to determine if there are areas of specified risk within their supply chains.</p>	Environmental
VII. Monitoring & Evaluation	<p>The Organization should establish adequate monitoring procedures that require CB approval prior to indirect purchase; the procedures will differ due to the variations of indirect purchases so approval would be required for the variations.</p>		<p>The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest management. Additionally, the scale of risk designations has been reevaluated to make it easier for CHs to determine if there are areas of specified risk within their supply chains. Monitoring is not explicitly included as a control measure.</p>	Economic
7.1 Field Verification	<p>Field Verification: There are two important considerations here: 1) There is significant cost associated with completing field monitoring visits. These harvest sites can be at locations in other states and even in other countries. As written this will be a significant financial burden for certificate holders. 2) You are asking the certificate holder to collect information on the effectiveness of control measure elements that occur on</p>		<p>Field verification is no longer required in the second draft of the NRA. The</p>	Economic

	someone else's private forest ownership and then make the results part of a publically available certification report. Private landowners will deny access to certificate holders.		second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest management. Additionally, the scale of risk designations has been reevaluated to make it easier for CHs to determine if there are areas of specified risk within their supply chains.	
7.1 Field Verification	Concern about the field verification based on the number of supply sites.	Base sampling on the number of suppliers, with exemptions for certified suppliers.	Field verification is no longer required in the second draft of the NRA. The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest management. Additionally, the scale of risk designations has been reevaluated to make it easier for CHs to determine if there are areas of specified risk within their supply chains.	Economic
7.1 Field Verification	"Field verification program will focus on areas where specified risk are known..." But 6.3.3 says the field verification program should be a RANDOM sample of $0.8 * \sqrt{\text{rt of suppliers}}$? Is this in addition to 6.3.3?	Make consistent with 6.3.3 Give an actual expectation –	Field verification is no longer required in the second draft	Economic

	<p>Please remove the subjective terms – “the rigor of the field verification program is commensurate with the level of risk.”</p>	<p>for specified risk areas; sampling shall be increased by x...</p>	<p>of the NRA. The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest management. Additionally, the scale of risk designations has been reevaluated to make it easier for CHs to determine if there are areas of specified risk within their supply chains.</p>	
<p>7.1 Field Verification</p>	<p>Certificate holders could conduct field verification, but could not measure effectiveness without significant resources for study. The requirement is vague and broad, open to conflicting interpretation.</p> <p>Such a requirement would impose "particular habitat elements" be left on land owned by independent landowners not enrolled in the FSC program. Certificate holders have no position as an enforcement agent regarding a landowners management decisions that are legal but may not agree with FSC imposed control measures.</p>		<p>Field verification is no longer required in the second draft of the NRA. The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest management. Additionally, the scale of risk designations has been reevaluated to make it easier for CHs to determine if there are areas of specified risk within their supply chains.</p>	<p>Economic</p>

7.1 Field Verification	Monitoring of direct suppliers is already done under SFI, with some challenges. Expanding the scale and scope of such direct monitoring will require significant additional resources and offer limited benefits. Refer to "General Comments" above.		Monitoring is not required in the second draft of the NRA. The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest management. Additionally, the scale of risk designations has been reevaluated to make it easier for CHs to determine if there are areas of specified risk within their supply chains.	Economic
7.1 Field Verification	<p>Monitoring of direct suppliers is already done under SFI, with some challenges. Expanding the scale and scope of such direct monitoring will require significant additional resources and offer limited benefits. Refer to "General Comments" above.</p> <p>It is not realistic to expect, without sufficient justification, that FSC Certificate Holders could conduct field verification to monitor implementation of Control Measures and their effectiveness. The requirement is overly vague and open to broad and conflicting interpretation.</p> <p>FSC US suggests that a Control Measure imposed by an FSC Certificate Holder would involve "leaving particular habitat elements in a stand" owned by independent private landowners, public agencies and others not enrolled in the FSC Program. Again, this seeks to impose requirements on other legal entities that have not voluntarily chosen to participate in the FSC scheme. FSC Certificate Holders are not in a position to serve as enforcement agents</p>		Field verification and monitoring are no longer required in the second draft of the NRA. The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest management. Additionally, the scale of risk designations has been reevaluated to make it easier for CHs to determine if there are areas of specified risk	Economic

			within their supply chains.	
7.1 Field Verification	Field Verification of control measures will likely not be possible with indirect suppliers where the organization has no direct contact with the logger. This will be the case with concentration yards and sawmills that supply the organization with logs.	Suggest changing the bullet under i. Field Verification to read: "Shall include a random sampling rate of at least 0.8 times the square root of the number of supplies where the organization has direct contact with the logger."	Field verification is no longer required in the second draft of the NRA. The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest management. Additionally, the scale of risk designations has been reevaluated to make it easier for CHs to determine if there are areas of specified risk within their supply chains.	Economic
7.1 Field Verification	There is a reference to Section 7.7 of FSC-STD-40-005 in the NOTE immediately following 7.1, but the version of FSC-STD-40-005 available from the FSC web site (https://ic.fsc.org/standards.340.htm) does not include a Section 7.7.	Provide greater clarification as to what document is being referenced as "FSC-STD-40-005."	The second draft of the NRA aligns with the approved CW standard FSC-STD-40-005 v3-1	Economic
7.1 Field Verification	Field Verification: The proposal to verify at the field level areas of specified risk to make sure the control measures are being implemented is again, going beyond necessity and beyond capability of a certificate holder. Again, it is about trying to exert control measures on non FSC lands and that is something that should not be expected or required. It is not something certificate holders can do.		Field verification is no longer required in the second draft of the NRA. The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest management. Additionally, the scale of risk designations has	Economic

			been reevaluated to make it easier for CHs to determine if there are areas of specified risk within their supply chains. The proposed control measures do not include specific requirements.	
7.1 Field Verification	<p>Section 7.1 It is not realistic to expect, without sufficient justification, that Appvion could conduct field verification to monitor implementation of Control Measures and their effectiveness. The requirement is overly vague and open to broad and conflicting interpretation.</p> <p>Section 7.1.3 FSC US suggests that a Control Measure imposed by an FSC Certificate Holder would involve "leaving particular habitat elements in a stand" owned by independent private landowners, public agencies and others not enrolled in the FSC Program. Again, this seeks to impose requirements on other legal entities that have not voluntarily chosen to participate in the FSC scheme. Appvion is not in a position to serve as an enforcement agent in this regard.</p>		Field verification is no longer required in the second draft of the NRA. The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest management. Additionally, the scale of risk designations has been reevaluated to make it easier for CHs to determine if there are areas of specified risk within their supply chains. The proposed control measures do not include specific requirements.	Economic
7.2 Compile Information	Will this be one report, or one for each category and control measure? Requires staff, time and added cost. Concern about how this might be audited.		This requirement has been removed from the second draft of the NRA.	Economic
7.2 Compile Information	I'm not sure what you mean when you say the organization compiles information on implementation rates?	Weird request. Not sure what the authors mean by implementation rates? Not sure what to replace it with since I'm not sure what the authors are after here.	This requirement has been removed from the second draft of the NRA.	Economic

7.3 Program Evaluation	Controlled Wood Program Evaluation: It is unrealistic to presume that certificate holders and independent private landowners would allow or engage stakeholders to evaluate "processes and outcomes, effectiveness of control measures and take steps to address non-conformances." Current staffing of procurement organizations would not provide sufficient manpower to complete such a time consuming and onerous task.		The Control Measures proposed in the second draft of the NRA include collaborative dialogues to determine a suite of appropriate mitigation activities that are commensurate with their scale of operations. These dialogues are open to non-certified landowners that may be supplying to CW CHs.	Economic
7.3 Program Evaluation	Direct monitoring requires significant resources.		The Control Measures proposed in the second draft of the NRA include collaborative dialogues to determine a suite of appropriate mitigation activities that are commensurate with their scale of operations. These dialogues are open to non-certified landowners that may be supplying to CW CHs.	Economic
7.3 Program Evaluation	FSC US inappropriately requires FSC Certificate Holders to monitor and compile information on the implementation and effectiveness of Control Measures that would supposedly be agreed to by independent private landowners and contract loggers. It is also unrealistic to presume that independent private landowners would allow or engage stakeholders to evaluate "processes and outcomes, effectiveness of control measures and take steps to address non-conformances."		The Control Measures proposed in the second draft of the NRA include collaborative dialogues to determine a suite of appropriate mitigation activities that are commensurate with their scale of operations. These dialogues are open to non-certified landowners that	Economic

			may be supplying to CW CHs.	
7.3 Program Evaluation	<p>Controlled Wood Program Evaluation: It is unrealistic to presume that certificate holders and independent private landowners would allow or engage stakeholders to evaluate "processes and outcomes, effectiveness of control measures and take steps to address non-conformances." Current staffing of procurement organizations would not provide sufficient manpower to complete such a time consuming and onerous task.</p>		<p>The Control Measures proposed in the second draft of the NRA include collaborative dialogues to determine a suite of appropriate mitigation activities that are commensurate with their scale of operations. These dialogues are open to non-certified landowners that may be supplying to CW CHs.</p>	Economic
7.3 Program Evaluation	<p>FSC US inappropriately requires FSC Certificate Holders to monitor and compile information on the implementation and effectiveness of Control Measures that would supposedly be agreed to by independent private landowners and contract loggers.</p> <p>It is also unrealistic to presume that independent private landowners would allow or engage stakeholders to evaluate "processes and outcomes, effectiveness of control measures and take steps to address non-conformances."</p>		<p>The Control Measures proposed in the second draft of the NRA include collaborative dialogues to determine a suite of appropriate mitigation activities that are commensurate with their scale of operations. These dialogues are open to non-certified landowners that may be supplying to CW CHs.</p>	Economic
7.4 Indirect purchase monitoring	<p>Monitoring of indirect Supplies: Certificate Holders have no capability to monitor and assess the effectiveness of prescriptive "Control Measures" using indirect methods. For example, the FSC US proposed Control Measure for Central Florida Pine Flatwoods, is to "consider biodiversity values of xeric uplands when designating landings and forwarding areas."</p> <p>Such Control Measures are not currently monitored or measured by any procurement organizations, state agencies or others. It is inconceivable that a procurement organization would be able to collect monitoring information to determine the proper location of landings and forwarding areas in xeric uplands in the Pine Flatwoods.</p>		<p>The Control Measures proposed in the second draft of the NRA include collaborative dialogues to determine a suite of appropriate mitigation activities that are commensurate with their scale of operations. These dialogues are open</p>	Economic

			to non-certified landowners that may be supplying to CW CHs.	
7.4 Indirect purchase monitoring	Requirements on intermediary suppliers are a good way to encourage them to sell product to non-FSC markets. Stakeholder feedback is from the Stakeholder Portal only? State agency inspections are not always readily available to the CH, and will not necessarily align with control measure compliance.	Strike this requirement.	The Control Measures proposed in the second draft of the NRA include collaborative dialogues to determine a suite of appropriate mitigation activities that are commensurate with their scale of operations. These dialogues are open to non-certified landowners that may be supplying to CW CHs.	Economic
7.4 Indirect purchase monitoring	This language suggests that one non-compliance means an entire source shall be avoided. See comments above	Recommend for this indicator and all similar indicators change language to allow the monitoring program to work before avoiding certain suppliers/material. Suggestion: "Where monitoring of indirect purchases demonstrates non-compliance with the Company Controlled Wood Program, and the non-compliance cannot be reasonably resolved by working with the indirect supplier(s), that material is avoided.	The Control Measures proposed in the second draft of the NRA include collaborative dialogues to determine a suite of appropriate mitigation activities that are commensurate with their scale of operations. These dialogues are open to non-certified landowners that may be supplying to CW CHs.	Economic
7.4 Indirect purchase monitoring	Attempts to implement field inspections becomes increasing difficult as one moves down the supply chain. Private landowners may not give land access permission to FSC field verifiers, and they are not legally bound to give such permission. It is unrealistic for landowners to cooperate with a certification standard they are not actively participating in.		The Control Measures proposed in the second draft of the NRA include collaborative dialogues to determine a suite of appropriate mitigation activities that are commensurate with their scale of	Economic

			operations. These dialogues are open to non-certified landowners that may be supplying to CW CHs.	
7.4 Indirect purchase monitoring	This is unachievable, for type 1 indirect purchases, and particularly for type 2 indirect & by-product purchases, with regard to numerous of the control measures. There is no existing program in place that encompasses the requirements of the NRA. It would be both cost prohibitive and illegal from many aspects to implement such a program through either public or private efforts.		The Control Measures proposed in the second draft of the NRA include collaborative dialogues to determine a suite of appropriate mitigation activities that are commensurate with their scale of operations. These dialogues are open to non-certified landowners that may be supplying to CW CHs.	Economic
7.4 Indirect purchase monitoring	This section allows for flexibility needed within the system to manage and monitor indirect supplies. Without a monitoring principle there is no mechanism to develop confidence within a DDS model. It is important to note that all monitoring of outcomes has to happen after the fact.	Allow for flexibility in monitoring and add notes or highlights that acknowledge that monitoring is allowed to happen after the fact with some sort of feedback loop. Should issues arise with control measures that add to the current wording where material “is avoided” to “areas where monitoring reveals that control measures are not met the company takes action to restrict those suppliers or avoid material from that supply area.”	The Control Measures proposed in the second draft of the NRA include collaborative dialogues to determine a suite of appropriate mitigation activities that are commensurate with their scale of operations. These dialogues are open to non-certified landowners that may be supplying to CW CHs.	Economic
7.4 Indirect purchase monitoring	For many large forest products companies, “indirect sourcing” that isn’t “type 1” makes up a significant portion of their supply chain. It is therefore important to recognize that “indirect sourcing” must be effectively addressed in the CW system to ensure system integrity and meet the environmental performance expected by the FSC. While this is the type of procurement that gives the certificate holder limited leverage, there still must be clear control measures designed to reduce risk. It is problematic that the system will rely only on indirect monitoring. More effort needs to be spent looking at creative ways to ascertain compliance with controlled wood performance outcomes in this supply chain. And if these types of control measures are not able to be fully developed to achieve their goals, it may become necessary to rethink the direct and indirect supply classifications.		The Control Measures proposed in the second draft of the NRA include collaborative dialogues to determine a suite of appropriate mitigation activities that are	Environmental

			commensurate with their scale of operations. These dialogues are open to non-certified landowners that may be supplying to CW CHs. The second draft of the NRA does not differentiate between direct and indirect suppliers.	
7.4 Indirect purchase monitoring	7.4 states "For indirect purchases, supplier compliance shall be monitored via monitoring by intermediary suppliers, ..." The term "intermediary suppliers is not defined and is unclear. Is FSC-US suggesting that certificate holders require those outside of the certification process be required to participate in monitoring activities?	Remove the term "intermediary suppliers".	This term is not included in the second draft of the NRA.	Economic
7.4 Indirect purchase monitoring	We assume the reference was intended for requirement 7.4, not 7.3 as specified. In-field monitoring of indirect purchases is very challenging for wood procurement operations. Attempts to implement in-field inspection become increasingly difficult the further one moves back along the supply chain. Many private owners of land will not allow access and inspections. Direct suppliers are reluctant to introduce wood-consuming mills to their full supply chain.		The Control Measures proposed in the second draft of the NRA include collaborative dialogues to determine a suite of appropriate mitigation activities that are commensurate with their scale of operations. These dialogues are open to non-certified landowners that may be supplying to CW CHs. The second draft of the NRA does not differentiate between direct and indirect suppliers.	Economic
7.4 Question for Consultation	Monitoring for implementation rates of control measures on direct purchases is possible. Monitoring effectiveness on independent private ownership will not be possible given the sensitivity of information. Indirect monitoring will need to rely on the current level of available information collected by governmental and state agency data, which will not address control measure elements.		The second draft of the NRA contains control measures where the exact mitigation actions will be determined during a collaborative dialogue at a regional meeting. Therefore, monitoring is not explicitly included in the second draft.	Economic

7.4 Question for Consultation	Any systematic monitoring of Type 2 indirect suppliers will be costly and ineffective. Since there is no existing data provided demonstrating extensive noncompliance with any of the categories in the US, limit data collection on direct and type 1 indirect suppliers, and minimize requirements.	Focus monitoring on areas and categories when issues become apparent.	The second draft of the NRA contains control measures where the exact mitigation actions will be determined during a collaborative dialogue at a regional meeting. Therefore, monitoring is not explicitly included in the second draft.	Economic
7.4 Question for Consultation	Monitoring indirect purchases	A better system would be to set up larger scale monitoring and review of the NRA assessments. Certainly, expect the CW purchaser to maintain some level of review and due diligence BUT also provide a FSC-US e-library that covers new NGO reports, review of stakeholder concerns, peer-reviewed studies etc. These could be utilized to update the NRA and to assess large-scale compliance – which I think is what we are really after right?	The second draft of the NRA contains control measures where the exact mitigation actions will be determined during a collaborative dialogue at a regional meeting. Therefore, monitoring is not explicitly included in the second draft.	Economic
7.4 Question for Consultation	Monitoring indirect purchases	A better system would be to set up larger scale monitoring and review of the NRA assessments. Certainly, expect the CW purchaser to maintain some level of review and due diligence BUT also provide a FSC-US e-library that covers new NGO reports, review of stakeholder concerns, peer-reviewed studies etc. These could be utilized to update the NRA and to assess large-scale compliance – which I think is what we are really after right?	The second draft of the NRA contains control measures where the exact mitigation actions will be determined during a collaborative dialogue at a regional meeting. Therefore, monitoring is not explicitly included in the second draft.	Economic
7.4 Question for Consultation	We assume the reference was intended for requirement 7.4, not 7.3 as specified. In-field monitoring of indirect purchases is very challenging for source mills. Attempts to implement in-field inspection become increasingly difficult the further one moves back along the supply chain. Many private owners of land will not allow such inspections. Direct suppliers are reluctant to allow customers to evaluate their full supply chain due to protection of business interests and confidential business information concerns.		The second draft of the NRA contains control measures where the exact mitigation actions will be determined during a	Economic

			collaborative dialogue at a regional meeting. Therefore, monitoring is not explicitly included in the second draft.	
7.4 Question for Consultation	We assume the reference was intended for requirement 7.4, nor 7.3 as specified. In-field monitoring of indirect purchases is very challenging for wood procurement operations. Attempts to implement in-field inspection become increasingly difficult the further one moves back along the supply chain. Many private owners of land will not allow access and inspections. Direct suppliers are reluctant to introduce wood-consuming mills to their full supply chain.		The second draft of the NRA contains control measures where the exact mitigation actions will be determined during a collaborative dialogue at a regional meeting. Therefore, monitoring is not explicitly included in the second draft.	Economic
7.4 Question for Consultation	The most appropriate method for monitoring indirect purchases is indirect methods such as state agency inspections.		The second draft of the NRA contains control measures where the exact mitigation actions will be determined during a collaborative dialogue at a regional meeting. Therefore, monitoring is not explicitly included in the second draft.	Economic
7.4 Question for Consultation	Monitoring for implementation rates of control measures on direct purchases is possible. Monitoring effectiveness on independent private ownership will not be possible given the sensitivity of information. Indirect monitoring will need to rely on the current level of available information collected by governmental and state agency data, which will not address control measure elements.		The second draft of the NRA contains control measures where the exact mitigation actions will be determined during a collaborative dialogue at a regional meeting. Therefore, monitoring is not explicitly included in the second draft.	Economic
7.4 Question for Consultation	The proposed monitoring requirements are sufficient.	Plenty of compliance surveys and notice of violation information is available to adequately monitor suppliers.	The second draft of the NRA contains control measures where the exact mitigation actions	Economic

			will be determined during a collaborative dialogue at a regional meeting. Therefore, monitoring is not explicitly included in the second draft.	
VIII. Glossary	The glossary should be aligned with FM definitions. FSC is not many separate organizations. The motions and GA vote has always been to align standards and remove additional steps. The FSCUSNRA should be proactive by not reinventing the wheel with new terminology that will create broad interpretations and vast differences in implementations. Auditors and CB representatives and certificate holders should not have to remember if it is the controlled wood plantation wording or the FSC plantation wording or what the public thinks.	Align standard terminology with the FM standard.	The Glossary in the second draft of the NRA aligns with the FSC US FM standard and FSC-STD-40-005 v3	Economic
VIII. Glossary	Overall structure of the current draft version of the FSC US CW National Risk Assessment is not user friendly. Byproducts in NRA, co-products in 40-005 Byproducts also include reclaimed material in the NRA – how does one draw the line between reclaimed material and byproducts?	Reorganize the NRA in a user friendly format, include the glossary at the beginning of CW NRA similar to the format of FSC standard documents. Use consistent language and definitions in the NRA and the standard. Co-products.	The second draft of the NRA uses the FSC International template and no longer uses the term byproduct.	Economic
VIII. Glossary	Note under “control measure” should not encourage avoidance but rather engagement.	NOTE Avoidance of unacceptable sources is not an acceptable control measure unless all options to engage landowner, supplier and/or governance to mitigate the risk has been exhausted.	Thank you for your comment. The note remains in the second draft of the NRA.	Economic
Definition, Byproduct	Does not align with other standards terminology used. FSC has used co-product in the past where the material came from a process of primary manufacture as an additional outcome. This wording note now includes sawdust from sawmills and sawdust from furniture manufacturers. In the FSC CoC standard, research and status of Preconsumer (furniture manufacturer) sawdust has been requested by some cert holders. It is unknown where this will go. Preconsumer also falls under the 007 standard.	Consider clarification within NRA. The current draft 05 standard calls for greater requirements on residuals/byproducts.	The term byproduct is no longer used in the second draft of the NRA.	Economic
Definition, Byproduct	The inclusion of all sawmill residues as a byproduct reduces the administrative burden and charge to uncomfortably get elbow deep in a residual supplier’s business.	By all means, please keep sawmill residues included as byproducts. This will attract many more participants to FSC with sensible changes like this.	The term byproduct is no longer used in the second draft of the NRA.	Economic
Definition, Direct Purchase	Suggest strengthening the definition of both type one and type two.	Suggest Type 1 read: The Organization owns the timber or rights to harvest the timber, has a forester directly involved in the harvest and harvest the	The second draft of the NRA does not differentiate between direct and indirect suppliers.	Economic

		timber with either a company or contract logging crew. Suggest Type 2 read: The Organization has a direct contractual relationship with the landowner (FMU) and has the capacity through that contractual relationship to directly influence activities at the forest management unit (FMU) level.		
Definition, Direct Purchase	Defining Type 2 Direct Purchases as such will increase the admin burden 10 fold for procurement slim organizations that do business with REITS, TIMOs & large landowners. Little ability to influence the harvesting methods exists in these contractual arrangements.	Direct Purchases, Type 2: Exclude purchases from REITS, TIMOS and landowners over 10,000 acs holdings that hold any FM certification.	The second draft of the NRA does not differentiate between direct and indirect suppliers.	Economic
Definition, Indirect Purchase	It's unclear what type of indirect purchase it is considered if a mill or distribution facility purchases controlled material (lumber) from another facility – is it Type 3? If so, does this mean that there are no requirements for supplier agreements?	See question – please clarify.	The second draft of the NRA does not differentiate between direct and indirect suppliers.	Economic
Definition, Indirect Purchase	It is difficult to find any reference or control measures for type 2 purchases. If they are going to be separated out then they need to be explicitly addressed in the body of the document for each type of specified risk.		The second draft of the NRA does not differentiate between direct and indirect suppliers.	Economic
Definition, Indirect Purchase	Suggest adding another level to the definition of type one.	Suggest adding a Type 1A to read: The Organization has a contractual relationship with the landowner to purchase logs but has no capacity to directly influence activities at the forest management unit (FMU) level. The landowner may use a contract logger to deliver wood to the mill.	The second draft of the NRA does not differentiate between direct and indirect suppliers.	Economic
Definition, Old Growth	These definitions need further refinement. They should include a minimum scale (i.e. minimum x acres) – otherwise it's too difficult to assess (does a 1 acre patch of 3 unharvest OG trees = Type I OG)? Let's not leave this up to auditor interpretation – that will lead to vast inconsistencies.	Add minimum size for each old growth type. Type I – if a stand was managed via burning but not harvesting, is it still considered Type I? This definition just includes commercial timber harvest. Last phrase – it should be “coarse woody debris” not “course woody debris”.	The definition of Old Growth remains as it was in the first draft of the NRA.	Economic

Definition, Old Growth	It will be exceedingly difficult for suppliers and non-FSC-certified landowners to identify such areas on the ground, particularly at such a small threshold of 3 acres.		The definition of Old Growth remains as it was in the first draft of the NRA.	Economic
Definition, Primary forest	Ugh. Please advise on (1) scale of what can be considered a primary forest (i.e. minimum size); and 2) examples of non old growth primary forests to help with assessment.	This is a messy definition – please add minimum size of what can be considered primary forest and examples of non old growth primary forest to assist with assessment.	The definition of Primary Forest remains as it was in the first draft of the NRA.	Economic
Definition, Specified Risk	Types of Risk: The FSC Controlled Wood Standard (40-005) is based upon an evaluation of "significant risk." The FSC US National Risk Assessment has modified and expanded this definition to now imply "that there is a certain risk that forest products from unacceptable sources may be sourced." The new definition is an unprecedented and significant expansion over, and departure from, the current definitions in the Controlled Wood Standard.		The Glossary in the second draft of the NRA aligns with FSC-STD-40-005 v3	Economic
Definition, Specified Risk	Types of Risk: The FSC Controlled Wood Standard (40-005) is based upon an evaluation of "significant risk." The FSC US National Risk Assessment has modified and expanded this definition to now imply "that there is a certain risk that forest products from unacceptable sources may be sourced." The new definition is an unprecedented and significant expansion over, and departure from, the current definitions in the Controlled Wood Standard.		The Glossary in the second draft of the NRA aligns with FSC-STD-40-005 v3	Economic
Definition, Specified Risk	Definition of "specified risk" on pg 9: The use of the word "certain" in the phrase "....that there is a certain risk...." is ambiguous. Does it mean "inevitable" or does it mean "particular"? It is likely it means the latter.	Clarify the meaning of the phrase "certain risk".	The Glossary in the second draft of the NRA aligns with FSC-STD-40-005 v3	Economic
IX. Annex A, Supply Area	Documenting the Supply Area: The three options suggested are not inclusive of the FSC Directive: "ADVICE 40-005-04 -- What kind of documentation and control is required to verify the geographical district of origin?" This current Advice suggests a "Plausibility Test" of the information that is collected. This analysis is currently being accepted as objective evidence of the supply area, but is not mentioned in the FSC US National Risk Assessment. The NRA should be consistent with FSC Directives addressing the FSC Controlled Wood Standard.	Prior verbiage should be re-instated in the standard: The certificate holder can demonstrate district of origin to the forest level through any one or a combination of the following options: Certificate holder's have invested considerable time and resources to meet the earlier verbiage. It should be maintained.	The second draft of the NRA aligns with the approved CW standard FSC-STD-40-005 v3-1, so this requirement has been removed from the NRA	Economic
IX. Annex A, Supply Area	I choose Option 1 BUT purchaser should only be required to show samples of proof of origin – not maintain all the source documents Option 3 would be another nice option to include – but may not work with species with broad ranges (i.e. will likely overlap some areas of specified risk). Are all options going to be included or are you asking us to choose our preferred option?	I choose Option 1 BUT purchaser should only be required to show samples of proof of origin – not maintain all the source documents Option 3 would be another nice option to include – but may not work with species with broad ranges (i.e. will likely overlap some areas of specified risk). Are all options going to be included or are you asking us to choose our preferred option?	The second draft of the NRA aligns with the approved CW standard FSC-STD-40-005 v3-1, so this requirement has been removed from the NRA	Economic

IX. Annex A, Supply Area	In the past it has been acceptable and customary to use any one or a combination of the three options. This should be continued in the future. This is of particular importance in documenting the supply areas for type 2 indirect & by-product sources.	Allow for any one or a combination of the options to be acceptable.	The second draft of the NRA aligns with the approved CW standard FSC-STD-40-005 v3-1, so this requirement has been removed from the NRA	Economic
IX. Annex A, Supply Area	Documentation of supply area for by-product, third party fiber, sawn lumber from small mills is not relevant with unmapped specified risk. If I get a declaration and conduct a logical supply analysis for a several county region, what do I compare it to? The PFTs are very broadly defined and depending on the interpretation of what they are could be anywhere or nowhere in the supply area.		The second draft of the NRA aligns with the approved CW standard FSC-STD-40-005 v3-1, so this requirement has been removed from the NRA	Economic
IX. Annex A, Supply Area	[Option 1, d] If a supplier does not want to share his records with an organization, it's doubtful they will open up to a CB. Also, it costs organizations to use CBs.	Our recommendation is to drop this requirement.	The second draft of the NRA aligns with the approved CW standard FSC-STD-40-005 v3-1, so this requirement has been removed from the NRA	Economic
IX. Annex A, Supply Area	There is a reference to a specific note in FSC-STD-40-005 that begins, "NOTE: A declaration from the supplier may....." However, the version of FSC-STD-40-005 available from the FSC web site (https://ic.fsc.org/standards.340.htm) does not include a note with this text.	Provide greater clarification as to what document is being referenced as "FSC-STD-40-005."	The second draft of the NRA aligns with the approved CW standard FSC-STD-40-005 v3-1, so this requirement has been removed from the NRA	Economic
IX. Annex A, Supply Area	Requirements for documenting a supply area must be broad enough and provide flexibility (options 1-3)	Continue to maintain the 3 options for documenting supply area.	The second draft of the NRA aligns with the approved CW standard FSC-STD-40-005 v3-1, so this requirement has been removed from the NRA	Economic
IX. Annex A, Supply Area	Option 2 for documenting the supply area on page 14 is not clear in the format presented. Region table: The resolution of this graphic is low and may not display well on black and white printed documents Enhance resolution	Option 2 is similar to the current US/Canadian guidance for DOO and we feel the sub-options would be better presented in a flow chart. Region table: Enhance resolution	The second draft of the NRA aligns with the approved CW standard FSC-STD-40-005 v3-1, so this requirement has been removed from the NRA	Economic
General	Following are comments offered on behalf of Resource Management Service, LLC relative to the FSC US Controlled Wood National Risk Assessment (NRA). Most of our comments area specific to Categories 3 High Conservation Values and 4 Conversion. Resource Management Service, LLC (RMS), a financial investment and forest management company		Thank you for your comment	Economic

	headquartered in Birmingham, Alabama, has management authority for over 2.5 million acres of privately-owned forest lands in nine states in the southern United States. These forestlands are managed by professional foresters and wildlife biologists for multiple forest values, including pulpwood and solid wood products, outdoor-based recreational activity, and environmental values including clean water, clean air, and wildlife habitat for a wide range of species. All forest lands managed by RMS in the United States are third party certified to the Sustainable Forestry Initiative® (SFI) Standard, a rigorous certification scheme that demonstrates our commitment to holistic forest management. RMS is a major wood supplier to numerous manufacturing facilities who are certified to the Forest Stewardship Council (FSC) Chain of Custody (COC) Standard.			
General	Just wanted to make a comment thanking the CWWG and the technical staff at FSC-US for putting this risk assessment together. Very thoughtful review and appreciate all the time and effort that went into this document.		Thank you for your comment	Economic
General	Please accept the following comments from Oregon Wild regarding the proposed FSC United States Controlled Wood National Risk Assessment (US NRA). Oregon Wild represents approximately 10,000 members and supporters who share our mission to protect and restore Oregon's wildlands, wildlife and waters as an enduring legacy.		Thank you for your comment	Environmental
General	<p>Hancock Timber Resource Group (HTRG) is a global company with responsibility for working forest investments on behalf of institutional investors. HTRG has certified over 2.8 million acres to a variety of FSC National Standards, including approximately 300,000 acres in the United States. In total, we manage over 6.2 million acres of forest investments around the globe. As such, HTRG is a major supplier to numerous manufacturing facilities who are certified to the Forest Stewardship Council (FSC) Chain of Custody (CoC) Standard. It is in the context of our global position in the forest sector supply chain that we offer the following comments on the Draft FSC-US Controlled Wood (CW) National Risk Assessment (NRA).</p> <p>Finally, we recommend that FSC expand the current CW development process to include adequate representation of all of the landowners that would be materially affected by the standard. At a minimum, this should include strong representation from economic interests in the United States. The United States has proven to be a low-risk operating region according to risk assessments developed by FSC members. To reverse these findings through development of a NRA that essentially excluded US landowners and relied on more expert opinion than facts is a failed process and one that needs to be fixed before considering any aspect of this consultation final.</p> <p>As a FSC certificate holder and one of the largest managers of private forests in the US, we trust you will take our comments seriously. We did not spend time answering specific questions as presented in the draft NRA because we felt the topics we raise in this letter are larger than the individual questions and require your attention first. Should our concerns and the concerns of our colleagues be addressed and presented in a version 2.0 of the NRA, we will respond with more specificity. Thank you.</p>		Thank you for your comments. Opportunities to engage with non-certified landowners has also been built into the collaborative dialogues that are part of the control measures.	Economic
General	<p>Experience from many risk assessments conducted by FSC-certified companies and approved by FSC Certification Bodies showed limited to no risk to high conservation value forests (HCVFs) in the United States. The proposed draft NRA should reference this fact, or at least provide an explanation of why it is no longer sufficient.</p> <ul style="list-style-type: none"> • The majority of wood harvested in the United States is harvested by experienced, trained loggers, and is supplied to large mills. The current system continues to be under pressure from customers to reduce costs, which has been done in large part by separating ownership of lands from ownership of mills and by moving control of harvesting away from mills and further down various supply chains. Changes to this “cost-reducing” and fairly efficient fiber supply system will increase costs. As yet, there is little evidence of willingness by users of FSC-certified material to pay more for certified or controlled wood to cover any significant portion of the cost of certification. Many suppliers of wood fiber, and some wood consuming mills, are expressing concerns about more rules and processes driving up costs, and appear ready to abandon FSC-programs. • Complex rules and processes stemming from controlled wood requirements will fall on portions of the supply chain least able to adapt to changes. While many fiber harvesting operations working on uncertified lands are also quite sophisticated, they are accustomed to a business environment with fewer rules and processes and they require more flexibility in their operations due to the “spot” nature of their wood orders and the smaller size of the tracts and land ownerships from which they typically harvest. • FSC US inappropriately proposes that wood procurement organizations "require" the implementation of 		The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest management. Opportunities to engage with non-certified landowners has also been built into	Economic

	"Control Measures" on private landowners that have not chosen to voluntarily participate in the FSC scheme, thereby extending FSC's vision of forestry beyond willing participants.		the collaborative dialogues that are part of the control measures.	
General	<p>1. We are concerned that, without sufficient justification or rationale, FSC US proposes to significantly expand the scope of the FSC Controlled Wood Standard to include broad geographic areas of "Specified Risk." It is not credible or practical that FSC US can change the Controlled Wood rules, without a thorough analysis and justification of the need for the change. All of our assessments, as well as other FSC Risk Assessments that we are aware of, have concluded "Low Risk" and FSC Certification Bodies and FSC International have approved those assessments.</p> <p>2. We have a significant concern that FSC has continuously changed, and made more restrictive, the rules and requirements for its Chain of Custody and Controlled Wood Standards. This continual ratcheting down of the rules to make them more prescriptive, costly and burdensome, without adequate explanation of the benefits to the forest resource and the industry is not acceptable.</p> <p>3. The CNRA was not released by FSC-International until March 2 and was not distributed by FSC-US until March 4th, leaving only 11 days for stakeholders to review and understand the CNRA and its relationship to the FSC-US NRA. Commenters need sufficient time to adequately review Risk Category 1, 2, and 5 of the CNRA, which will be part of the comprehensive NRA that eventually will be finalized, to understand the full burden imposed by all risk categories. In addition, conclusions reached in the CNRA, such as Risk Category 2 – Traditional & Civil Rights assessments will require revision by FSC-US, limiting the effectiveness of comments by stakeholders. The second comment period for the draft NRA should be at least 60 days to allow for a thorough analysis of both the draft Centralized NRA (CNRA) and updated NRA</p> <p>4. Our experience to date has demonstrated that the U.S. forest and paper industry has a very good record of training loggers, complying with applicable laws and regulations, implementing voluntary BMPs, protecting Forests of Exceptional Conservation Value and providing biodiversity at the stand and landscape levels. BMP compliance is reported by state forestry agencies to be in the 95% range and very close to 100% of the loggers have received training through collective SFI Implementation Committee programs. All current risk assessments and analysis support the overall conclusion that there is a very Low to Negligible Risk of sourcing controversial wood. In spite of this exemplary record, FSC proposes unjustified additional Control Measures that will carry substantial costs.</p> <p>5. FSC US has not conducted or discussed any economic analysis of the costs and barriers of implementing the proposed "Control Measures" and other additional requirements. The costs to our organization are likely to be substantial and have not been justified on an objective risk basis by FSC US. We anticipate a substantial increase in the costs of the following activities:</p> <ul style="list-style-type: none"> a. analyzing the new Specified Risk areas, b. developing and implementing Control Measures, c. conducting consultations with outside experts, d. conducting staff and contractor training of hundreds of suppliers, e. monitoring the effectiveness of the control measures across thousands of acres of forest land owned by other private landowners, and f. paying the costs of auditors to conduct a sub-sample of forest tracts not owned by our Company. 		<p>FSC US has worked to make the second draft of the NRA workable for FSC Certificate Holders. The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest management. The scale of risk designations has also been revised to assist certificate holders in determining whether or not they areas of specified risk are within their supply areas. The Control Measures do not identify specific mitigation actions, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting. The collaborative dialogues will be open to non-certified landowners so that they may engage with the process.</p>	Economic
	6. The wood harvested in our wood supply areas is harvested by experienced and trained loggers, much of it through open market contracts where we have no contract with the owners of the forests. The current system has been under pressure from customers to reduce costs, which has been done in large part by separating ownership of lands from ownership of mills and by moving control of harvesting away from mills and further down the supply chain. Changes proposed by FSC to this "cost-reducing" and fairly efficient fiber supply system			

	will increase costs. As yet there is little evidence of willingness by users of FSC-certified material to pay more for certified or controlled wood to cover any portion of the cost of certification. Many suppliers of wood fiber are expressing significant concerns about more rules and processes driving up costs and increasing regulatory burdens.			
	7. Complex rules and processes stemming from controlled wood requirements will fall on portions of the supply chain least able to adapt to changes and absorb additional costs. Fiber harvesting operations working on non-certified lands are not accustomed or capable of absorbing additional costs and they require more flexibility in their operations due to the “spot” nature of their wood orders and the smaller size of the tracts and ownerships they typically rely on.			
	8. FSC US inappropriately proposes that wood procurement organizations “require” the signing of “Supplier Agreements” and implementation of “Control Measures” on private landowners that have not chosen to voluntarily participate in the FSC scheme, thereby extending FSC’s reach beyond willing participants. This is an unacceptable aspect of the FSC National Risk Assessment.			
	9. The Company is not in a position to enforce Supplier Agreements with independent landowners and loggers that have not voluntarily chosen to participate in the FSC scheme. While the Company takes steps to influence landowners and loggers to comply with laws and regulations, implement BMPs, become SFI Logger Trained and take other proactive measures, it is not reasonable to propose that procurement organizations require and enforce Control Measures on independent businesses that go beyond current laws and regulations.			
	10. The Company is concerned that the National Risk Assessment is based more on perception and values than on good science and research information. Terms such as “potential” and “may impact” appear numerous times with respect to “threats.” The NRA presents no technical basis for perceptions that, for example, “shovel logging” may result in undesirable regeneration and that “Alabama BMPs” may not adequately protect aquatic resources.			
	11. The Company is concerned that the NRA provides no description of which rare species are to be addressed by the Control Measures in priority habitats. Vague Control Measures such as “maintain structural diversity and stand-level species” are not implementable and would be next to impossible to monitor and evaluate effectiveness of measures.			
	12. The Company is concerned that the NRA is overly value driven and based in part on stakeholder inputs and through consultation with unnamed “regional experts. The NRA presents no information about the qualifications of the regional experts who selected areas for further protection or methods and criteria that were used.			
	13. The NRA suggests control measures at the “landscape” level that are not implementable by Certificate Holders. One control measure suggests that land owners “conduct harvest operations in a manner sufficient to maintain the distribution and extent of mid-seral Jack Pine across the landscape.” FSC fails to recognize that landowners are not FSC Controlled Wood certificate holders and have little to no capacity to effect landscape level management. A further concern is that one of the Control Measures is based upon the invalid assumption that harvesting of bottomland hardwood forests >80 years old diminishes biodiversity values. While harvesting may change stand age class and structure, it does not diminish biodiversity. Speculative and personal judgments must be removed from the document.			
	14. The Company is concerned that FSC US will, by its proposed US National Risk Assessment and Control Measures, effectively drive FSC Certificate Holders, suppliers and landowners away from the FSC Program. FSC would be better served to find ways to make FSC certification more reasonable, cost-effective and affordable and increase the acreage of FSC Certified Forests, of which there are very few, if any, within the supply regions of our manufacturing facilities.			
	15. Due to the lack of analysis and justification for the major expansion of Specified Risk Areas into private lands that have not agreed to participate in the FSC Standards program, FSC US would be well served to retract its proposed Draft US National Risk Assessment, conduct an adequate economic and practical analysis and more effectively engage FSC Certificate Holders, suppliers and private landowners that it seeks to regulate in a more inclusive and open dialogue.			
General	I am deeply concerned about the cost and effort required to implement this Controlled Wood Risk Assessment. From my estimations I will need to hire two extra Procurement Foresters (one for each J D Irving sawmill in Maine) to implement this. This is only 2/5th of the total requirements. How much will it cost to implement what FSC International comes up with? FSC should be more sensitive to this extra cost. Have you done a cost benefit analysis of implementing this? I have heard similar concerns from others in the industry. I attended the Webinar and read all the documents more than once. In my opinion this is not a risk assessment it is another “standard”		Thank you for your comment. FSC US has worked to make the second draft of the NRA	Economic

	<p>that FSC certified companies will need to meet to sell FSC products. I was expecting a risk assessment much the same as the company ones that we have today only being competed nationally, and addressing any issues that FSC is concerned about in a cost sensitive way. This new process will but a lot of extra work and cost on companies for little value in a low risk state like Maine. I see value in going to these extremes in some parts of the world, but not North America. Field verifications, supplier agreements, due diligence systems and monitoring will all require substantial effort and dollars.</p> <p>This process is using a sledge hammer to drive a finishing nail. I think FSC US owes it to FSC certified companies to take a second look at this to come up with a better way to address real risks cost effectively.</p> <p>Conduct a proper risk assessment at the National level that identifies areas of low and specified risk. Leave it to the FSC certified companies to figure out the best way to address the risk in their fibre supply area and then leave it to the CBs to decide if the Controlled Wood Standard is met or not. If not CARs would be issued and improvements would be made. This will result in the least cost, most efficient, most value added solution. I would be happy to discuss these concerns further with FSC US.</p>		workable for FSC Certificate Holders.	
General	<p>Many of the control measures are general prescriptions or simply statements or suggestions that would or may benefit a particular species or priority habitat. Many are subjective. While flexibility is desirable, the NRA should be more specific as to what will be considered acceptable in addressing specified risk.</p> <p>It is not feasible or achievable and is unrealistic to expect that many of the control measures for priority T&E species & habitats, priority forest types, or other items will be implemented on 100% of the forest management units (FMUs) that mills source wood from, and it will be extremely problematic for certificate holders to comply. The NRA requires the avoidance of “known sources.” It will be undeniable that certain occurrences are taking place, and certificate holders will not be able in good faith to ignore them. Consider, for example, the 20 & 40-acre thresholds & other restrictions on conversion. These are problematic for several reasons. First, the mill will have to know a very fine level of detail about, and document for audit purposes, the intent of thousands of private landowners from whom its wood is sourced. It is simply not practical to accomplish this. Second, the landowner could later change his or her mind, or even misrepresent his or her intent from the beginning and later “un-do” the control measure.</p>	<p>In the U.S., existing federal & state laws & regulations are sufficient to determine, designate, & protect priority T&E species & priority habitats. The U.S. should simply be designated as low risk.</p> <p>In the U.S., it can be shown that the level of forestland is stable over time (as documented in the NRA). The U.S. should simply be designated as low risk for conversion, without the additional requirements in the CW-DDS.</p>	<p>FSC US is working to engage with affected and non-certified landowners during the second consultation. Supplier agreements and information from sub-suppliers are not required. The risk mitigation approach avoids wood exclusion by ensuring that certificate holders have options with each making their own decision based on their situation. Additionally, FSC has had the revised CW standard reviewed by an attorney. Their conclusion was that the NRA should be found lawful if challenged under US antitrust law.</p>	Economic
	<p>Third, and perhaps most importantly, even if the mill could know that level of detail about each FMU, and the situation was that the FMU was not in compliance with the FSC control measure, but was otherwise in full legal compliance, the mill would then be expected to either i) “avoid,” i.e., do not accept, wood from such landowner or ii) “exclude” and utilize separately this source from its FSC controlled sources (this alternative was mentioned by FSC-US in the recent webinar). The problem with refusing to buy such material is that it exposes mills to antitrust and unfair trade issues. The problem with separating such material in the mill's production process is that it is simply not practical to keep this wood in a separate pile, then make an extremely small batch run in the pulping process, then keep the pulp separate to make an extremely small batch run in the paper production process, and then keep the paper separate in the sales & distribution process. Mills are designed to process high</p>			

	<p>volume production runs, not individual small batches. Another example is the requirements around priority habitats. Even if it were possible to assess & know where these habitats occur, a landowner may refuse to implement the control measures (but still be acting within existing laws & regulations).</p> <p>Furthermore, the list of priority T&E and priority habitats is subjective and in some cases has the feel of a wish list of certain stakeholders. A practical, reasonable, and impartial way to address these concerns is simply to rely on existing U.S. federal & state laws & regulations. The U.S. has a rigorous system in place to address these concerns.</p>			
General	<p>To that point, the document is very difficult to read and understand. It should be simplified with a clear matrix consisting of input type, specific risk condition, and minimum control measures. As a whole, the NRA lacks specific outcomes and is therefore open to company, ENGO, and auditor interpretation. As the NRA is written, compliance for my company is not possible and I believe that our efforts would be unauditable. I feel that is important to note that the tone of the document is a desire to drive forest management on non-certified properties. This is not the intent of the controlled wood system. In fact, the NRA takes compliance to the FSC CW standard out of the hands of certified companies and puts that control directly into the hands of suppliers for both indirect and by-product supply segments.</p> <p>It is paramount that the CWWG remember that the goal of the NRA is not to dictate the conditions of forest management on private lands. We need to have a credible risk based system that will reduce our exposure to inputs that are undesirable. This entire risk assessment from conversion to unmapped risk goes far beyond that, making compliance by companies trying to implement it impossible. By making these claims, companies open themselves up to reputational risk and public derision by extreme environmental groups and competitors. This also opens the entire FSC system up to attack by those that are adversarial to our certification scheme. It would be very simple for a non-certified competitor to look at what we claim to accomplish with this, credibly go to the public, and prove that there is no possible way that we can back these claims up. The NRA needs to properly recognize the role that controlled wood plays in the system. Company risk assessments have been vilified as being weak, either by intent or lack of due diligence.</p>		<p>Thank you for your comment. FSC US has restructured the NRA to make it easier to understand and has worked to ensure that the NRA is workable for FSC Certificate Holders. The Control Measures do not identify specific mitigation actions, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting. The collaborative dialogues will be open to non-certified landowners so that they may engage with the process.</p>	Economic
	<p>The reality is that this is a very difficult task. Expectations of performance need to be balanced with economic reality and the legal constraints of our competitive environment. The CWWG should conduct a stakeholder outreach to the various impacted groups for the value driven components of the risk assessment. This should include impacted private landowners, state agencies, timber harvesters, academia, environmental groups, etc. The impact of this document extends well beyond the FSC community. The expectations for stakeholder engagement placed on the companies with a CW certificate should be met by the CWWG prior to the release of this document.</p> <p>This risk assessment should be withdrawn until it can be better defined and an understanding of the economic impact of implementation is developed. I am fully aware of the deadline at the end of 2015, but implementing this NRA would be worse for FSC in the US then letting the deadline pass.</p>			
General	<p>Thanks for the chance to comment in this first public consultation. Despite significant and continuous improvement from the forest products industry, industrial logging still continues to negatively impact conservation values in forests around the world. There are still a lot of very controversial forestry practices occurring in the US, Canada, and elsewhere, including legal violations (including on public forests), harm to endangered species, logging of old growth, intact forests, and other HCVs, recent governmental approval of commercial GMO use in the US, violations of Indigenous People's rights in Canada, and in some areas, conversion of forests to energy development, sprawl, and other uses.</p>		<p>Thank you for your comment. The Control Measures in the second draft of the NRA do not identify specific mitigation actions, rather a suite of actions will be</p>	Environmental

	<p>FSC controlled wood system must address this ongoing reality if it is to maintain credibility with the environmental community and other key stakeholders. As we move away from the old company-based risk assessment approach, the new system needs to do a dramatically better job of identifying and excluding controversial sources from FSC labeled products. And the results must be subject to rigorous third party auditing. The system’s credibility depends on it.</p> <p>Of course, the risk assessment and its control measures need to balance effectiveness and practicality. But it’s not clear the current due diligence system and control measures are sufficiently and consistently robust enough to move the controlled wood system to a more responsible place. A key concern is whether purchaser companies are consistently required to take effective action to either ensure that key values are protected in source forests, or to exclude wood and fiber from controversial sources.</p>		<p>identified through a collaborative dialogue at a regional meeting. Additionally, the DDS has been removed from the NRA as it is included in the approved FSC-STD-40-005.</p>	
General	<p>We share FSC’s interest in expanding forest certification and the availability of certified fiber in the United States. AF&PA remains concerned, however, with the proposed NRA. The limited availability of FSC 100% certified fiber in the U.S. requires a cost- effective and usable CW standard and accompanying NRA. Companies continually weigh the benefits of certification against implementation costs. Companies that maintain FSC certifications may decide that the NRA and associated monitoring and compliance burdens are too high to continue maintaining FSC certifications, particularly given the limited FSC fiber availability, which would erode the value of FSC certification for landowners.</p> <p>FSC-US Should Complete an Economic Impact Analysis of the Proposed “Control Measures” to determine whether the FSC CW system can function effectively in the marketplace. To do so, the requirements of the NRA must provide benefits to consumers and be economically achievable. The system that has been proposed by FSC-US in the NRA goes beyond what is reasonable for a company to achieve, and in present form, may prove unworkable in the U.S.</p> <p>AF&PA requests that the second comment period for the draft NRA be at least 60 days to allow for a thorough analysis of both the draft Centralized NRA (CNRA) and updated NRA by those interested in commenting. The CNRA was not released by FSC-International until March 2 and was not distributed by FSC-US until March 4th, leaving only 11 days for stakeholders to review and understand the CNRA and its relationship to the FSC-US NRA. Commenters need sufficient time to adequately review Risk Category 1, 2, and 5 of the CNRA, which will be part of the comprehensive NRA that eventually will be finalized, to understand the full burden imposed by all risk categories. In addition, conclusions reached in the CNRA, such as Risk Category 2 – Traditional & Civil Rights assessments will require revision by FSC- US, limiting the effectiveness of comments by stakeholders.</p>	<p>FSC-US Should Complete an Economic Impact Analysis of the Proposed “Control Measures”</p> <p>AF&PA requests that the second comment period for the draft NRA be at least 60 days to allow for a thorough analysis of both the draft Centralized NRA (CNRA) and updated NRA by those interested in commenting.</p>	<p>Thank you for your comment. The Control Measures in the second draft of the NRA do not identify specific mitigation actions, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting. The collaborative dialogues will be open to non-certified landowners so that they may engage with the process. The second public consultation will be at least 60 days long.</p>	Economic
General	<p>Use of uncommon vernacular -“conterminous” United States throughout the CW NRA.</p>	<p>Use common vernacular - “contiguous” United States throughout the CW NRA.</p>	<p>Thank you for your comment. The term 'contiguous' remains in the second draft of the NRA.</p>	Economic
General	<p>We raised concerns about the antitrust risks associated with the Controlled Wood (CW) standard in comments to FSC International on proposed changes to the standard. In essence we noted that suppliers do not voluntarily sign up for the CW standard—it is imposed on them by chain of custody (CoC) holders. Therefore key defenses a voluntary standards system normally has to an antitrust challenge are not available, making other defenses, especially the use of an inclusive, consensus processes, all the more important. Attached are the original comments we filed with FSC International, which we incorporate into these comments by this reference. FSC International’s published response to our comments is troubling, as it clearly shows they do not understand the issue. They said:</p> <p>The NRA serves as the source of risk determination and shall be applied by CoC-certified Organization and NOT by the forest managers (if an Organization owns/ manages forest it shall be independently certified according to the FSC-STD-30-010). It is the responsibility of the CoC certified Organization to prove that supplied material does not originate from unacceptable sources and not the responsibility of its supplier.</p>	<p>The NRA should be withdrawn until changes to the rest of the Controlled Wood system are finalized, including the centralized risk assessments covering the US. Then FSC US should form a new working group with balanced representation that includes materially affected interests; that is, non-FSC-certified landowners, especially</p>	<p>FSC US waited to finalize the NRA until FSC-STD-40-005 was finalized. FSC US is working to engage with affected and non-certified landowners during the second consultation. Supplier agreements and</p>	Economic

		family forest owners and agencies representing public lands, loggers, and non-FSC-certified mills.	information from sub-suppliers are not required. The risk mitigation approach avoids wood exclusion by ensuring that certificate holders have options with each making their own decision based on their situation. Additionally, FSC has had the revised CW standard reviewed by an attorney. Their conclusion was that the NRA should be found lawful if challenged under US antitrust law.	
	In other words, FSC International is reinforcing our point that the forest managers affected are not signing up for a voluntary standard; its requirements are being imposed on them by the CoC holders. And by virtue of complying with a standard the CoC holders are acting in concert, bringing them (and the standards body) under US antitrust laws.			
	These same concerns apply to the FSC US National Risk Assessment (NRA). We understand FSC US believes its processes are adequate because they allow for public comment by affected landowners. This is wholly inadequate. US law and policy clearly define acceptable processes for inclusive, consensus standards. Our comments to FSC International provide the references. Materially affected interests—including non-FSC-certified landowners and especially family-forest owners and agencies managing public lands—must have a vote in a decision-making process in which their interests cannot be dominated. Being relegated to a public comment period does not come close to meeting these requirements.			
	In addition to the risks associated with not giving materially affected interests a meaningful role in the decision-making process, FSC is also not following its own procedures in setting standards. Most importantly, the NRA departs significantly from the risk assessments approved under the existing CW Standard, yet the standard has not been changed. This means either the existing company risk assessments and proposed NRA are arbitrary, or the proposed NRA is based on a different standard. We suspect the latter is the case, meaning FSC US is operating on an assumption that proposed changes to the governing CW standard are in effect. This is reinforced by FSC International's response to comments repeatedly saying that the requirements in the NRAs are being "strengthened," implicitly without waiting for the standard-setting process to be completed and the revised CW standard to be approved through FSC's voting process. This denies the affected interests—incomplete though they are—due process under every existing convention for standards development.			
	A better approach would be to assume FSC International will take into account feedback received during three rounds of public comment and move amendments to the CW Standard through its governance process without cutting corners. That means FSC US cannot know at this point when the revised standard will take effect or what new requirements it will contain. Because the NRA is only a piece of the greater Controlled Wood program, the NRA should be withdrawn until changes to the rest of the Controlled Wood system are finalized. Then, FSC US should form a working group that is truly representative of materially affected interests and reconvene the process.			
	In addition to the problems described above, the draft NRA is incomplete. FSC-US has only addressed two of the five controversial sources governed by the Controlled Wood system: HCVFs and Conversion. The other three			

	controversial sources topics (legality, indigenous peoples rights, and GMOs) were evaluated by firms in the United Kingdom and put out for public comment only recently. No information has been provided about how the outcomes of these other evaluations will be incorporated into the (partial) draft NRA currently out for comment. Affected landowners, loggers, and other suppliers should not be asked to conduct piecemeal review and comment on portions of the draft NRA.			
	We have many other, more detailed comments we will provide in face-to-face meetings and during the next round of public comment.			
General	<p>MWV requests that the second comment period for the draft NRA be at least 60 days to allow for a thorough analysis of both the draft Centralized NRA (CNRA) and the anticipated second draft of the FSC-US NRA. Certificate holders and members need sufficient time to adequately review Risk Category 1, 2, and 5 of the CNRA, which will be part of the comprehensive NRA that eventually will be finalized. In addition, conclusions reached in the CNRA, such as Risk Category 2 – Traditional & Civil Rights assessments will require revision by FSC-US, limiting the effectiveness of comments by stakeholders.</p>		<p>The CNRA for Category 2 has been incorporated into the second draft of the NRA. The public consultation period will also be 60 days.</p>	Economic
General	<p>The proposed changes to the Controlled Wood program represent a fundamental shift from the current program. The proposed system takes standards and processes that certain landowners accept voluntarily to obtain FSC certification of their own forests and imposes them on all forest landowners providing products to downstream participants with FSC Chain of Custody (CoC) certification. The practical effect of such a system will be to create regions that FSC CoC -certified buyers will collectively boycott. These boycotts could be permanent or lifted only after landowners absorb higher costs, in the form of expensive studies or surveys to prove the absence of perceived risk, changes in their forest management practices, or certification under the FSC CW Forest Management Standard. In other words, landowners who may not even be aware of the Controlled Wood program may suddenly be left wondering why no one will buy their wood. Group boycotts are potentially illegal under the U.S. antitrust laws.</p> <p>The NRA Should be Not be Issued When the Governing Controlled Wood Standard is Not Finalized. FSC International has been working on changes to the Controlled Wood system since 2011. At this point, it is unclear when the revised standard will take effect or what new requirements it will contain (i.e., whether FSC will take into account feedback received during three rounds of comment). The NRA is only a piece of the greater Controlled Wood program. Because these pieces must work together, publishing the draft NRA before the standard is complete denies affected parties the limited procedural protections they get from FSC's public standards development process. At a minimum the NRA should be withdrawn until changes to the rest of the Controlled Wood system are finalized, then reconvened in light of the new standard. The reconvened working group should include voting representation from materially affected parties, specifically non-FSC-certified forest owners, including large and small private owners and state and federal agencies managing public lands. These interests are not meaningfully represented in FSC's processes today, which will increase the Controlled Wood standard's vulnerability to challenge under the Federal Trade Commission's Green Guides and U.S. antitrust laws related to private standards.</p>		<p>FSC US waited to finalize the NRA until FSC-STD-40-005 was finalized. FSC US is working to engage with affected and non-certified landowners during the second consultation. Supplier agreements and information from sub-suppliers are not required. The risk mitigation approach avoids wood exclusion by ensuring that certificate holders have options with each making their own decision based on their situation. Additionally, FSC has had the revised CW standard reviewed by an attorney. Their conclusion was that the NRA should be found lawful if challenged under US antitrust law.</p>	Economic

General	<p>The National Risk Assessment ("NRA") is extremely complicated and its implementation is difficult to understand as it skips around and applies different requirements for the various types of supply and risk levels. The overall HCVF designations are both significant and expansive and will be difficult to implement. As the program becomes more onerous in an effort to mitigate risk, the ultimate objective to avoid true controversial sources becomes less achievable in that GP believes (i) the unique balance of risk, benefits and costs are now becoming out of balance and (ii) the NRA is no longer a risk assessment but instead there does not seem to be a larger landscape level assessment but rather excessive drill down to individual acres</p>		<p>FSC US has worked to make the second draft of the NRA workable and easier to understand for CHs. Additionally, the scale of risk designations has been reevaluated to make it easier for CHs to determine if there are areas of specified risk within their supply chains.</p>	Economic
General	<p>1. We are concerned that, without sufficient justification or rationale, FSC US proposes to significantly expand the scope of the FSC Controlled Wood Standard to include broad geographic areas of "Specified Risk." It is not credible or practical that FSC US can change the Controlled Wood rules, without a thorough analysis and justification of the need for the change. All of our assessments, as well as other FSC Risk Assessments that we are aware of, have concluded "Low Risk" and FSC Certification Bodies and FSC International have approved those assessments.</p> <p>2. We have a significant concern that FSC has continuously changed, and made more restrictive, the rules and requirements for its Chain of Custody and Controlled Wood Standards. This continual ratcheting down of the rules to make them more prescriptive, costly and burdensome, without adequate explanation of the benefits to the forest resource and the industry is not acceptable.</p> <p>3. Our experience to date has demonstrated that the U.S. forest and paper industry has a very good record of training loggers, complying with applicable laws and regulations, implementing voluntary BMPs, protecting Forests of Exceptional Conservation Value and providing biodiversity at the stand and landscape levels. BMP compliance is reported by state forestry agencies to be in the 95% range and very close to 100% of the loggers have received training through collective SFI Implementation Committee programs. All current risk assessments and analysis support the overall conclusion that there is a very Low to Negligible Risk of sourcing controversial wood. In spite of this exemplary record, FSC proposes unjustified additional Control Measures that will carry substantial costs.</p>		<p>FSC US has worked to make the second draft of the NRA workable for FSC Certificate Holders. The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest management. The scale of risk designations has also been revised to assist certificate holders in determining whether or not they areas of specified risk are within their supply areas. The Control Measures do not identify specific mitigation actions, rather a suite of actions will be identified through a collaborative dialogue at a</p>	Economic

			regional meeting. The collaborative dialogues will be open to non-certified landowners so that they may engage with the process.	
	4. FSC US has not conducted or discussed any economic analysis of the costs and barriers of implementing the proposed "Control Measures" and other additional requirements. The costs to our organization are likely to be substantial and have not been justified on an objective risk basis by FSC US. We anticipate a substantial increase in the costs of the following activities:			
	a. analyzing the new Specified Risk areas,			
	b. developing and implementing Control Measures,			
	c. conducting consultations with outside experts,			
	d. conducting staff and contractor training of hundreds of suppliers,			
	e. monitoring the effectiveness of the control measures across thousands of acres of forest land owned by other private landowners, and			
	f. paying the costs of auditors to conduct a sub-sample of forest tracts not owned by our Company.			
	5. The wood harvested in our wood supply areas is harvested by experienced and trained loggers, through open market contracts where we have no contract with the owners of the forests. At the present, only a handful of our wood suppliers are certified to the FSC standard. Each of those who are certified has expressed significant concern as it relates to more rules and processes driving up costs and increasing regulatory burdens.			
	6. Complex rules and processes stemming from controlled wood requirements will fall on portions of the supply chain least able to adapt to changes and absorb additional costs. Fiber harvesting operations working on non-certified lands are not accustomed to, or capable of, absorbing additional costs and they require more flexibility in their operations due to the "spot" nature of their wood orders and the smaller size of the tracts and ownerships they typically rely on.			
	7. FSC US inappropriately proposes that wood procurement organizations "require" the signing of "Supplier Agreements" and implementation of "Control Measures" on private landowners that have not chosen to voluntarily participate in the FSC scheme, thereby extending FSC's reach beyond willing participants. This is an unacceptable aspect of the FSC National Risk Assessment.			
	13. We are further concerned that FSC US will, by its proposed US National Risk Assessment and Control Measures, effectively drive FSC Certificate Holders, suppliers and landowners away from the FSC Program. FSC would be better served to find ways to make FSC certification more reasonable, cost-effective and affordable and increase the acreage of FSC Certified Forests, of which there are very few within the wood supply region of our primary Controlled Wood procurement facility.			
	14. Due to the lack of analysis and justification for the major expansion of Specified Risk Areas into private lands that have not agreed to participate in the FSC Standards program, FSC US would be well served to retract its proposed Draft US National Risk Assessment, conduct an adequate economic and practical analysis and more effectively engage FSC Certificate Holders, suppliers and private landowners that it seeks to regulate in a more inclusive and open dialogue.			
General	<p>Burden of proof to show fiber is originating from controlled sources is already cumbersome when using company derived risk assessments. Suppliers are asked to provide enough as it is when doing business with an FSC certified company. Asking for more will place FSC participants out of the market allowing noncertified companies to access more economical fiber by not requiring as much.</p> <p>"Specified risk" designation spurs participants to implement control measures. Control measures are set by the NRA working group. Why not allow participants to set their own control measures thus allowing auditors to determine if those control measures meet the spirit and intent of the FSC Controlled Wood Std?</p>	<p>Simplify, simplify, simplify. FSC certified companies must be competitive to do business in the market place. Provide NRA template and guidance. Establish NRA as a simple framework in which companies can fill in the gaps with information that is relevant to their wood procurement catchments.</p>	<p>Thank you for your comment. FSC US has worked to make the second draft of the NRA workable for FSC Certificate Holders. The Control Measures do not identify specific mitigation actions, rather a suite of</p>	Economic

		No need to put information and references to species from all over the country. Develop framework style NRA with specified risks and allow participant to define control measures within parameters.	actions will be identified through a collaborative dialogue at a regional meeting. The collaborative dialogues will be open to non-certified landowners so that they may engage with the process.	
General, Certification	<p>RMS firmly believes all wood from any forest third party certified to the FSC, SFI, or American Tree Farm (ATF) certification schemes should be designated low risk. All three certification systems are credible, each of the three is appropriate for various forest landowners, and third party certification to any of the three provide proof positive of responsible forest management. It is time to move past the “certification wars”, certification politics, and individual stakeholder agendas and openly accept all three certification systems as sources of low risk fiber. Rather than continue petty bickering that wastes time, money, and resources, all three certification schemes should focus on increasing the number of third party certified acres in the United States, and mutually recognize each other as promoting responsible forest management, products that are from sustainably managed forests, and products that end customers can purchase knowing their buying decisions represent an environmentally sound decision.</p> <p>In closing, thank you for the opportunity to provide comments on the FSC US Controlled Wood National Risk Assessment and for your thoughtful consideration of our comments. The United States as a whole grows, harvests and manufactures products from the lowest risk forests in the world. It is a fact and a competitive advantage for private forest landowners in this country. Further, millions of acres of privately and publically owned forestland in the US are third party certified to the FSC, SFI, or ATF forest standards, and wood from any of these forests should be accepted as low risk by FSC, SFI or any other credible chain of custody standards. RMS sees opportunities to grow certified acres using all three of these standards; we strongly urge FSC to adopt a NRA that encourages forest certification rather than seeks opportunities to label wood “high risk”. The end goal of all forest management, procurement, or chain of custody standards should be to encourage responsible forest management, not forward agendas or biases that discourage forest landowners from sustainable forest management. We ask FSC help advance responsible and sustainable management of forests in the United States by recognizing wood from all three certification systems as low risk.</p>		Thank you for your comment	Economic
General, Certification	<p>As a general point, it appears that controlled wood risk assessment is floating more and more towards becoming “FSC-light.” That’s fine if that is the objective of the current FSC controlled wood system. I’m not sure it is, but I think it’s worth examining overall how these measures are implemented. As a result of this NRA, CW assessment will become a far more technical and refined process, including additional protections and measures being implemented. I fear much of this will be a paper exercise with little actual meaning on the ground. In addition, the added paperwork and tracking requirements will likely cause some to leave the system. Again, fine if the goal is to lock down the system. Just not sure how much it really means on the ground...</p>		Thank you for your comment. FSC US has worked to make the second draft of the NRA workable for FSC Certificate Holders. The Control Measures do not identify specific mitigation actions, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
General, Certification	Oregon Wild supports adoption of robust procedures to identify high conservation value forests and other “at risk” values, and effective control measures for avoiding/protecting these values. FSC must seize this opportunity		Thank you for your comment	Environmental

	to strengthen the integrity of the FSC's "green" market claims, and to begin improving forest management and conservation practices on uncertified forests.			
General, Certification	<p>The proposed changes to the FSC CW framework represent a fundamental shift away from a program meant to reasonably minimize the risk of wood from sources widely viewed as unacceptable to an unreasonable and burdensome program requiring landowners and CoC holders to prove the absence of any risk or to implement unreasonable control measures. The proposed shift in the CW process will effectively force a previously-voluntary certification system on landowners through implementation of the NRA, specifically by identification of "critical biodiversity areas", "priority forest types", and "priority T&E species" and protections for each; and commitment to develop "supplier agreements" to implement "control measures". These are but a few examples of the overreach contained in the draft NRA. Finally, we are aware that other parties are making an argument that suggests potential legal challenges to implementation of the CW process and NRA and are watching those developments closely.</p> <p>With respect to these comments, we do not intend to present an exhaustive list of objectionable provisions within the NRA, frankly the list is too long. Instead, below we highlight major concerns and suggest that you consider our comments in the broadest context possible.</p> <p>Recognize wood from all credible third-party certification systems as low risk. In the United States, FSC, Sustainable Forestry Initiative (SFI), and the American Tree Farm System (ATFS) are considered credible certification standards. Environmental activists attempt to suggest otherwise, but for the sake of the environment, FSC needs to disassociate itself from the debate and at a minimum declare wood from SFI and ATFS as low risk. To do otherwise will continue to focus the debate on which certification system is better and detract from the intended purpose of all systems to minimize risk of environmental harm either through direct forest management or procurement of non-certified sources.</p>		Thank you for your comment. FSC US has worked to make the second draft of the NRA workable for FSC Certificate Holders.	Economic
General, Certification	Evergreen Packaging is concerned that FSC US will, by its proposed US National Risk Assessment and Control Measures, effectively drive FSC Certificate Holders, suppliers and landowners away from the FSC Program. FSC would be better served to find ways to make FSC certification more reasonable and affordable and increase the acreage of FSC Certified Forests, of which there are very few in the supply regions of Evergreen Packaging's manufacturing facilities. Evergreen Packaging has taken a leadership position in getting forests certified to FSC standards. Under our Group Membership program (FSC-C112428), Evergreen has worked with over 60 landowners to get over 45,000 acre certified in the area around our Canton, NC pulp and paper mill.		Thank you for your comment. FSC US has worked to make the second draft of the NRA workable for FSC Certificate Holders.	Economic
Part 2: HCV Risk Assessment and Control Measures				
I. Introduction & Summary	<p>High Conservation Value Risk Assessment and Control Measures: The FSC US states that it has determined based upon "expert consultation and discussion among the Controlled Wood Working Group members" that certain High Conservation Values are under significant risk from current forestry activities. As such, Control Measures are required to protect the HCVs from significant threat. Control Measures may either "avoid" materials from unwanted sources or "protect" the values associated with the HCV.</p> <p>In short, FSC US is requiring either "Avoidance" of certain areas, or the imposition of additional regulations implemented and enforced by FSC Certificate Holders on independent landowners. These two principal concepts of the FSC US are not implementable and will likely be subjected to legal challenge.</p>		FSC has worked to improve the documentation and rationale for the risk designations. Additionally, the Control Measures include collaborative dialogues to determine a suite of appropriate mitigation activities that are commensurate with their scale of operations.	Economic
I. Introduction & Summary	We recommend the NRA be structured as a process-based program without specific reference to areas or species that are automatically determined to have specified risk. At a minimum, where specific risks are identified, the NRA should explain how the specific risks were evaluated in enough detail to warrant		The second draft of the NRA includes a much greater level	Economic

	consideration of control measures. The lack of transparency in the proposed process creates significant risk for participating CoC holders as well as the landowners they attempt to procure wood from.		of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest management.	
I. Introduction & Summary	<p>The draft NRA designations represent a focused effort at addressing conservation issues through the Controlled Wood system using Critical Biodiversity Areas, Priority Threatened and Endangered Species, Priority Forest Types, Old Growth, Roadless and Intact Forest Landscapes. What the NRA does not include is a full granular mapping of endangered species across the landscape. Therefore it is critical that the DDS and Control Measures contain sufficient rigor address real concerns about those habitats and species that were not mapped. If there is not a rigorous system, it would be appropriate to reconsider risk designation for those species.</p>		<p>The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest management. Additionally, the scale of risk designations has been reevaluated to make it easier for CHs to determine if there are areas of specified risk within their supply chains. The Control Measures include collaborative dialogues to determine a suite of appropriate mitigation activities that are commensurate with their scale of operations.</p>	Environmental
I. Introduction & Summary	<p>High Conservation Value Risk Assessment and Control Measures: The FSC US states that it has determined based upon "expert consultation and discussion among the Controlled Wood Working Group members" that certain High Conservation Values are under significant risk from current forestry activities. As such, Control Measures are required to protect the HCVs from significant threat. Control Measures may either "avoid" materials from unwanted sources or "protect" the values associated with the HCV.</p> <p>It is of great concern that FSC US has found such expansive areas of "specified risk" for HCVF and is making the process of risk mitigation impossible to achieve under this risk assessment process.</p>		<p>The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened</p>	Economic

			by forest management.	
I. Introduction & Summary	Companies cannot publically blackball a supplier, landowner or region. We all know that work is performed just like electricity travels, down the path of least resistance. Certified companies will avoid these areas if they can afford to do so and noncertified companies will be alerted to a “honey hole” lacking competition due to certification standards. Landowners will experience less return for their forests in these designated areas that encompass private landowners. “What pays, stays!” and “Healthy Markets = Healthy Forests”	Please reconsider the brevity of publically committing FSC participants to avoiding such designated areas (HCVs & Conversion) and allow companies to evaluate the provided information in the NRA, derive their own procedures and be audited upon their actions to ensure they are meeting the spirit and intent of the controlled wood standard. Transparency and integrity still remains but is displayed vaguely in audit reports without having a publicly displayed map.	Thank you for your comments.	Economic
1.1 Summary of Results	We need some sort of geographic feature of the TNC analysis depicted on the webpage. Best option would be to provide these in a series of KML (google earth) files. This should be fairly easy to do and if we want to use this data it needs to be publically available and spatially explicit – which it is NOT on this map.		The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest management. Additionally, the scale of risk designations has been reevaluated to make it easier for CHs to determine if there are areas of specified risk within their supply chains. FSC US also plans to make a shapefile of the areas of specified risk available upon request.	Economic
1.1 Summary of Results	Recognize the Oregon Cascades as an Intact Forest Landscape or a Critical Biodiversity Area The NRA should recognize the federal lands in the Oregon Cascades as an intact forest landscape. This area is partially fragmented by past logging, but it still represents a large intact forest landscape because (1) The spine of the Cascades is protected by numerous wilderness areas (and surrounding roadless areas and Crater Lake National Park), (2) The National Forests in the Oregon Cascades are far more intact than nearby private lands and BLM lands.		These areas were determined by the Critical Biodiversity Areas Dataset that identifies areas with high	Environmental

	<p>See this map showing the concentration of relatively high canopy cover along the Cascades from the Columbia River south to Crater Lake: http://www.oregon.gov/odf/resource_planning/forestatlas/forestland_canopy_cover.jpg and this map showing the concentration of large trees in that same area: http://www.oregon.gov/odf/resource_planning/forestatlas/forestland_tree_size_class.jpg</p> <p>(3) The adoption of the Northwest Forest Plan incorporates a new vision of conservation and restoration of a "functional interconnected old forest ecosystem" with large reserves and provisions for dispersal between those reserves. This intent should be recognized as an intact forest landscape. The Northwest Forest Plan is explicitly intended to conserve "viable populations of the great majority of the naturally occurring species in natural patterns of distribution and abundance" meeting HCV 2. The Late Successional Reserves and riparian reserves adopted in the Northwest Forest Plan can be considered an improvement on the critical habitat designations because they are based on ecosystem conservation, rather than single-species management.</p>		<p>concentrations of rare species. These areas were then assessed to determine if they are being threatened by forest management. This methodology, and therefore results, remains unchanged in the second draft of the NRA, although additional documentation and rationale have been provided.</p>	
	<p>(4) The Oregon Cascades represents the heart of the Northwest Forest Plan, which is an interagency plan specifically intended to protect biodiversity within the range of the Threatened northern spotted owl. More than 1100 old-forest-associated species have been identified in this region. This represents high biodiversity for a temperate conifer forest landscape. The biodiversity of the Oregon Cascades are significant at regional or national (if not global) levels. See http://www.blm.gov/or/plans/nwfpnepa/</p> <p>5) The Northwest Forest Plan in the Oregon Cascades represent a great step towards climate change adaptation because the NFP reserve network protects a large landscape with opportunities for wildlife migration along north-south gradient following the spine of the Cascades, as well as complex topography that offers opportunities for wildlife to move along elevation gradients. The Northwest Forest Plan also provides for connectivity between reserves via riparian reserves and other protective standards.</p> <p>6) The Northwest Forest Plan in the Oregon Cascades represents a great contribution toward climate change mitigation because these cool moist forests store a globally significant amount of carbon.</p>			
1.1 Summary of Results	<p>Definition of HCVs. The definition of HCVs has been significantly expanded and is overly broad and redundant with existing forest practices regulations and other laws in the United States. The proposed CW process also incorporates all of the HCV-related standards in the FSC Principles and Criteria or national standards, effectively leaving little difference between the CW program and FSC forest certification. Again, this overreach suggests that the CW program is becoming as onerous as FSC forest management certification, which a landowner may voluntarily choose not to use. In the context of CW, definitions will be imposed on landowners, potentially without their knowledge or participation, and there will inevitably be inconsistent interpretations of HCV requirements. Such inconsistencies will likely come from stakeholders during the development of risk assessments and by auditors during implementation. This, in turn, will lead to disputes, complaints, and inconsistent enforcement of HCV risk criteria. To address these defects, the definition of HCVs should be narrowly tailored to achieve the supported goal of avoiding wood from truly "unacceptable" sources. At a minimum, the CW system should retain the existing criteria to assess risk to HCVs at an ecoregion or coarser level.</p> <p>Specific HCV delineations and control measures. The specific delineation of "critical biodiversity areas", "priority forest types", and "priority T&E species" creates a prescriptive methodology for defined areas of specified risk. Such prescriptive assignments of both the resource and control measures are not consistent with common practice of conducting risk assessments. A due diligence system should describe the intent whereas the system developed by the CoC holder should identify the risks and prescribe the control measures. It is a dangerous precedent to use expert opinion or other non-transparent processes to create high- risk categories that require landowners to implement control measures that are open-ended and go well beyond legal requirements. Furthermore, the CW process references NatureServe as a source for species location data.</p>		<p>The second draft of the NRA includes a much greater level of documentation for how the HCVs were analyzed and more rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest management. Additionally, the scale of risk designations has been reevaluated to make it easier for CHs to determine if there are areas of specified risk</p>	Economic

			within their supply chains.	
1.1 Summary of Results	In Michigan, areas of low risk identified as “GAP Status 2” on the TNC analysis web map (http://foreststewardshipcouncil.s3.amazonaws.com/index.html) appear to include all U.S. Forest Service lands, as opposed to only those areas with permanent protections such as Congressionally Designated Wilderness Areas	Only include U.S. Forest Service lands with GAP Status 2 protections.	Thank you for your comment.	Economic
1.1 Summary of Results	<p>Appvion is concerned that the National Risk Assessment is based more on perception and values than on good science and research information. Terms such as “potential” and “may impact” appear numerous times with respect to “threats.” The NRA presents no technical basis for perceptions that, for example, “shovel logging” may result in undesirable regeneration and that “Alabama BMPs” may not adequately protect aquatic resources.</p> <p>Appvion is concerned that the NRA is overly value driven and based in part on stakeholder inputs and through consultation with unnamed "regional experts. The NRA presents no information about the qualifications of the regional experts who selected areas for further protection or methods and criteria that were used.</p>		The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest management. Additionally, the scale of risk designations has been reevaluated to make it easier for CHs to determine if there are areas of specified risk within their supply chains.	Economic
II. HCV Assessment Framework	<p>The table needs lots more explanation. I feel like I’m reading latin. I have no idea what is being referenced, were the thresholds came from, and what exactly each column is supposed to denote. Please revise and provide some context for the table so the reader understands what exactly they are looking at!</p> <p>Should probably make it clear that the dataset background and reference information is contained later in the document. I was incensed going through this wondering where these phantom data sets were to be found until I later found the section discussing and referencing each one.</p>		The second draft of the NRA uses the FSC International template and includes references to all data sources used.	Economic
III. HCV 1 - Species Diversity	<p>Explanatory for the Framework: Many of suggested impacts on Priority T&E Species and Critical Biodiversity Areas are not controlled or influenced by wood procurement organizations that are FSC Certificate Holders. Many of these potential threats are heavily influenced by larger societal issues involving the public, large public land management agencies and others. For example, altered fire regimes, grazing, development pressures and lack of management are not influenced by FSC Certificate Holders. Even logging practices, construction of forest roads, and other forestry practices cited by FSC US are beyond the control or influence of procurement organizations. Procurement organizations do not plan or manage forest resource activities.</p>		The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest management. Additionally, the scale of risk designations has been reevaluated	Economic

			to make it easier for CHs to determine if there are areas of specified risk within their supply chains.	
3.1 HCV 1 Def. & Guidance	<p><u>The High Conservation Value (HCV) Guidance does not clearly recognize and state certain HCV species require active management to maintain their habitats.</u> Longleaf pine forests, bottomland hardwoods, early successional neotropical migratory birds, red cockaded woodpeckers, and gopher tortoises are just a small sample of the forest types and species that benefit from active forest management, including harvesting. Many wildlife and plant species, including some that are federally listed, G1 or G2 ranked or are otherwise considered rare or uncommon depend on early successional stage habitats or habitats created by active forest management. Some, like the gopher tortoise, readily seek open canopy areas where sunlight hits the forest floor and stimulates growth of herbaceous species. Many highly desirable bottomland hardwood species, such as the red or white oak species groups, must have opening in the canopy to ensure successful regeneration. The guidance as drafted seems to automatically place wood from these forest types or species habitats in the “high risk” category. Forest landowners who have management plans in place for these type habitats or species should not be considered a high risk source of wood.</p>		The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest management. Additionally, the scale of risk designations has been reevaluated to make it easier for CHs to determine if there are areas of specified risk within their supply chains. The Control Measures include collaborative dialogues to determine a suite of appropriate mitigation activities to address threats to an HCV that is designated as specified risk.	Economic
3.1 HCV 1 Def. & Guidance	<p>Wording on shovel logging and BMP implementation appears in many spots where no data has been proven to highlight that this is actually an issue on the ground. Until data is supported in a sufficient manner the wording should be removed. This insertion method during standards development is counterproductive to building trust within the certificate holder basis and is creating additional unnecessary negative opinions during a crucial time where the standards are in the process of being developed.</p> <p>Cape fear arch: IP is concerned with Stakeholder (opinions) comments directing whether or not shovel logging is an issue in Pocosin/Carolina Bays. Logging by itself should not change regeneration.</p>	<p>The IC guidance is to write control measures and standards that are written using the SMART acronym. If the control measure or standard cannot follow this and be supported by peer reviewed scientific literature, language should be revised or removed.</p> <p>HCV section 3.3.1 remove BMP wording</p>	<p>This wording has been removed from the second draft of the NRA. This draft includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of</p>	Economic

		Cape fear arch: Remove the reference to stakeholder perspective.	whether or not the HCV is threatened by forest management.	
3.1 HCV 1 Def. & Guidance	In addition, there are concerns about habitat protections for salmon in states like Oregon where the forestry rules are weak. See section 9.1. In that case, reliance on BMPs and other state measures are insufficient control measures.		The methodology for identifying individual species changed from expert opinion to the more systematic approach that uses the NatureServe database and assessing the threats to each species from forest management activities. The resulting list of species is quite different than that included in the first draft.	Environmental
3.2 Identification of HCV1	<u>RMS strongly encourages FSC to clearly focus on how forest management and third party certified acres can promote habitat for “Priority Threatened and Endangered Species”, rather than using their presence as a criteria for “high risk “ wood.</u> The list provided in the NRA runs the gamut from species that utilize mature forests (spotted owls and marbled murrelets) to those that require young forest conditions (Kirklands’s Warbler) to those that require clean water (Anadromous Salmoids) to those that need canopy openings and herbaceous vegetation (gopher tortoise). Many working forests are managed for wood and wood products AND for habitat for these and other species in need of conservation attention. To blanket use these or any other species as an automatic criteria for “high risk” wood will very clearly have unintended consequences of additional costs and barriers for private working forest owners that could lead to adverse changes in land tenure or land use. A much better path forward is one that encourages landowners to manage lands for rare species, rather than creating disincentives for land ownership and use.		The methodology for identifying individual species changed from expert opinion to the more systematic approach that uses the NatureServe database and assessing the threats to each species from forest management activities. The resulting list of species is quite different than that included in the first draft. The Control Measures do not include specific requirements, rather there will be a collaborative dialogue where a suite of mitigations will be developed.	Economic
3.2 Identification of HCV2	Very odd that HCV 1 – critical biodiversity areas – appears to be a very broad circle in a portion of northern California in our footprint. Are these the hexagons discussed in the TNC report?		These areas were determined by the Critical Biodiversity	Economic

	I would like a list of experts consulted and their background. It is not at all transparent to say, “we consulted experts.”		Areas Dataset that identifies areas with high concentrations of rare species. These areas were then assessed to determine if they are being threatened by forest management. This methodology, and therefore results, remains unchanged in the second draft of the NRA, although additional documentation and rationale have been provided.	
3.2 Identification of HCV3	Due to the lack of analysis and justification for the major expansion of Specified Risk Areas into private lands that have not agreed to participate in the FSC Standards program, FSC US would be well served to retract its proposed US National Risk Assessment, conduct an adequate economic and practical analysis and more effectively engage FSC Certificate Holders, suppliers, and private landowners that it seeks to regulate in a more inclusive and open dialogue.		The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest management. Additionally, the CMs include the use of regional collaborative dialogues that will include all interested stakeholders, including non-certified landowners.	Economic
3.2 Identification of HCV4	Our procurement organization does not have technical expertise in identifying critical biodiversity areas. We have chosen not to comment on this question at this time.		Thank you for your comment.	Economic
3.2 Identification of HCV5	<p>The National Risk Assessment (NRA) identified Critical Biodiversity Areas based on a species richness index developed by NatureServe and The Nature Conservancy (Chaplin et al. 2000). The analysis by Chapin et al. (2000) identified concentrations of “biodiversity” based on occurrences from NatureServe of 2,800 rare species in the U.S., weighting each species proportional to its range.</p> <p>The NatureServe element occurrence data provides sound information about observations of rare species. However, the database and the analysis have certain limitations. For example, there have been no uniform</p>	The NRA could be strengthened by discussing the extent to which uneven survey effort for element occurrences and occurrences of non-forest species may have influenced	The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations,	Economic

	<p>surveys for rare species across the nation. Thus, the geographic distribution of element occurrences is influenced by survey effort and additional observations may remain undiscovered due to a lack of surveys. Also, as the NRA acknowledges, the index based on these data is influenced by non-forest species. Although, the National Risk Assessment presents no information about the extent of that influence it concludes that, “in areas that are predominantly forested or forest matrix it should be representative of biodiversity per HCV1.” The NRA presents no test of this assumption.</p> <p>The NRA states that Priority Habitats in Critical Biodiversity Areas “were identified in part through consultation with regional experts,” and that “Priority habitats were selected based on habitat types that were determined to be representative of the biodiversity associated with the area.” However, the NRA presents no information about the regional experts who selected the areas or the methods and criteria that they used. Based on the methods used to identify the Critical Biodiversity Areas, readers of the NRA are led to assume that the Priority Habitats were selected because they support unusual concentrations of rare species. However, no evidence of this relationship is presented. For which species are the Priority Habitats important? Identifying these relationships would greatly strengthen the NRA.</p>	<p>the delineation of Critical Biodiversity Areas.</p> <p>The NRA could be strengthened by describing the regional experts who selected the Priority Habitats in the Critical Biodiversity Areas, and the methods they used.</p> <p>The NRA could be strengthened by describing the regional experts who selected the Priority Habitats in the Critical Biodiversity Areas, and the methods they used.</p>	<p>including an assessment of whether or not the HCV is threatened by forest management. These areas were determined by the Critical Biodiversity Areas Dataset that identifies areas with high concentrations of rare species. These areas were then assessed to determine if they are being threatened by forest management. This methodology, and therefore results, remains unchanged in the second draft of the NRA, although additional documentation and rationale have been provided and the focus has shifted to the entire CBA rather than specific habitats within the CBA.</p>	
3.2 Identification of HCV6	<p>Critical Biodiversity Areas: Descriptions of the Priority Habitats identify “potential” threats that are unsupported by citations from the peer reviewed scientific literature and appear speculative. Terms such as “potential” and “may” appear numerous times with respect to “threats.” Some of these potential threats are clearly unsupported by scientific information.</p>		<p>The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest management. These areas were determined by the Critical Biodiversity Areas Dataset that identifies areas</p>	Economic

			with high concentrations of rare species. These areas were then assessed to determine if they are being threatened by forest management. This methodology, and therefore results, remains unchanged in the second draft of the NRA, although additional documentation and rationale have been provided and the focus has shifted to the entire CBA rather than specific habitats within the CBA.	
3.2 Question for Consultation	<p>Priority Habitats: The NRA states that Priority Habitats in Critical Biodiversity Areas “were identified in part through consultation with regional experts,” and that “Priority habitats were selected based on habitat types that were determined to be representative of the biodiversity associated with the area.” However, the NRA presents no information about the regional experts who selected the areas or the methods and criteria that they used. Based on the methods used to identify the Critical Biodiversity Areas, readers of the NRA are led to assume that the Priority Habitats were selected because they support unusual concentrations of rare species. However, no evidence of this relationship is presented.</p> <p>The Priority Habitats do not appear to align with an established ecosystem classification system. Furthermore, descriptions in the NRA of some Priority Habitats do not contain sufficient detail to facilitate identification in the field. Because they are within Critical Biodiversity Areas identified based on element occurrence data from NatureServe, a logical approach would have been to identify Priority Habitats using NatureServe Ecological Systems (Comer et al. 2003) or U.S. National Vegetation Classification Alliances or Associations (Jennings et al. 2009). Such an alignment would allow a list of associated rare species to be developed and would enhance the ability of forest managers to identify these Priority Habitats.</p>		<p>The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest management. These areas were determined by the Critical Biodiversity Areas Dataset that identifies areas with high concentrations of rare species. These areas were then assessed to determine if they are being threatened by forest management. This methodology, and</p>	Economic

			therefore results, remains unchanged in the second draft of the NRA, although additional documentation and rationale have been provided and the focus has shifted to the entire CBA rather than specific habitats within the CBA.	
3.2 Question for Consultation	Priority T and E species	More on this list later, but I certainly don't think you covered an expansive list of T and E species that meet this criteria – seems these were cherry-picked – oddly, 3 of the 6 species were from the Pacific Coast! I had no idea 50% of the country's most priority T and E species were found in my region – and all of them in California. Wow!	The methodology for identifying individual species changed from expert opinion to the more systematic approach that uses the NatureServe database and assessing the threats to each species from forest management activities. The resulting list of species is quite different than that included in the first draft.	Economic
3.2 Question for Consultation	State or federally listed threatened or endangered species lists are readily available for public access through online databases. The broad geographic designations of specified risk and required control measures will impose significant, unwarranted cost and require resources not readily available to certificate holders, landowners and loggers. It will be difficult for certificate holders to monitor and enforce this requirement, given the number of small private landowners in the United States. To identify critical biodiversity areas at the FMU level, certificate holders will need resources such as staff experts, government agency consultation, or utilize services of contractor biologists, ecologists specializing in plants and wildlife. Most certificate holders do not have technical expertise in identifying critical biodiversity areas without contacting outside technical resources at significant cost.		The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest management. FSC US' intent is to provide resources to assist CHs in determining whether or not an HCV is present	Economic

			within their supply area.	
3.2 Question for Consultation	Our procurement organization does not have technical expertise in identifying critical biodiversity areas. We have chosen not to comment on this question at this time.		Thank you for your comment	Economic
3.2 Question for Consultation	<p>The Priority Habitats do not appear to align with an established ecosystem classification system. Furthermore, descriptions in the NRA of some Priority Habitats do not contain sufficient detail to facilitate identification in the field. Because they are within Critical Biodiversity Areas identified based on element occurrence data from NatureServe, a logical approach would have been to identify Priority Habitats using NatureServe Ecological Systems (Comer et al. 2003) or U.S. National Vegetation Classification Alliances or Associations (Jennings et al. 2009). Such an alignment would allow a list of associated rare species to be developed and would enhance the ability of forest managers to identify these Priority Habitats.</p> <p>Descriptions of the Priority Habitats identify “potential” threats that are unsupported by citations from the peer-reviewed scientific literature and appear speculative. Terms such as “potential” and “may” appear numerous times in Section 3.3.1 with respect to “threats.” Some of these potential threats are clearly unsupported by scientific information. For example, in the description of Pocosins/ Carolina Bays in the Cape Fear Arch, the NRA states that “Some stakeholder perspective that ‘shovel-logging’ of these mesic sites may result in undesirable regeneration.” However, the NRA presents no technical basis for this perception.</p> <p>Similarly, the description of “Montane Longleaf Pine” suggests that the use of forest herbicides will potentially harm biodiversity although studies such as Iglay et al. (2014) have shown that herbicides can be used to maintain high levels of understory plant diversity.</p> <p>The NRA suggests that sedimentation from forest management activities is a threat to biodiversity values in the Apalachicola Bay/River System in the Florida Panhandle and in the Oachita River Valley. However, the NRA presents no evidence to support these assertions, which contrast with the fact that the overall rate of implementation of forestry best management practices</p>		<p>The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest management. These areas were determined by the Critical Biodiversity Areas Dataset that identifies areas with high concentrations of rare species. These areas were then assessed to determine if they are being threatened by forest management. This methodology, and therefore results, remains unchanged in the second draft of the NRA, although additional documentation and rationale have been provided and the focus has shifted to the entire CBA rather than specific habitats within the CBA.</p>	Economic
3.2 Question for Consultation	The priority Threatened & Endangered species are federally listed, and therefore already afforded legal protection under the Endangered Species Act. Procurement managers are knowledgeable of the ESA requirements and the addition of control measures is of questionable value.		The methodology for identifying individual species changed from expert opinion to the more systematic	Economic

			approach that uses the NatureServe database and assessing the threats to each species from forest management activities. The resulting list of species is quite different than that included in the first draft.	
3.2 Question for Consultation	<p>Sierra Nevada Mixed Conifer Stands Control Measure: Compliance with CA Forest Practice Rules and SFI Fiber Sourcing indicators should be sufficient to ensure compliance.</p> <p>Coastal Prairies and Montane Meadows Control Measure: Requirement to conduct surveys is ill defined and onerous</p> <p>Mixed Conifer Klamath-Siskiyou Control Measure: Area currently adapted to lo-mid fire severity and frequency. Compliance with existing BMPs and Oregon Forest Practice Act should be sufficient to ensure compliance.</p> <p>Aquatic Habitats Southern Appalachians Control Measure: Cahaba River watershed is the center of the biodiversity hotspot. Compliance with existing BMPs should be adequate to ensure compliance.</p> <p>Bibb County Glades Southern Appalachians Control Measure: Area is already protected. Located within the TNC Bibb County Glades Preserve which is located within Cahaba River National Refuge.</p> <p>Longleaf Pine Habitats Control Measures: Biodiversity value driven in part by understory plant community. Where landowners choose to maintain longleaf pine ecosystems is a landowner decision. Current systems can be protected by existing regulatory and non-regulatory rules and guidelines.</p> <p>Apalachicola Bay and Steephead ravine along Apalachicola River System- Current compliance with relevant state BMPS protect both systems.</p> <p>Pine Flatwoods Control Measure: Compliance with state forestry and wildlife BMPs and SFI Fiber Sourcing rules should be adequate to ensure compliance.</p>	<p>Sierra Nevada: Compliance with CA Forest Practice Rules and SFI Fiber Sourcing indicators should be sufficient to ensure compliance.</p> <p>Klamath Siskiyou: Compliance with existing BMPs and Oregon Forest Practice Act should be sufficient to ensure compliance.</p> <p>Southern App. Aquatics: Compliance with existing BMPs should be adequate to ensure compliance.</p> <p>Bibb County Glades: Located within the TNC Bibb County Glades Preserve which is located within Cahaba River National Refuge and have sufficient protection</p>	<p>The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest management. These areas were determined by the Critical Biodiversity Areas Dataset that identifies areas with high concentrations of rare species. These areas were then assessed to determine if they are being threatened by forest management. This methodology, and therefore results, remains unchanged in the second draft of the NRA, although additional documentation and rationale have been provided and the focus has shifted to the entire CBA rather than specific</p>	Economic

			habitats within the CBA.	
		<p>Longleaf Pine: Adequately protected under existing regulatory and non-regulatory rules and guidelines.</p> <p>Apalachicola Bay & Steephead Ravines: Current compliance with relevant state BMPS protect both systems.</p> <p>Pine Flatwoods Compliance with state forestry and wildlife BMPs and SFI Fiber Sourcing rules should be adequate to ensure compliance.</p>		
3.2 Question for Consultation	Appvion does not currently have technical expertise in identifying critical biodiversity areas. We have chosen not to comment on this question at this time.		Thank you for your comment	Economic
3.2 Question for Consultation	The selection of endangered species that are vertebrates, directly affected by forest management is an unusual inclusion. How will new science or facts derived from future studies be included in a risk assessment? Will the CWWV update the NRA annually as companies have done to their own risk assessments in the past?	Selection of “darling species or landscapes” should be eliminated from the NRA.	The methodology for identifying individual species changed from expert opinion to the more systematic approach that uses the NatureServe database and assessing the threats to each species from forest management activities. The resulting list of species is quite different than that included in the first draft.	Economic
3.3 HCV1 Risk Designation	<p>The NRA states that the list of Priority Threatened and Endangered species was developed based on the following criteria:</p> <ul style="list-style-type: none"> • State or Federally-listed Threatened or Endangered species • Vertebrates • Commonly recognized as being a keystone species, indicator species, or otherwise representative of a given forested landscape • Global Rarity • Forest-dependent • Directly affected by forest practices <p>However, NRA acknowledges that the list of selected species is inherently value driven and based in part on</p>		The methodology for identifying individual species changed from expert opinion to the more systematic approach that uses the NatureServe database and assessing the	Economic

	<p>stakeholder input. Because of the subjective nature of the selection process, it is not possible to develop a list of “the most appropriate species.” The Priority Threatened & Endangered Species all are federally listed and, thus, already are afforded protections of the Endangered Species Act. Thus, managers are already cognizant of the need to minimize risk of “take,” copious guidelines from federal and state agencies already exist, and the added value of the Control Measures is unclear. There is even the possibility that the Control Measures could conflict with federal and state rules and regulations.</p> <p>Other Control Measures require actions which may be beyond the capacity of individual landowners. For example, the Control Measures for Kirkland’s warbler suggest that land owners should “conduct harvest operations in a manner sufficient to maintain the distribution and extent of mid-seral Jack Pine (aged 6-22 years) across the landscape.” However, individual landowners may have limited area of Jack Pine forest on their land and no data on the age-class distribution of Jack Pine across the landscape or intentions of other landowners. Thus, landowners may be unable to implement the proposed Control Measure for this species.</p>		<p>threats to each species from forest management activities. The resulting list of species is quite different than that included in the first draft.</p>	
3.3 HCV1 Risk Designation	<p>The Critical Biodiversity Areas identified as high risk priority habitats fail to take into account many of these habitats are established, maintained and protected from conversion to other uses because they are managed as working forests, and fail to recognize millions of acres in these areas are third party certified to either the SFI or ATF standards which should qualify wood from those forests as low risk. Certainly, many of the Critical Biodiversity Areas are important from a biodiversity standpoint. However, the Risk Assessment fails to clearly recognize working forests can and do protect biodiversity values within them, and a blanket “high risk” designation will have significant unintended consequences by taking away incentives to keep these working forests in forested conditions.</p>		<p>The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest management. These areas were determined by the Critical Biodiversity Areas Dataset that identifies areas with high concentrations of rare species. These areas were then assessed to determine if they are being threatened by forest management. This methodology, and therefore results, remains unchanged in the second draft of the NRA, although additional documentation and rationale have been provided and the focus has shifted to the entire CBA rather than specific</p>	Economic

			habitats within the CBA.	
3.3 HCV1 Risk Designation	It's unclear but I think the part of Mendocino county that fits in the critical biodiversity area on the map is considered part of the California coastal prairies and montane meadows section. But I'm a bit challenged here since 3.2.1.1 mentioned that only "forest associated" biodiversity was considered. Seems an overreach for controlled wood to require controlled wood suppliers to MANAGE prairies and montane meadows.	The best option here is to simply put in a control measure that states montane meadows and coastal prairies will not be planted with conifers. I think expecting controlled material providers to MANAGE these stands to maintain their status via burning or harvest (controlled burning can be a very difficult issue to manage in many areas; especially within the Wildland-Urban interface; also, the Forest Practice Rules in California are only now being changed to allow exemptions for managing meadows so that conifers can be harvested without replanting – which is what you are asking for here). I'm jumping ahead – will get to this more in the control measures section.	The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest management. Additionally, the scale of risk designations has been reevaluated to make it easier for CHs to determine if there are areas of specified risk within their supply chains.	Economic
3.3 HCV1 Risk Designation	Oregon Wild also supports identified Priority Threatened and Endangered Species, especially northern spotted owl, marbled murrelet, and listed anadromous salmon. Listed Bull trout should also be added to the list. Other forest-dwelling species that should be recognized include: Pacific fisher (proposed for listing), Humboldt marten (may be warranted), and the North Coast Range DPS of the dusky red tree vole (warranted but precluded).		The methodology for identifying individual species changed from expert opinion to the more systematic approach that uses the NatureServe database and assessing the threats to each species from forest management activities. The resulting list of species is quite different than that included in the first draft.	Environmental
3.3 HCV1 Risk Designation	The critical biodiversity areas seem to be primarily based on water quality issues. Broad levels of BMP compliance are generally in place and are shown to be effective to control the impacts of timber harvesting on these issues. It is important that the NRA keep separate the impacts of timber harvesting and other activities on these ecosystems. The report notes that erosion and sedimentation from poor practices is the primary threat from timber harvesting. This may be true, but numerous studies and annual reviews have also shown that erosion and sedimentation from timber harvesting does not have a significant impact on the water quality in		The second draft of the NRA includes a much greater level of documentation and rationale provided for the	Economic

	<p>these regions. These areas are being impacted by forces outside of the forest products industry. Where it has been shown that timber harvesting does not significantly impact the water quality values associated with these forest types, they should be removed from the NRA. The “values based” portion of this appears lopsided. This effort needs to be scientifically based and include the values of the companies operating in these regions and the people that live and work there.</p>		<p>risk designations, including an assessment of whether or not the HCV is threatened by forest management. Additionally, the scale of risk designations has been reevaluated to make it easier for CHs to determine if there are areas of specified risk within their supply chains.</p>	
3.3 HCV1 Risk Designation	<p>Central California:</p> <ul style="list-style-type: none"> • Sierra Nevada mixed conifer stands: good <p>Klamath – Siskiyou:</p> <ul style="list-style-type: none"> • Mixed Conifer Stands: good <p>Southern Appalachians:</p> <ul style="list-style-type: none"> • Aquatic Habitats - are explained well. Along with associated issues with forest management, i.e. sedimentation. • Glades - this one is written like someone has a personal issue with it. “Potentially harmed by logging” and other activities that “may not recognize the values” are not specific enough to include in this type of classification. The other definitions point to specific practices and reasons those practices should be limited. • Montane Longleaf - also well-reasoned and specifics given for threats to diversity. <p>Florida Panhandle:</p> <ul style="list-style-type: none"> • Longleaf pine habitats – good. Just like Montane • Apalachicola Bay/river system: also good and well-reasoned. • Steephead ravines - no reason in terms of issues like sedimentation. Again, like the Glades, nothing is listed. <p>What are the potential threats from management? (specifically)</p>		<p>The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest management.</p>	Economic
	<p>Central Florida:</p> <ul style="list-style-type: none"> • Pine Flatwoods – good. <p>Cape Fear Arch:</p> <ul style="list-style-type: none"> • Pocosins/Carolina Bays – most bays have a large cypress component, with some pine overstory, seems “shovel logging” is the sole reason identified as creating undesirable vegetation and does not present a sound ecological risk due to management. <p>Ouachita River Valley:</p> <ul style="list-style-type: none"> • Aquatic Habitats: good <p>Central Appalachians:</p> <ul style="list-style-type: none"> • Karst Habitats: Sedimentation seems to be the driving factor; which is hard to control with the soils and terrain in this region, but can be reduced with proper implementation of BMPs and monitoring by forest managers. 			
3.3 HCV1 Risk Designation	<p>The control Measures outlined in the draft NRA for species listed under the federal Endangered Species Act appear to be limited to six specific species, but the reasons for identifying these species are not given. The current CW standard does not go to the species-specific level, both on its face and as applied in the existing risk assessments. (Note that Weyerhaeuser benchmarked all of the risk assessments covering our supply areas, which cover all of the southern US and western US and Canada.) The reasons are that individual species do not rise to the global/regional/national level of concern relevant under the CW standard, and that timber purchasers can address the risks by expecting compliance with the Endangered Species Act (ESA) and conservation agreements and incentive programs in the US. This means purchasers are not asked to enforce a different level of protection themselves through their supply chains. If these reasons are no longer valid to find low risk then the NRA should explain why. And in doing so, it will be important to explain how the list nevertheless is limited to</p>	<p>Re-evaluate the six species designated and explain why existing law, conservation agreements, and other programs are not adequate to address risk in the US. Explain the basis for decisions so that auditors can defend them in the face of complaints, and so</p>	<p>The methodology for identifying individual species changed from expert opinion to the more systematic approach that uses the NatureServe database and</p>	Economic

	<p>six species. The proposed Controlled Wood standard will allow for a much longer and open-ended list of “High Conservation Values,” and the standard has many opportunities for stakeholder complaints and appeals. When these occur, how will FSC auditors defend the decisions in the NRA? Without a strong statement of defensible criteria, what species are covered and what landowners must do is left unclear and vulnerable to challenge.</p>	<p>landowners and other participants know what to expect as they evaluate whether to participate in the CW system.</p>	<p>assessing the threats to each species from forest management activities. The resulting list of species is quite different than that included in the first draft.</p>	
3.3 HCV1 Risk Designation	<p>Descriptions of the Priority Habitats identify “potential” threats that are unsupported by citations from the peer-reviewed scientific literature and appear speculative. Terms such as “potential” and “may” appear numerous times in Section 3.3.1 with respect to “threats.” Some of these potential threats are clearly unsupported by scientific information. For example, in the description of Pocosins/ Carolina Bays in the Cape Fear Arch, the NRA states that “Some stakeholder perspective that ‘shovel-logging’ of these mesic sites may result in undesirable regeneration.” However, the NRA presents no technical basis for this perception. Recent research by Kimberly Bohn and Matthew Cohen (School of Forest Resources and Conservation, University of Florida) recently evaluated plant communities in forested wetlands following mat logging, when conducted in accordance with Florida best management practices. The authors found that mat-logging BMP’s clearly reduced extent and impact of skid trails on soil displacement, rutting, and microtopography. They also found that mat-logged sites appeared to have similar species composition to reference wetland sites and with more cypress stems in dominant positions. A publication from this research project is under development. Similarly, the description of “Montane Longleaf Pine” suggests that the use of forest herbicides will potentially harm biodiversity although studies such as Iglay et al. (2014) have shown that herbicides can be used to maintain high levels of understory plant diversity. The NRA suggests that sedimentation from forest management activities is a threat to biodiversity values in the Apalachicola Bay/River System in the Florida Panhandle and in the Oachita River Valley. However, the NRA presents no evidence to support these assertions, which contrast with the fact that the overall rate of implementation of forestry best management practices in Florida during 1997 – 2011 ranged from 96% to 99% (Southern Group of State Foresters 2012), with implementation rates likewise being high elsewhere.</p> <p>The NRA provides no description of which rare species are to be addressed by the Control Measures. It also is unclear how Control Measures for some Priority Habitats can be implemented. For example, forest harvesting by definition alters stand-level structure and, as a result, associated plant and animal communities change. Yet, the Control Measure for Sierra Nevada Mixed Conifer Stands in California and Mixed Conifer Stands in the Klamath-Siskiyou recommend that stand-level species and structural diversity be maintained over time.</p>		<p>The Priority Forest Types were developed by the NRA WG using the US FM standard as guidance, along with additional input from stakeholders. These areas were then assessed to determine if they are being threatened by forest management.</p> <p>The methodology for identifying individual species changed from expert opinion to the more systematic approach that uses the NatureServe database and assessing the threats to each species from forest management activities. The resulting list of species is quite different than that included in the first draft.</p>	Economic
3.3 HCV1 Risk Designation	<p>Lack of Criteria to Limit Priority Forest Types and Species-Specific Control Measures. The new FSC procedures (FSC-PRO-60-002 and 60-002a) are quite detailed about the broad range of information that must be considered in an NRA. With regard to High Conservation Value Forests (HCVFs), for example, FSC-PRO-60-002a spells out a detailed list of ecological factors that must be considered. The draft NRA arrives at various conclusions and risk designations for HCVFs. And while some of the conclusions appear to be reasonable, the draft NRA does not adequately explain how the elements in FSC-PRO-60-002a were evaluated. Without an explanation of this methodology the draft NRA is susceptible to challenge, and participants cannot anticipate how additional risk designations may be made in the future. This creates significant risk for participating companies who rely on the</p>		<p>The Priority Forest Types were developed by the NRA WG using the US FM standard as guidance, along with additional input from</p>	Economic

	<p>NRA. The draft NRA should “show its work” and better articulate how its conclusions meet the prescriptive requirements of FSC-PRO-60-002 and 60-002a.</p>		<p>stakeholders. These areas were then assessed to determine if they are being threatened by forest management.</p> <p>The methodology for identifying individual species changed from expert opinion to the more systematic approach that uses the NatureServe database and assessing the threats to each species from forest management activities. The resulting list of species is quite different than that included in the first draft.</p>	
<p>3.3 HCV1 Risk Designation</p>	<p>Appvion is concerned that the NRA provides no description of which rare species are to be addressed by the Control Measures in priority habitats. Vague Control Measures such as “maintain structural diversity and stand-level species” are not implementable and would be next to impossible to monitor and evaluate effectiveness of measures.</p> <p>The list contains federally-identified threatened and endangered species known to be sensitive to habitat modification and thus to forest management activities consistent with the criteria in 3.2.1.3. Most lands managed in regions where these species are found are managed to protect the species or their habitats, including many of the Control Measures in Section IX.</p>		<p>The Priority Forest Types were developed by the NRA WG using the US FM standard as guidance, along with additional input from stakeholders. These areas were then assessed to determine if they are being threatened by forest management.</p> <p>The methodology for identifying individual species changed from expert opinion to the more systematic approach that uses the NatureServe</p>	<p>Economic</p>

			database and assessing the threats to each species from forest management activities. The resulting list of species is quite different than that included in the first draft.	
3.3 HCV1 Risk Designation	Who or what body determines that these are affected adversely by forest management? i.e Many debates take place about bat populations being affected by forest management when science shows that it improves habitat suitability.	Allow participants to follow state forest & wildlife assessments/strategies in which they have a voice in developing with their local forestry/wildlife agency.	The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest management. Additionally, the scale of risk designations has been reevaluated to make it easier for CHs to determine if there are areas of specified risk within their supply chains.	Economic
3.3 Question for Consultation Critical Biodiversity and species designations	<p>Priority Habitats: The NRA states that Priority Habitats in Critical Biodiversity Areas “were identified in part through consultation with regional experts,” and that “Priority habitats were selected based on habitat types that were determined to be representative of the biodiversity associated with the area.” However, the NRA presents no information about the regional experts who selected the areas or the methods and criteria that they used. Based on the methods used to identify the Critical Biodiversity Areas, readers of the NRA are led to assume that the Priority Habitats were selected because they support unusual concentrations of rare species. However, no evidence of this relationship is presented.</p> <p>The Priority Habitats do not appear to align with an established ecosystem classification system. Furthermore, descriptions in the NRA of some Priority Habitats do not contain sufficient detail to facilitate identification in the field. Because they are within Critical Biodiversity Areas identified based on element occurrence data from NatureServe, a logical approach would have been to identify Priority Habitats using NatureServe Ecological Systems (Comer et al. 2003) or U.S. National Vegetation Classification Alliances or Associations (Jennings et al. 2009). Such an alignment would allow a list of associated rare species to be developed and would enhance the ability of forest managers to identify these Priority Habitats.</p>		These areas were determined by the Critical Biodiversity Areas Dataset that identifies areas with high concentrations of rare species. These areas were then assessed to determine if they are being threatened by forest management. The second draft of the NRA analyzes the CBAs as a whole rather than individual habitats	Economic

			within the CBAs, recognizing that the habitats contribute to the biodiversity of these areas. Additional documentation to support the justification and rationale for the risk designations has been provided.	
3.3 Question for Consultation Critical Biodiversity and species designations	<p>RMS has management authority for significant lands in the following “high risk priority habitats” and offers these comments specific to them:</p> <p>1. Aquatic habitats in the Southern Appalachians: RMS agrees river systems such as the Cahaba River in Alabama are home to an exceptional array of species and biodiversity; however, water quality and aquatic habitats in many of these river systems are well protected by forest Best Management Practices (BMPs). For forest landowners and managers including RMS, whose lands are certified to a credible forest certification system, BMP compliance is mandatory, and is highly effective in protecting water quality.</p> <p>2. Bibb County Glades (i.e. rock outcrops) are not traditional logging areas and are easily protected during forest management and harvesting operations. The simple presence of a rock outcropping in a working forest should not automatically place all wood from that forest in the high risk category.</p> <p>3. Longleaf pine habitats in the Florida Panhandle: RMS Strongly disagrees that wood from managed longleaf pine forests in the Florida panhandle or elsewhere in the southern US should be considered a Critical Biodiversity Area and thus “high risk”. Longleaf pine forest acreage, and associated longleaf pine habitats is increasing in the southern United States, and a primary reason for this increase is the ability of private forest owners to realize an economic return from wood, straw, recreation, and ecosystem values associated with longleaf. RMS is actively working to increase acres of longleaf on lands we manage in this region, and the ability to manage and harvest longleaf pine trees for high quality wood products is one of the major drivers in our longleaf restoration efforts. If wood from these forests is labeled high risk, and any of our primary customers unable to purchase that wood, it will create a significant disincentive for us, and for other private landowners, to continue longleaf restoration efforts across the species’ historic range.</p> <p>4. Apalachicola Bay / river system: RMS strongly disagrees with the statement “Biodiversity is potentially threatened from sedimentation of the river system, including from forest management activities”. Forestry BMPs have been documented by dozens of independent studies as being highly effective in protecting water quality. Many forest landowners in the Apalachicola drainage are certified to one of the three major forest certification systems; for these landowners, BMP compliance is mandatory. A review of literature available on the internet in a search for “Apalachicola River System causes of sedimentation or water quality degradation” failed to yield a single study where forest management or harvesting activity was a major source of sedimentation or water quality degradation to the Apalachicola. Singling out forest management activity as a potential cause of sedimentation and resulting loss of aquatic biodiversity seems to be more reflective of stakeholder bias rather than scientific fact. We believe FSC standards and risk assessments should be based on science rather than bias for or against certain activities.</p>		These areas were determined by the Critical Biodiversity Areas Dataset that identifies areas with high concentrations of rare species. These areas were then assessed to determine if they are being threatened by forest management. The second draft of the NRA analyzes the CBAs as a whole rather than individual habitats within the CBAs, recognizing that the habitats contribute to the biodiversity of these areas. Additional documentation to support the justification and rationale for the risk designations has been provided.	Economic
	<p>5. Cape Fear Arch: Pocosins and Carolina bays and their potential exposure to “shovel logging” are singled out as “high risk” areas. This is a broad statement, again with perhaps unintended consequences. RMS agrees that some pocosins and Carolina bays with an intact natural forest component, or very wet in nature are areas of high biodiversity concentrations that should be protected. RMS, as well as other forest landowners certified to one of the three forest certification schemes, typically do protect these type areas during ongoing forest management and harvesting activities. Other “pocosins” and “Carolina bays” are actively managed forests, now supporting their fourth or even fifth rotation of actively managed working pine forests. These areas may be logged by tradition methods when conditions merit, or by “shovel logging” when conditions are wetter. Shovel logging seems to have a negative connotation in the NRA, when in fact shovel logging can be extremely effective in</p>			

	<p>protecting site productivity and water quality. Further, pocosins and bays can be extremely large in size and owned by multiple small landowners. For these individuals, placing all wood from these forest types in the high risk category could effectively take much of the value of their forests away, and thus promote conversion of these forests to other uses. In this area, the Critical Biodiversity Area designation should focus on naturally intact and significant pocosins and Carolina bays, rather than be applied with a broad brush.</p> <p>6. Ouachita River Valley – RMS again takes strong exception to the statements: Biodiversity in the Ouachita headwaters is largely driven by freshwater biodiversity. Many BMPs in the region are voluntary, and higher implementation rates are a straightforward way to enhance aquatic biodiversity values.” Much of the Ouachita River headwaters and watershed is either in public ownership, or private ownership that has certified its forest management activities to one of three standards, thereby mandating BMP adherence and compliance. RMS has no idea how designation as a Critical Biodiversity Area will lead to “higher implementation rates” of BMP compliance. Further, an internet literature search on Ouachita River sedimentation and pollution sources” fails to cite a single study where forest management activities are considered to be a significant source of sedimentation in the Ouachita River system. Rather, numerous studies in this region demonstrate forestry BMPs are highly effective at protecting water quality. Again, RMS sees this as another instance the focus should be on certifying more acres to one of the three certification systems, rather than being punitive toward wood from currently certified forests.</p>			
3.3 Question for Consultation Critical Biodiversity and species designations	<p>Priority T and E species – no bats, no mammals? I did a quick search on USFWS website and state ESA websites and found many species in northeast states that meet the proposed criteria. Why were they not included? This is an incredibly short list and again – 3 of the 6 species listed are found in the coastal redwood region of northern California. Some examples of other species --- Atlantic Salmon (Gulf of maine)? Canada lynx? Gray wolf? Peregrine falcon? Golden Eagle? Box Turtle (listed in Maine)? Indiana bat?</p> <p>NSO: NSO description does not accurately describe the NSO population in northern California that is thriving in managed timberlands. In northern California, NSOs are doing best on managed timberlands – so the definition just does not fit here as there are very limited late successional forests on these forestlands – yet somehow the population is doing reasonably well.</p>	<p>Need to review list. It appears to me that there are many more species that should be included that weren't. Either provide criteria that fit only these 6 species or revise list so all species that fit the criteria are included.</p> <p>Is the environmental community really happy with this list?</p> <p>NSO: Add, “Additionally, NSOs can thrive in younger forests managed for timber harvest where they typically nest in stands with dense canopy, large trees, and existing nest structures.”</p>	<p>The methodology for identifying individual species changed from expert opinion to the more systematic approach that uses the NatureServe database and assessing the threats to each species from forest management activities. The resulting list of species is quite different than that included in the first draft.</p>	Economic
3.3 Question for Consultation Critical Biodiversity and species designations	<p>RCW are known to also use loblolly pine as habitat. The guidance mentions longleaf pine savannahs, so is the list inclusive, or not? Meaning, do RCW in loblolly pine stands require control measures? Also, how would a procurement company participate in a safe harbour program?</p>	<p>Clarification is needed regarding the applicability of the list of control measures.</p>	<p>The methodology for identifying individual species changed from expert opinion to the more systematic approach that uses the NatureServe database and assessing the threats to each species from forest management activities. The resulting list of species is quite</p>	Economic

			different than that included in the first draft. Species-specific control measures are not included in the second draft of the NRA.	
3.3 Question for Consultation Critical Biodiversity and species designations	<p>Specified priority habitats in Critical Biodiversity Areas are a focus of NGO, state and federal conservation and regulatory programs. Landowners are likely to implement practices consistent with most of the control measures, but landowners who do not certify their land to FSC FM Standards are not likely to agree to inspections or provide written commitments to implement control measures. Restrictive requirements may cause landowners to consider converting land to other uses as a response to the requirements. Certificate holders should not be expected to be enforcement agents for federal and state agencies on private lands.</p> <p>The list contains federally identified threatened and endangered species known to be sensitive to habitat modification and forest management activities consistent with criteria of 3.2.1.3. Most lands managed in regions where these species are found are already managed to protect the species or their habitats, including many of the control measures.</p>		<p>The Control Measures in the second draft of the NRA do not explicitly include restrictive requirements for non-certified landowners. Rather, a suite of actions will be identified through a collaborative dialogue at a regional meeting.</p> <p>The methodology for identifying individual species changed from expert opinion to the more systematic approach that uses the NatureServe database and assessing the threats to each species from forest management activities. The resulting list of species is quite different than that included in the first draft.</p>	Economic
3.3 Question for Consultation Critical Biodiversity and species designations	<p>Many of the specified priority habitats in Critical Biodiversity Areas are the focus of private (ENGO), state, and/or federal conservation and/or regulatory programs. While likely to already be implementing practices consistent with most of the specified control measures, landowners not already committed to certifying their lands under FSC are unlikely to agree to inspections or written commitments to implement the measures. Evergreen Packaging is not in the position to be an enforcement agent for federal and state regulatory agencies.</p> <p>The list contains federally-identified threatened and endangered species known to be sensitive to habitat modification and thus to forest management activities consistent with the criteria in 3.2.1.3. Most lands managed in regions where these species are found are managed to protect the species or their habitats, including many of the Control Measures in Section IX. While not present in Evergreen's wood basket, the control measures for Listed Anadromous Salmonids are particularly concerning due to the high cost of expert</p>		<p>The Control Measures in the second draft of the NRA do not explicitly include restrictive requirements for non-certified landowners. Rather, a suite of actions will be</p>	Economic

	consultants and extending protection areas beyond those designated in regulatory forest practices acts administered by state regulatory agencies. Wood suppliers are not under the control of the consuming mills. Developing customized BMPs for all listed and major tributary streams is unrealistic.		identified through a collaborative dialogue at a regional meeting. The methodology for identifying individual species changed from expert opinion to the more systematic approach that uses the NatureServe database and assessing the threats to each species from forest management activities. The resulting list of species is quite different than that included in the first draft.	
3.3 Question for Consultation Critical Biodiversity and species designations	<p>Many of the specified priority habitats in Critical Biodiversity Areas are the focus of private (ENGO), state, and/or federal conservation and/or regulatory programs. While likely to already be implementing practices consistent with most of the specified control measures, landowners not already committed to certifying their lands under FSC are unlikely to agree to inspections or written commitments to implement the measures. The Company is not in the position to be an enforcement agent for federal and state regulatory agencies. The NRA states that Priority Habitats in Critical Biodiversity Areas “were identified in part through consultation with regional experts,” and that “Priority habitats were selected based on habitat types that were determined to be representative of the biodiversity associated with the area.” However, the NRA presents no information about the regional experts who selected the areas or the methods and criteria they used. Based on the lack of information about how the Critical Biodiversity Areas were identified, readers of the NRA are left to assume that the Priority Habitats were selected because they support unusual concentrations of rare species. However, no evidence of this relationship is presented. For which species are the Priority Habitats important? Identifying these relationships provides information that can strengthen the scientific rigor of the NRA and provide public commenters with information necessary to assess the proposed control measures.</p> <p>The list contains federally-identified threatened and endangered species known to be sensitive to habitat modification and thus to forest management activities consistent with the criteria in 3.2.1.3. Most lands managed in regions where these species are found are managed to protect the species or their habitats, including many of the Control Measures in Section IX.</p> <p>The control measures for Listed Anadromous Salmonids are particularly concerning due to the high cost of expert consultants and extending protection areas beyond those designated in regulatory forest practices acts administered by state regulatory agencies in the Northwest. Wood suppliers are not under the control of the consuming mills. Developing customized BMPs for all listed and major tributary streams is unrealistic.</p>		<p>The Control Measures in the second draft of the NRA do not explicitly include restrictive requirements for non-certified landowners. Rather, a suite of actions will be identified through a collaborative dialogue at a regional meeting.</p> <p>The methodology for identifying individual species changed from expert opinion to the more systematic approach that uses the NatureServe database and assessing the threats to each species from forest management</p>	Economic

			activities. The resulting list of species is quite different than that included in the first draft.	
3.3 Question for Consultation Critical Biodiversity and species designations	<p>Yes the identified ecosystems represent the biodiversity in the specific areas, the control measures are realistic and attainable. They are also auditable by regional experts and foresters with knowledge of best management practices.</p> <p>Species identified are accurate based on my knowledge, control measures are realistic and attainable.</p>		<p>These areas were determined by the Critical Biodiversity Areas Dataset that identifies areas with high concentrations of rare species. These areas were then assessed to determine if they are being threatened by forest management. The second draft of the NRA analyzes the CBAs as a whole rather than individual habitats within the CBAs, recognizing that the habitats contribute to the biodiversity of these areas. Additional documentation to support the justification and rationale for the risk designations has been provided.</p> <p>The methodology for identifying individual species changed from expert opinion to the more systematic approach that uses the NatureServe database and assessing the threats to each species from forest management activities. The</p>	Economic

			resulting list of species is quite different than that included in the first draft.	
3.3 Question for Consultation Critical Biodiversity and species designations	<p>The NRA states that the list of Priority Threatened and Endangered species was developed based on the following criteria:</p> <ul style="list-style-type: none"> • State or Federally-listed Threatened or Endangered species • Vertebrates • Commonly recognized as being a keystone species, indicator species, or otherwise representative of a given forested landscape • Global Rarity • Forest-dependent • Directly affected by forest practices <p>However, NRA acknowledges that the list of selected species is inherently value driven and based in part on stakeholder input. Because of the subjective nature of the selection process, it is not possible to develop a list of “the most appropriate species.” The Priority Threatened & Endangered Species all are federally listed and, thus, already are afforded protections of the Endangered Species Act. Thus, managers are already cognizant of the need to minimize risk of “take,” copious guidelines from federal and state agencies already exist, and the added value of the Control Measures is unclear. There is even the possibility that the Control Measures could conflict with federal and state rules and regulations.</p>	The NRA could be strengthened by recognizing that regulatory mechanisms already in place in the United States to conserve threatened and endangered species.	The methodology for identifying individual species changed from expert opinion to the more systematic approach that uses the NatureServe database and assessing the threats to each species from forest management activities. The resulting list of species is quite different than that included in the first draft.	Economic
3.3 Question for Consultation Critical Biodiversity and species designations	We find the choice of Kirtland’s Warbler in this context to be somewhat interesting. It does meet all of the criteria listed in 3.2.1.3, including that it is “Directly affected by forest practices.” However, in general, it is far more positively affected by forest practices than negatively affected by them.	We do not object to the inclusion of this species, as it could potentially be negatively affected if harvest were to occur during the nesting season. Additionally, since almost all known nesting locations occur on FSC certified or Federal lands, it will be reasonably easy for a company to obtain documentation confirming that that harvests were done in a way that protects the species.	The methodology for identifying individual species changed from expert opinion to the more systematic approach that uses the NatureServe database and assessing the threats to each species from forest management activities. The resulting list of species is quite different than that included in the first draft.	Economic
3.3 Question for Consultation Critical Biodiversity and species designations	The priority Threatened & Endangered species are federally listed, and therefore already afforded legal protection under the Endangered Species Act. Procurement managers are knowledgeable of the ESA requirements and the addition of control measures is of questionable value.		The methodology for identifying individual species changed from expert opinion to the more systematic approach that uses the NatureServe database and	Economic

			assessing the threats to each species from forest management activities. The resulting list of species is quite different than that included in the first draft.	
3.3 Question for Consultation Critical Biodiversity and species designations	<p>The Priority Threatened & Endangered Species all are federally listed and, thus, already are afforded protections of the Endangered Species Act. Existing guidelines from federal and state agencies already exist and should be recognized as sufficient control measures</p> <p>Red Cockaded Woodpecker : Current T&E requirements for not having a “take” of RCW are sufficient protection including US Fish and Wildlife Service recovery plans already in place.</p> <p>Gopher Tortoise Control Measure: Control measures should only apply in gopher tortoise range where federally listed as threatened. Current activities aimed at mechanical disturbance avoidance around burrows are sufficient. “</p> <p>Northern Spotted Owl Control Measure: Complex set of regulations related to preservation of habitat already in effect through Pacific Northwest.</p> <p>Anadramous Salmonids Control Measure: The control measure is an attempt to impose the FSC Forest Management Standard indirectly through FSC Chain of Custody Certificate Holders and independent suppliers. Meeting water quality temperature standards is not an auditable measure and therefore impractical as a control measure</p> <p>FSC should rely on implementation of State forest management regulations which has adequately addressed this concern.</p>	<p>RCW: Current T&E requirements for not having a “take” of RCW are sufficient protection including US Fish and Wildlife Service recovery plans already in place.</p> <p>Gopher Tortise: Current activities aimed at mechanical disturbance avoidance around burrows are sufficient</p> <p>NSO: Acknowledge existing protections already in-place to provide nesting, foraging and dispersal habitats.</p> <p>Anadramous Salmonid: FSC should rely on implementation of State forest management regulations which has adequately addressed this concern.</p>	<p>The methodology for identifying individual species changed from expert opinion to the more systematic approach that uses the NatureServe database and assessing the threats to each species from forest management activities. The resulting list of species is quite different than that included in the first draft.</p>	Economic
3.3 Question for Consultation Critical Biodiversity and species designations	<p>Many of the specified priority habitats in Critical Biodiversity Areas are the focus of private (ENGO), state, and/or federal conservation and/or regulatory programs. While likely to already be implementing practices consistent with most of the specified control measures, landowners not already committed to certifying their lands under FSC are unlikely to agree to inspections or written commitments to implement the measures. Appvion is not in the position to be an enforcement agent for federal and state regulatory agencies.</p>		<p>These areas were determined by the Critical Biodiversity Areas Dataset that identifies areas with high concentrations of rare species. These areas were then assessed to determine if they are being threatened by forest management. The second draft of the NRA analyzes the CBAs as a whole rather than</p>	Economic

			individual habitats within the CBAs, recognizing that the habitats contribute to the biodiversity of these areas. Additional documentation to support the justification and rationale for the risk designations has been provided.	
3.3 Question for Consultation Critical Biodiversity and species designations	Recognizing that the commercial use of longleaf is beneficial for the tree species in that it provides incentives to plant and conserves the symbiotic species such as gopher tortoise and the indigo snake. Conversion to other types of forest or to non-forest is of course bad. Control measures for longleaf are appropriate but native range and management techniques can be argued (i.e. prescribed burning liability near road ways do not allow its growth).	Contact the longleaf alliance to get their view on the ICUN listing of this species. Management for longleaf pine is not so clear and clean cut. Issue suggested control measures with room for adjustment based on site location.	These areas were determined by the Critical Biodiversity Areas Dataset that identifies areas with high concentrations of rare species. These areas were then assessed to determine if they are being threatened by forest management. The second draft of the NRA analyzes the CBAs as a whole rather than individual habitats within the CBAs, recognizing that the habitats contribute to the biodiversity of these areas. Additional documentation to support the justification and rationale for the risk designations has been provided.	Economic
IV. HCV 2 - Landscapes				
4.1 HCV 2 Def. & Guidance				
4.2 HCV 2 Identification				

4.3 HCV 2 Risk Designation				
V. HCV 3 - Ecosystems & Habitats				
5.1 HCV 3 Def. & Guidance				
5.2 HCV 3 Identification	Regional experts were consulted. Who?	Please add an addendum with a list of experts and their expertise consulted – which pieces of the NRA they provided expertise on.	A list of experts is included in the second draft of the NRA as required by the FSC International template.	Economic
5.2 HCV 3 Identification	Oregon Wild strongly supports unmapped Areas of Specified Risk including "HCV3: Areas of primary forest and Old Growth forest, that are on publically-owned [sic] lands in the Rocky Mountain or Pacific Coast regions."		Thank you for your comment	Environmental
5.2 HCV 3 Identification	The new FSC procedures (FSC-PRO-60-002 and 60-002a) are quite detailed about the broad range of information that must be considered in an NRA. With regard to High Conservation Value Forests (HCVFs), for example, FSC-PRO-60-002a spells out a detailed list of ecological factors that must be considered. The draft NRA arrives at various conclusions and risk designations for HCVFs. And while some of the conclusions appear to be reasonable, the draft NRA does not adequately explain how the elements in FSC-PRO-60-002a were evaluated. Without an explanation of this methodology the draft NRA is susceptible to challenge, and participants cannot anticipate how additional risk designations may be made in the future. This creates significant risk for participating companies who rely on the NRA. The draft NRA should “show its work” and better articulate how its conclusions meet the prescriptive requirements of FSC-PRO-60-002 and 60-002a.	Same as above, relative to other HCV topics beyond T&E species.	The second draft of the NRA includes a much greater level of documentation and rationale provided for the risk designations, including an assessment of whether or not the HCV is threatened by forest management. Additionally, the scale of risk designations has been reevaluated to make it easier for CHs to determine if there are areas of specified risk within their supply chains.	Economic
5.2 Question for Consultation				
5.3 HCV 3 Risk Designation	<p>Primary Forest Control Measure: Harvest of primary forest on public land in the Inland West and Pacific Northwest would be an extremely rare event. Current protections are sufficient.</p> <p>Old Growth Control Measure: Given the definition of Old Growth that was pre-colonial in nature there is considerable concern that datasets used for analysis are inadequate for determination. The draft document inappropriately determines protection levels for old growth. Old Growth and Primary Forest Control Measures addressing private lands should be dropped due to serious legal issues.</p>	Acknowledge the broad levels of protection already in-place throughout the Inland West and Pacific Northwest.	The second draft of the NRA designates specified risk for old growth forests on publically-owned lands in the Pacific Coast and Rocky Mountain regions that are not protected (as demonstrated by GAP Status 1 and 2	Economic

			areas in the USGS PAD US dataset).	
5.3 HCV 3 Risk Designation	<p><u>Recognition of all species or habitats on the IUCN Red List as high risk is not warranted in the United States.</u> A significant case in point is longleaf pine. In 2014, the IUCN determined longleaf pine forests in the southern United States as a threatened species; a determination made that appears to ignore a positive trend in acres in longleaf and the need for markets for longleaf pine as an incentive for landowners to establish longleaf. For FSC to consider wood and fiber from longleaf forests as high risk only creates a barrier to continued expansion of longleaf pine acres across the US South. We strongly urge FSC to clearly identify longleaf pine from sustainably managed forests as low risk, thus encouraging private forest landowners to establish longleaf pine as a viable economic forest cover type.</p>		<p>The Priority Forest Types were developed by the NRA WG using the US FM standard as guidance, along with additional input from stakeholders. These areas were then assessed to determine if they are being threatened by forest management. Additional documentation to support the justification and rationale for the risk designations has been provided.</p>	Economic
5.3 HCV 3 Risk Designation	<p>4.3.2 3rd paragraph: “For the sake of the Controlled Wood Risk Assessment, “old growth” refers to late-successional forests that fit the FM definition of old growth, and are pre-colonial in nature.”</p>	<p>The definition in the glossary does not match the FM definition? Which way is it?</p>	<p>Thank you for your comment. In the second draft of the NRA, the glossary has been aligned with the glossary in the FSC US FM Standard.</p>	Economic
5.3 HCV 3 Risk Designation	<p>The NRA states that the Priority Forest Types were developed based on the FSC US Forest Management list, guidance from Proforest, and additional stakeholder input. The NRA again acknowledges that “These Priority Forest Types and associated Control Measures are inherently value-driven, and are based on stakeholder input and the Forest Management list of regionally important ecosystems.” As with Priority Habitats, the Priority Forest Types do not appear to align with an established ecosystem classification system. Defining Priority Forest Types based on a classification system such as NatureServe Ecological Systems (Comer et al. 2003) or U.S. National Vegetation Classification Alliances or Associations (Jennings et al. 2009) would strengthen the NRA. One advantage of using Associations is that they have been assigned conservation ranks using a consistent and unbiased approach.</p>	<p>Defining Priority Forest Types based on a classification system such as NatureServe Ecological Systems (Comer et al. 2003) or U.S. National Vegetation Classification Alliances or Associations (Jennings et al. 2009) would strengthen the NRA.</p>	<p>The Priority Forest Types were developed by the NRA WG using the US FM standard as guidance, along with additional input from stakeholders. These areas were then assessed to determine if they are being threatened by forest management. Additional documentation to support the justification and rationale for the</p>	Economic

			risk designations has been provided.	
5.3 HCV 3 Risk Designation	<p>Primary Forest Control Measure: Harvest of primary forest on public land in the Inland West and Pacific Northwest would be an extremely rare event. Current protections are sufficient.</p> <p>Old Growth Control Measure: Given the definition of Old Growth that was pre-colonial in nature there is considerable concern that datasets used for analysis are inadequate for determination. The draft document inappropriately determines protection levels for old growth.</p>	<p>Primary Forest: Current protections are sufficient.</p> <p>Old Growth Control Measure: Acknowledge the broad levels of protection already in-place throughout the Inland West and Pacific Northwest. Do not seek to apply to private lands</p>	<p>The second draft of the NRA does not include separate control measures for old growth forests and does not identify specific mitigation actions within the control measures. Rather, a suite of actions will be identified through a collaborative dialogue at a regional meeting.</p>	Economic
5.3.2 Question for Consultation Old Growth	Old Growth and Primary Forest Control Measures addressing private lands should be dropped due to serious legal issues.		<p>The second draft of the NRA designates specified risk for old growth forests on publically-owned lands in the Pacific Coast and Rocky Mountain regions that are not protected (as demonstrated by GAP Status 1 and 2 areas in the USGS PAD US dataset).</p>	Economic
5.3.2 Question for Consultation Old Growth	<p>RMS strongly disagrees with the criteria used for late successional bottomland hardwoods and native pine savannas in their designation as Priority Forest Types. Consideration of bottomland hardwoods that are 80 years of age as late successional and therefor Priority Forestry Types having specified risk is arbitrary and capricious and not grounded in any scientific basis. Many forest owners are managing their bottomland hardwood forests for quality hardwood lumber, and overstory tree ages exceeding 80 years are very common in these situations. Further, to grow quality lumber shade intolerant tree species such as the red and white oak species groups or green and white ash require active forest management to remove less desirable species such as box elder and beech, trees exhibiting poor growth form or quality, or to create openings for these shade intolerants to regenerate. These activities are considered normal forest management in these systems with an economic objective of a high value end product and secondary objectives of improving wildlife habitat. Tree species, site quality, soils, and landowner objectives dictate stand age to achieve this objective. If FSC places an arbitrary 80 year criteria in place as the threshold for late successional forests, the result for many bottomland forests will be they will be harvested for pulpwood or lower quality lumber or other wood products at ages below 80 years.</p> <p>Regarding longleaf pine savannas, our comments above relative to longleaf stand here as well. RMS encourages FSC to change the focus on Priority Forest Types as a driver for risk to a focus that includes Priority Forest Types third party certified or being managed with a plan in place that incorporates biodiversity values of this forests as low risk wood</p>		<p>The Priority Forest Types were developed by the NRA WG using the US FM standard as guidance, along with additional input from stakeholders. These areas were then assessed to determine if they are being threatened by forest management. Additional documentation to support the justification and rationale for the risk designations has been provided.</p>	Economic

5.3.2 Question for Consultation Old Growth	<p>Primary and old growth redwood forest in coast redwood stands ARE highly regulated by the current regulatory framework and I greatly disagree that they should have specified risk. I expect the risk of actually harvesting in a Type I stand in California is much much lower than the risk of harvesting one of the last remnant such stands in other (non-picked out) states.</p>	<p>Old growth redwood stands on private lands are highly protected within the current regulatory framework. It is highly unlikely for a permit to be issued to harvest in a Type I OG stand in California.</p> <p>Old growth redwood stands on private lands are highly protected within the current regulatory framework. It is highly unlikely for a permit to be issued to harvest in a Type I OG (or Type II beyond what is allowed under current FSC standards, i.e. thin from below) stand in California.</p>	<p>The second draft of the NRA designates specified risk for old growth forests on publically-owned lands in the Pacific Coast and Rocky Mountain regions that are not protected (as demonstrated by GAP Status 1 and 2 areas in the USGS PAD US dataset).</p>	Economic
5.3.2 Question for Consultation Old Growth	<p>Evergreen Packaging does not procure fiber from forests where redwood trees grow. However, compared to the vast extent of the redwood forest type (approximately 3 million acres), the remaining unprotected old-growth forests in the United States are not significant. Late successional stands are far more common, but attempts to exclude these from harvest, even by voluntary market-based mechanisms such as forest certification, are likely to be counter-productive.</p> <p>Protecting other species (beyond redwood) would be quite challenging and is unrealistic. Is there any indication that this would advance conservation sufficient to justify the cost and challenges?</p>		<p>The second draft of the NRA no longer separately categorizes redwood stands and designates specified risk for old growth forests on publically-owned lands in the Pacific Coast and Rocky Mountain regions that are not protected (as demonstrated by GAP Status 1 and 2 areas in the USGS PAD US dataset).</p>	Economic
5.3.2 Question for Consultation Old Growth	<p>Private landowners in the redwood region have contributed to the protection of significant amounts of old-growth redwood forest. Absent programs to purchase and protect remaining old-growth redwood on private lands, it is not realistic to expect them to be protected with no compensation to the landowner. Compared to the vast extent of the redwood forest type (approximately 3 million acres) the remaining unprotected old-growth is not of significant size. Late successional stands are far more common, but attempts to exclude these from harvest, even by voluntary market-based mechanisms such as forest certification, are likely to be counter-productive.</p> <p>Protecting other species (beyond Redwood) would be quite challenging and is unrealistic. Is there any indication that this would advance conservation sufficient to justify the cost and challenges?</p>		<p>The second draft of the NRA no longer separately categorizes redwood stands and designates specified risk for old growth forests on publically-owned lands in the Pacific Coast and Rocky Mountain regions that are not protected (as demonstrated by GAP Status 1 and 2 areas in the USGS PAD US dataset).</p>	Economic

5.3.2 Question for Consultation Old Growth	<p>Old Growth protection should apply to private lands.</p> <p>Each FMU needs to be evaluated individually to determine if all species or just the redwood component would qualify for old growth designation.</p>		<p>The second draft of the NRA designates specified risk for old growth forests on publically-owned lands in the Pacific Coast and Rocky Mountain regions that are not protected (as demonstrated by GAP Status 1 and 2 areas in the USGS PAD US dataset). The rationale behind the decision to only include public lands is documented in Annex E.</p>	Economic
5.3.2 Question for Consultation Old Growth	<p>It would be preferable for all old growth forest to be preserved should compensation to landowners occur. i.e. public schools get severance taxes lost from non-harvest on public lands, private landowners receive compensation for lost revenue or ecosystem services are valued more.</p> <p>Private landowners in the redwood region have contributed to the protection of significant amounts of old-growth redwood forest. Absent programs to purchase and protect remaining old-growth redwood on private lands, it is not realistic to expect them to be protected with no compensation to the landowner. Compared to the vast extent of the redwood forest type (approximately 3 million acres) the remaining unprotected old-growth is not of significant size. Late successional stands are far more common, but attempts to exclude these from harvest, even by voluntary market-based mechanisms such as forest certification, are likely to be counter-productive.</p> <p>Protecting other species (beyond Redwood) would be quite challenging and is unrealistic. Is there any indication that this would advance conservation sufficient to justify the cost and challenges?</p>	<p>FSC cannot take away the rights of private landowners to market their timber just because of its age. If timber species is not an RTE species then no one has a right to take the value of their property. Landowner cannot be publically blackballed taking a landowner's traditional rights. FSC then would become a violator of its own standard. Use educational opportunities to engage with landowners. Do not exclude them due to the identification of "Old Growth."</p>	<p>The second draft of the NRA no longer separately categorizes redwood stands and designates specified risk for old growth forests on publically-owned lands in the Pacific Coast and Rocky Mountain regions that are not protected (as demonstrated by GAP Status 1 and 2 areas in the USGS PAD US dataset). The rationale behind the decision to only include public lands is documented in Annex E.</p>	Economic
5.3.3 Priority Forest Types	<p>Riverbank areas of the St John River: The "upper St John" should be clarified. At minimum I would suggest limiting the area to upstream from the town of Allagash. Below that point, there is a history of settlement and farming close to the river. It is also worth noting that this area is nearly exclusively managed by major landowners and has been under the jurisdiction of the State of Maine Land Use Planning Commission since the mid 1970s.</p> <p>I started my career working in that area, and even in the mid- 1970s was aware of the sensitivity of the flood plain and riparian areas that could be special habitat with such plants as Furbush lousewart.</p>	<p>Question the need to include this given 40 years of regulation by State of Maine.</p>	<p>This area is not designated as specified risk in the second draft of the NRA.</p>	Economic

	This is a highly regulated area, and as such I would consider it <i>low risk</i> .			
5.3.3 Priority Forest Types	<p>Bottomland Hardwoods: This definition is likely acceptable. Some references on how to ID these forests would be helpful.</p> <p>Native Longleaf: While the definition is ok, the designation of “native” also being planted could cause confusion. There are many efforts going on to restore longleaf pine in the southeast, but the goal of these efforts is also to make longleaf a commercial project to incentivize more planting of longleaf. Adding control measures to restoration projects could hamper these efforts.</p>	<p>Bottomland Hardwoods: Include references (or a map) so that companies can evaluate the risk that these forests are in their catchment</p> <p>Native longleaf: Could restoration projects be exempt from control measures if they are new plantings as well?</p>	Additional documentation is provided to help CHs identify the Priority Forest Types. The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
5.3.3 Priority Forest Types	The conservation values of concern are already protected by law and regulations. For example, the riparian areas and floodplain associated with the upper St. John’s River in Maine are protected by Maine’s Forest Practices Act and by the Land Use Planning Commission. The proposed control measures for the other types will be costly and would not be justified by the modest conservation gains.		This area is not designated as specified risk in the second draft of the NRA.	Economic
5.3.3 Priority Forest Types	<p>Because Longleaf pine is increasing within the southeast due to many factors, and land is actively being recruited into the longleaf type, we feel that control measures should be oriented towards increasing awareness, recognizing indicators, and managing for T&E species that are present. The differentiation between native and newly recruited will blur over time.</p> <p>We are concerned with how priority forest habitats were chosen and the definitions provided. They have not been structured in a manner that translates well to the resource on the ground. Because these areas have not been defined with a scientific background or existing classification systems, rare species or indicator species cannot be used to assist in SMART control measures that aim towards good management of the resource. Characteristics of the HCV or PFT must be defined along with indicator species so that control measures can be attainable. The only way to bring credibility to this issue is to align peer reviewed research and ecosystem classifications that have already been published with the USNRA. Defining Priority Forest Types based on a classification system such as NatureServe Ecological Systems (Comer et al. 2003) or U.S. National Vegetation Classification Alliances or Associations (Jennings et al. 2009) would allow for attainable control measure design. One advantage of using Associations is that they have been assigned conservation ranks using a consistent and unbiased approach.</p> <p>Because Longleaf pine is increasing within the southeast due to many factors, and land is actively being recruited into the longleaf type, we feel that control measures should be oriented towards increasing awareness, recognizing indicators, and managing for T&E species that are present. The differentiation between native and newly recruited will blur over time.</p>	<p>Align Priority forest types and control measures by referencing peer reviewed science that have occurred on characteristics and desired outcomes for HCV’s and PFTs. This will allow for certificate holders to accurately gear monitoring and training to have an attainable outcome. Auditing methods will also easily align with this standards design.</p> <p>There is no current reasonable burden of proof that can be implemented for longleaf pine for certificate holders on a purchase by purchase basis and there will also be no auditing measurability given the current way the control measure is worded. The control measure should be written based on species management for GT and RCW where they are found to occur both inside and</p>	The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic

		outside of longleaf pine habitat.		
5.3.3 Priority Forest Types	<p>We are concerned that listing Mesophytic cove sites as PFT will be confusing and un-auditable. Other than foresters practicing in the region few have ever heard of Mesophytic coves. Certainly no loggers in the region and few if any mill, concentration yard or land owners have. As defined by Lucy Braun the geographic area that is home to Mesophytic coves is immense, covering portions of ten states in the Central and Southern Appalachians. Because these sites are located on such an immense landscape they are by no means rare and many have some level of protection on public land in the region. Private non-industrial forest land owners who only sell timber once in their life time will have no interest in harvesting their timber in a way that “maintains natural stand diversity and structure consistent with this habitat type, including some retention of late-successional elements.” Few if any of these landowners will even know if they have a Mesophytic cove site on their property and most timber sales in the Appalachians still occur with no involvement from a professional forester. By listing Mesophytic Coves as a specified risk we are essentially stating that much of the Appalachians need to be managed in much the same manner as an FSC certified tract is managed.</p>	Suggest dropping Appalachian Mesophytic Cove Sites from the Priority Forest Types.	Additional documentation is provided to help CHs identify the Priority Forest Types. The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
5.3.3 Priority Forest Types	<p>Stands with mixed mesophytic characteristics are common throughout Appalachia and make up a significant portion of the procurement area of mills in the Appalachian region. They are home to some rare animal species which are already provided protections through section 3.4.3 of the US National Risk Assessment. The term “cove” (a recess or small valley in the side of a mountain) is vague, open to varied interpretations, and would be difficult to audit consistently.</p> <p>1) Mixed mesophytic forests are abundant throughout Appalachia, and “cove” sites are difficult to define and audit. 2) The control measures requiring the maintenance of “stand structure” do not allow sufficient flexibility for timber harvesting or habitat maintenance for endangered species requiring early successional habitat.</p>	Due to the abundance of mixed mesophytic forests within Appalachia and the difficulty in auditing any requirement for “coves”, MWV suggests removing “Mesophytic Cove Sites” from the priority forest types list.	Additional documentation is provided to help CHs identify the Priority Forest Types. The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
5.3.3 Priority Forest Types	<p>Late successional bottomland hardwoods. The definition is very broad, and the 80 year age limit may well incentivize owners to fell trees before they reach 80. This is a severe limit on management, and could limit the availability of quality saw timber. The provision as written is more likely to promote felling of bottomland hardwoods before they reach 80 years, and divert older stands (those that may be most in need of sensitive management and harvesting) to markets with lower standards than FSC's. While it is clearly desirable to identify and retain these valuable forests, this recommendation does not do it.</p>	A concerted effort at identification and protection of truly special areas, supported where necessary by appropriate compensation for owners and clear plans for subsequent management, are far more likely to deliver an improved outlook for this type of forest.	Additional documentation is provided to help CHs identify the Priority Forest Types. The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic

5.3.3 Question for Consultation Priority Forest Types	The conservation values of concern are already protected by law and regulations. The proposed control measures will be costly and give only modest conservation gains.		Additional documentation is provided to help CHs identify the Priority Forest Types. The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
5.3.3 Question for Consultation Priority Forest Types	The conservation values of concern are already protected by law and regulations. The proposed control measures for the other types will be costly and would not be justified by the modest conservation gains.		Additional documentation is provided to help CHs identify the Priority Forest Types. The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
5.3.3 Question for Consultation Priority Forest Types	The Saint John riverbanks are protected today by 250 foot regulated buffers. The St Francis Floodplain (designated by MNAP) which is part of the Saint John River watershed has been an HCVF under J. D. Irving's FSC certification for 5 years.	Given these strong control measures that are already in place this area should really be considered low risk.	This area is not designated as specified risk in the second draft of the NRA.	Economic
5.3.3 Question for Consultation Priority Forest Types	All identified systems are regionally significant. Adequate control measure have been identified.		Additional documentation is provided to help CHs identify the Priority Forest Types. The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative	Economic

			dialogue at a regional meeting.	
5.3.3 Question for Consultation Priority Forest Types	The conservation values of concern are already protected by law and regulations. For example, the riparian areas and floodplain associated with the upper St. John's River in Maine are protected by Maine's Forest Practices Act and by the Land Use Planning Commission. The proposed control measures for the other types will be costly and would not be justified by the modest conservation gains.		This area is not designated as specified risk in the second draft of the NRA.	Economic
5.3.4 Question for Consultation Roadless areas	Other roadless areas on federal lands that are greater than 500 acres. - Hard to identify - Harvesting under control of USFS and would be subject to review?	Do not designate these unmapped areas.	Roadless Areas are designated as Low Risk in the second draft of the NRA.	Economic
5.3.4 Question for Consultation Roadless areas	The NRA should Protect Roadless Areas >1,000 acres. It's nice that the NRA recognizes inventoried roadless areas on the national forests. However, the USFS RARE II dataset has problems that FSC should address. [Additional supporting information & citations provided supporting the expansion of roadless designation]		Roadless Areas are designated as Low Risk in the second draft of the NRA. Documentation and rationale behind this designation are provided in Annex E.	Environmental
5.3.4 Question for Consultation Roadless areas	The inclusion of additional roadless areas not already covered by federal designation is not justified.		Roadless Areas are designated as Low Risk in the second draft of the NRA.	
5.3.4 Question for Consultation Roadless areas	The inclusion of roadless areas under 5,000 acres is not justified or practical given the lack of sufficient data on smaller areas.		Roadless Areas are designated as Low Risk in the second draft of the NRA.	Economic
5.3.4 Question for Consultation Roadless areas	The inclusion of roadless areas under 5,000 acres is not justified or practical. Risk should not be designated on Federal lands outside of Inventoried Roadless areas and Wilderness Study Areas. Federal lands are some of the most heavily regulated areas for timber management in the nation, with laws including the National Forest Management Act and National Environmental Policy Act. Timber sales are developed in accordance with forest management plans and undergo rigorous environmental reviews, with stakeholder input and the opportunity for parties to appeal the decisions made by the Forest Service and Bureau of Land Management, and ultimately, challenge the decisions in court. FSC-US should rely on the system currently in place, and refrain from adding an additional unnecessary and duplicative level of burden that could hinder the ability of these land managers to effectively manage and sustain our nation's public forests.		Roadless Areas are designated as Low Risk in the second draft of the NRA.	Economic
5.3.4 Question for Consultation Roadless areas	No risk designation should not fall on the other federal roadless areas.		Roadless Areas are designated as Low Risk in the second draft of the NRA.	
5.3.4 Question for Consultation Roadless areas	MWV believes that the acreage of roadless areas already identified and under protection are adequate.		Roadless Areas are designated as Low Risk in the second draft of the NRA.	
VI. HCV 4 - Critical Ecosystem Services				
VII. HCV 5 - Community Needs				
VIII. HCV 6 - Cultural Values				

IX. Control Measures	RMS strongly opposes control measures as outlined in Section 9, and we strongly believe they go beyond legal or reasonable expected land management measures on private lands for these species or forest types. We ask you to give strong consideration to both the impact and net future result of implementing the control measures as outlined in 9.1. You clearly state “Procurement policies....shall be designed and implement to avoid harm to the species where that species is ‘known to occur’...”, yet you go on to dictate desired end conditions, habitats, and management activities. In multiple instances, these activities go far beyond what is required by the Endangered Species Act. In the sum of activities across the species range, does FSC really believe these control measures will expand species numbers or habitats?		HCV 6 has been designated as Low Risk in the second draft of the NRA, therefore there are no associated control measures.	Economic
IX. Control Measures	Expert consultation is not realistic and the costs of performing on the ground surveys are prohibitive, current federal and state agency jurisdiction and enforcement is sufficient. Restrictive requirements may cause landowners to consider converting land to other uses as a response to the requirements. Expecting certificate holders to insure that surveys and assessments of whether certain priority T&E species are present (known to occur) on a site will be challenging. Landowners, suppliers or certificate holders would have to contract with wildlife experts, or request visits from regulatory agencies to survey for occurrences. It is unlikely to gain landowner cooperation for on-site surveys. Landowner incentive to protect would have to come through programs designed to reward the landowner for their efforts. The controlled wood standard is attempting to impose FSC forest management standards on suppliers and landowners who have no intention or desire towards certification to the FSC standards. Certificate holders would bear the burden of imposing FSC criteria on private land and independent contractors, or have to abandon otherwise valid sources of fiber supply.		HCV 6 has been designated as Low Risk in the second draft of the NRA, therefore there are no associated control measures.	Economic
IX. Control Measures	Expert Advice: For multiple control measures, FSC-US is proposing use of expert advice from outside consultants. Many certificate holders have individuals on staff with the requisite knowledge and skills to serve as experts, yet they have been disqualified in the draft NRA for no clear reason. Presumably any experts utilized by certificate holders will be paid by them, continuing the same potential conflict that FSC-US is attempting to avoid by requiring outside experts. Forcing the use of outside experts also may affect the employment of company experts if they are unable to perform their duties due to FSC rules.		HCV 6 has been designated as Low Risk in the second draft of the NRA, therefore there are no associated control measures.	Economic
9.1 HCV 1 - Priority T&E CMs	We cite one specific example to support our position for a species with which we have significant management experience, the gopher tortoise in the context of the NRA language “Maintain native longleaf pine savanna per Priority Forest Types”. Yes, the gopher tortoise is historically a keystone species for longleaf pine and fire driven ecological systems. However, the gopher tortoise is also a species that thrives in loblolly or slash pine forests that are managed primarily for economic objectives. Gopher tortoises are present in many loblolly stands that RMS manages, and they in fact are doing very well in those stands. Our management regime includes thinnings and mid story release treatments that promote herbaceous growth, which is perhaps the real key to gopher tortoise presence. Our foresters and contract loggers are aware of active gopher tortoise colonies and burrows, and take appropriate steps to protect them during any mechanized forest operation. Native longleaf pine savanna is not a requirement for gopher tortoise habitat, and the inference that we must provide this habitat anywhere we have gopher tortoises or be considered a “risk” is beyond our comprehension.		The methodology for identifying individual species changed from expert opinion to the more systematic approach that uses the NatureServe database and assessing the threats to each species from forest management activities. The resulting list of species is quite different than that included in the first draft. Gopher tortoise is no longer designated as specified risk in the second draft of the NRA.	Economic
9.1 HCV 1 - Priority T&E CMs	Very important question – what defines occurrence... Within the range of the species? Habitat available and within range? Or actual surveys indicating a species exists here. Lots of work to do on this question.	Marbelled Murrelet & Scale: Best thing that can be done for marbelled murrelets is to	The methodology for identifying individual species	Economic

		<p>grow bigger trees. At what scale is the control measure expected to be followed? Within stand of occurrence? Within home range? Within x feet? Scale is an important question here and needs to be addressed.</p>	<p>changed from expert opinion to the more systematic approach that uses the NatureServe database and assessing the threats to each species from forest management activities. The resulting list of species is quite different than that included in the first draft. The scale of risk designations has also been revised to assist certificate holders in determining whether or not they areas of specified risk are within their supply areas.</p>	
9.1 HCV 1 - Priority T&E CMs	<p>FSC US unreasonably expects that procurement organizations have the expertise, capacity and capability to survey and assess whether certain priority T&E species are present on-site (known to occur). Procurement foresters are not trained wildlife biologists and are not capable of effectively serving in the manner envisioned.</p> <p>Procurement organizations would have to try and convince the landowner that they hire a wildlife expert, or agree to allow the procurement organization to bring outside experts onto their properties to look for such occurrences. Given the threat that such priority species would be found, there is no incentive and virtually no likelihood that landowners would agree to conduct such surveys.</p> <p>A more practical approach would be to offer incentive, easement or purchase programs to protect such species, rather than impose the threat of Boycotts, habitat set-asides at landowner expense and confiscation of forest assets.</p> <p>FSC US again suggests that either expert consultants be employed, or landowners that have chosen not to implement the FSC US Forest Management Standards conduct harvest operations according to the riparian standards set in the Standard (V1.0) or the appropriate region. FSC US has lost sight of the intent of the Controlled Wood Standard, and instead has turned it into the equivalent of the FSC Standards for Forest Management, imposed indirectly through FSC Chain of Custody Certificate Holders and independent suppliers.</p>		<p>The scale of risk designations has been revised to assist certificate holders in deciding whether or not they areas of specified risk are within their supply areas.</p>	Economic
9.1 HCV 1 - Priority T&E CMs	<p>Gopher tortise: The current wording within this control measure assumes that GT is only found within longleaf habitat. This control measure will have no impacts on the actual species where GT is found outside of longleaf habitat. If control measures are to call for training and implementation for suppliers on the ground the control measure must be written in a way that fosters the same treatment for that species both inside and outside of its natural habitat. Change control measure to be specific to the species as opposed to the typical forest where the species is found. Allow for control measure to be training of suppliers.</p> <p>RC Woodpecker: Other plans and designs are being managed by the USFWS in the recovery of this species. As opposed to adding additional measures beyond federal backing the FSCUSNRA should call for certificate holders</p>	<p>Gopher tortise: Change control measure to be specific to the species as opposed to the typical forest where the species is found. Allow for control measure to be training of suppliers.</p> <p>RCW: Refer to the USFWS</p>	<p>The methodology for identifying individual species changed from expert opinion to the more systematic approach that uses the NatureServe database and</p>	Economic

	to assist the federal initiative to recover this species through control measures such as training, monitoring, and outreach.	RCW recovery plan for management guidelines.	assessing the threats to each species from forest management activities. The resulting list of species is quite different than that included in the first draft. Gopher tortoise and red cockaded woodpecker are no longer designated as specified risk in the second draft of the NRA.	
9.1 HCV 1 - Priority T&E CMs	There are additional concerns about weakness in the control measures for certain species. Regarding habitat protections for the Marbled Murrelet at section 9.1., control measures should require protection of all Murrelet populations and habitats, and <u>not</u> be couched in terms of maintaining habitats “across landscapes” As currently written, the “across landscapes” language could allow for habitat in one area to be wiped-out as long as there is habitat elsewhere. That loose language is not acceptable.		The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Environmental
9.1 HCV 1 - Priority T&E CMs	<p>Control Measures for Priority Threatened & Endangered Species</p> <p>The NRA acknowledges that the list of selected species is inherently value driven and based, in part, on stakeholder input. Because of the subjective nature of the selection process, it is not possible to develop a list of “the most appropriate species.” The Priority Threatened & Endangered Species are federally listed, and thus, already afforded the protections of the Endangered Species Act. Thus, managers are already cognizant of the need to minimize risk of “take,” copious guidelines from federal and state agencies already exist, and the added value of the Control Measures is unclear. There is even the possibility that the Control Measures could conflict with federal and state rules and regulations.</p> <p>Some Control Measures appear to be based on incorrect perceptions about forestry practices and impacts on forest vegetation. For example, the NRA suggests that managers should “Minimize impact on gopher tortoise habitats, including site prep, where they are known to occur.” However, silvicultural practices such as use of chemical site preparation rather than mechanical site preparation, banding vs. broadcasting of herbaceous weed control herbicides, and thinning can be used to control hardwood encroachment and enhance herbaceous understory communities in plantation forests (see publications such as Jeffries et al. 2010; Jones et al. 2009, 2012; Lane et al. 2011). When combined with prescribed fire, herbicides are particularly useful for promoting development of a pine grassland community (e.g., Jones and Chamberlain 2004, Iglay et al. 2014) that often provides high-quality habitat for species such as the gopher tortoise. A 2010 survey by NCASI indicated that many family forest owners in the range of the tortoise routinely use these and other practices in their pine forests to favor open stand conditions and enhance understory vegetation. Herbicides are particularly important for forest management where fire risk or smoke impacts make controlled burning difficult or impossible. Other Control Measures require actions that may be beyond the capacity of individual landowners and mills. For example, the Control Measures for Kirkland’s warbler suggest than land owners should “conduct harvest operations in a manner sufficient to maintain the distribution and extent of mid-seral Jack Pine (aged 6-22 years) across the landscape.” However, mills and suppliers may have limited area of Jack Pine forest on their land and no data on the age-class distribution of Jack Pine across the landscape or intentions of other landowners. Thus, mills may be unable to implement the proposed Control Measure for this species.</p>		The methodology for identifying individual species changed from expert opinion to the more systematic approach that uses the NatureServe database and assessing the threats to each species from forest management activities. The resulting list of species is quite different than that included in the first draft. The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of	Economic

			actions will be identified through a collaborative dialogue at a regional meeting.	
9.1 HCV 1 - Priority T&E CMs	<p>Some Control Measures appear to be based on incorrect perceptions about forestry practices and impacts on forest vegetation. For example, the NRA suggests that managers should “Minimize impact on gopher tortoise habitats, including site prep, where they are known to occur.” However, silvicultural practices such as use of chemical site preparation rather than mechanical site preparation, banding vs. broadcasting of herbaceous weed control herbicides, and thinning can be used to control hardwood encroachment and enhance herbaceous understory communities in plantation forests (see publications such as Jeffries et al. 2010; Jones et al. 2009, 2012; Lane et al. 2011). When combined with prescribed fire, herbicides are particularly useful for promoting development of a pine grassland community (e.g., Jones and Chamberlain 2004, Iglay et al. 2014) that often provides high-quality habitat for species such as the gopher tortoise. A 2010 survey by NCASI indicated that many family forest owners in the range of the tortoise routinely use these and other practices in their pine forests to favor open stand conditions and enhance understory vegetation. Herbicides are particularly important for forest management where fire risk or smoke impacts make controlled burning difficult.</p> <p>Other Control Measures require actions which may be beyond the capacity of individual landowners. For example, the Control Measures for Kirkland’s warbler suggest that land owners should “conduct harvest operations in a manner sufficient to maintain the distribution and extent of mid-seral Jack Pine (aged 6-22 years) across the landscape.” However, individual landowners may have limited area of Jack Pine forest on their land and no data on the age-class distribution of Jack Pine across the landscape or intentions of other landowners. Thus, landowners may be unable to implement the proposed Control Measure for this species.</p>		The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
9.1 HCV 1 - Priority T&E CMs	<p>The Control Measures for Priority Threatened and Endangered Species Are Open-Ended and Well Beyond Legal Requirements. Control Measures outlined in the draft NRA for species listed under the federal Endangered Species Act appear to be limited to six specific species, but the reasons for identifying these species for controls above and beyond the law are not given. The governing Controlled Wood standard allows for a much longer and open-ended list of “High Conservation Values,” and the standard has many opportunities for stakeholder complaints and appeals, raising the question how FSC auditors will defend the decisions in the NRA. The NRA also does not explain why it is not deferring to existing legal requirements and conservation agreements to protect listed species. As a result, what landowners must do to identify and protect listed species is left unclear and vulnerable to challenge.</p>		The methodology for identifying individual species changed from expert opinion to the more systematic approach that uses the NatureServe database and assessing the threats to each species from forest management activities. The resulting list of species is quite different than that included in the first draft. The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic

9.1 HCV 1 - Priority T&E CMs	<p>FSC US unreasonably expects that procurement organizations have the expertise, capacity and capability to survey and assess whether certain priority T&E species are present on-site (known to occur). Procurement foresters are not trained wildlife biologists and are not capable of effectively serving in the manner envisioned.</p> <p>Procurement organizations would have to try and convince the landowner that they hire a wildlife expert, or agree to allow the procurement organization to bring outside experts onto their properties to look for such occurrences. Given the threat that such priority species would be found, there is no incentive and virtually no likelihood that landowners would agree to conduct such surveys.</p> <p>A more practical approach would be to offer incentive, easement or purchase programs to protect such species, rather than impose the threat of Boycotts, habitat set-asides at landowner expense and confiscation of forest assets.</p> <p>FSC US again suggests that either expert consultants be employed, or landowners that have chosen not to implement the FSC US Forest Management Standards conduct harvest operations according to the riparian standards set in the Standard (V1.0) or the appropriate region. FSC US has lost sight of the intent of the Controlled Wood Standard, and instead has turned it into the equivalent of the FSC Standards for Forest Management, imposed indirectly through FSC Chain of Custody Certificate Holders and independent suppliers.</p>		<p>The scale of risk designations has been revised to assist certificate holders in determining whether or not they areas of specified risk are within their supply areas. Additionally, the second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.</p>	Economic
9.1 Question for Consultation - "known to occur" , expert consultation & databases	<p>Does the note give sufficient clarity and flexibility around assessing species occurrence? Should database searches be a required part of this assessment?</p>	<p>No. A company participating in a controlled wood program should be enabled to use the best available information to assess where priority T and E species (the list needs to be seriously reviewed and revised BTW) might occur. The company should be able to come up with their own assessment plan (any combination of databases, regional or local experts, other sources of information) to assess whether a species occurs in a potential area. CBs should be able to audit the effectiveness of their plan to assess occurrence of priority T and E species. DO NOT tell businesses how to do this, they have a far better idea of the best information available for the region in question then folks developing the CW assessment.</p>	<p>The scale of risk designations has been revised to assist certificate holders in determining whether or not they areas of specified risk are within their supply areas.</p>	Economic
9.1 Question for Consultation - "known to occur" , expert	<p>Expert consultation is not realistic and the costs of performing such assessment on the ground are prohibitive.</p>		<p>The second draft of the NRA does not identify specific mitigation actions</p>	Economic

consultation & databases			within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	
9.1 Question for Consultation - "known to occur" , expert consultation & databases	Expert consultation is not realistic and the costs of performing on the ground surveys are prohibitive. Current federal and state agency jurisdiction and enforcement is sufficient without wood procurement organizations intervening.		The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
9.1 Question for Consultation - "known to occur" , expert consultation & databases	In various places, expert consultation is required or may be used. As to the question of whether in-house experts are acceptable, yes they should be. It should be noted that use of experts, whether in-house or outside, is going to be very costly. Therefore, requirements for expert consultation in control measure should be used very sparingly. It should be recognized that many suppliers will not have the wherewithal to hire such experts. It should be recognized that expert opinion can vary among experts, and this could result in inconsistent implementation of control measures among certificate holders.		The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
9.1 Question for Consultation - "known to occur" , expert consultation & databases	Given the model of indirect supply it is impractical to require a database search. Training on control measures is required within the DDS section. Control measures should be geared towards this education that will ultimately have an on the ground impact and not limited to a database review.	Database review for T/E should be one way of highlighting that risk is minimized. Training should be another way of highlighting that risk is minimized. 3rd party certification should exempt suppliers from this requirement altogether. Any of the three ways listed above should be acceptable to minimize risk of impacts.	The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
9.1 Question for Consultation - "known to occur" , expert consultation & databases	Sufficient clarity is given in the note for 9.1. Databases searches and expert consultation (even in-house) should be required. Consultation with in-house experts where available is sufficient, for those without experts in-house consultation with outside experts should be conducted.		The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified	Economic

			through a collaborative dialogue at a regional meeting.	
9.1 Question for Consultation - "known to occur" , expert consultation & databases	The note does give sufficient clarity and flexibility around assessing species occurrence. Database searches should only be required on direct purchases. Expert consultation should not be required. Consultation with in-house experts is sufficient. Use of published literature should be noted.		The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
9.1 Question for Consultation - "known to occur" , expert consultation & databases	Expert consultation is not realistic and the costs of performing on the ground surveys are prohibitive. Current federal and state agency jurisdiction and enforcement is sufficient without wood procurement organizations intervening		The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
9.1 Question for Consultation - "known to occur" , expert consultation & databases	<ul style="list-style-type: none"> • No it does not provide sufficient clarity. • Database search should not be required unless provided at little cost to participant.. 	<ul style="list-style-type: none"> • Databases often have copious amounts of very dated occurrence data present. Parsed out databases that is applicable to today would have to be provided. • Cost to access the database would have to be minimal and very user friendly. 	The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
9.1 Question for Consultation - NSO	The information here is more pertinent for Oregon and Washington. In California, NSOs use an entirely different prey base and live in entirely different habitat conditions. It's ridiculous to require harvest to not reduce habitat quality where a species exists (it could be argued that the harvest of any tree will reduce habitat quality) – at what scale are we talking? Home range? Across the species range? These control measures are unenforceable because the interpretation of the CM is unclear.	First, get the NSO habitat correct for northern California – NSO's in California select for home ranges with a wide variety of habitats; including some nesting/roosting habitat with available nest structures (number 1 limitation)! Re-write and take out the late successional forest section – what they need is a mix of Nesting/roosting habitat and	The methodology for identifying individual species changed from expert opinion to the more systematic approach that uses the NatureServe database and assessing the threats to each species from forest management	Economic

		foraging habitat to meet needs. Require that where NSOs occur – harvest meets critical habitat minimums as required by USFWS and state wildlife agencies. LEAVE IT AT THAT. As written this is incredibly difficult to assess; not specific –I have no idea how I would enforce what is written – far easier to check to make sure harvest operations are meeting state and federal law required to the endangered species.	activities. The resulting list of species is quite different than that included in the first draft. Northern Spotted Owl is no longer designated as specified risk in the second draft of the NRA.	
9.1 Question for Consultation - NSO	While not in Evergreen’s wood shed, we are concerned with the general approach in this NRA as the cost of implementing such a control program is not justified and is unlikely to happen in any event. Additional restrictions add costs and may eventually make forestry uneconomic. Forest owners that have not voluntarily subscribed to the FSC Forest Management Standards are very likely to reject such controls. Evergreen Packaging is not positioned or willing to be the enforcement agent and impose high costs on private landowners for some of the control measures outlined in the proposed NRA.		The methodology for identifying individual species changed from expert opinion to the more systematic approach that uses the NatureServe database and assessing the threats to each species from forest management activities. The resulting list of species is quite different than that included in the first draft.	Economic
9.1 Question for Consultation - NSO	The cost of implementing a control program is not justified and is unlikely to happen in any event. Additional restrictions add costs and may eventually make forestry uneconomic. Forest owners that have not voluntarily subscribed to the FSC Forest Management Standards are very likely to reject such controls. The Company is not positioned or willing to be the enforcement agent and impose high costs on private landowners.		The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
9.1 Question for Consultation - NSO	Current control measures for RT& E and their habitat types provide some flexibility for suppliers, the control measures will ensure the longevity of the species and their habitat.		The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will	Economic

			be identified through a collaborative dialogue at a regional meeting.	
9.1 Question for Consultation - NSO	The cost of implementing a control program is not justified and is unlikely to happen in any event. Additional restrictions add costs and may eventually make forestry uneconomic. Forest owners that have not voluntarily subscribed to the FSC Forest Management Standards are very likely to reject such controls. Appvion is not positioned or willing to be the enforcement agent and impose high costs on private landowners.		The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
9.1 Question for Consultation - Salmonids	In Maine, State BMPs address this. In Maine, salmon habitat is identified, and BMPs are established. Further consultation should not be required.	Allow compliance with applicable State BMPs to meet this control measure. BMP compliance is already required in many supplier contracts. Eliminate requirement for consultation in areas where management protocols are established and publicized.	The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
9.1 Question for Consultation - Salmonids	Local, regional, and state governments will address basin-level standards – no need to add the “expert consultation” thing in here. Does this mean someone could argue a basin plan developed by a water quality board did not involve expert consultation so more review needs to be done before it can be called controlled wood? Seems ridiculous.	Remove the expert consultation clause.	The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
9.1 Question for Consultation - Salmonids	<p>While not present in Evergreen’s wood basket, the control measures for Listed Anadromous Salmonids are particularly concerning due to the high cost of expert consultants and extending protection areas beyond those designated in regulatory forest practices acts administered by state regulatory agencies. Wood suppliers are not under the control of the consuming mills. Developing customized BMPs for all listed and major tributary streams is unrealistic.</p> <p>While not in Evergreen’s wood shed, we are concerned with the general approach in this NRA as the cost of implementing such a control program is not justified and is unlikely to happen in any event. The cost and complexity of such an effort is likely to prevent adoption and to drive forest owners, and ultimately consuming mills, away from FSC. A less-costly approach would be to specify reasonable regional default protections, and then allow for deviation based on consultation with experts, where they exist. Requiring reference to this literature is not likely to be the deciding factor, as the cost-benefit consideration will likely drive most decision-makers away from the controlled wood program regardless of this final requirement.</p>		The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic

9.1 Question for Consultation - Salmonids	The cost and complexity of such an effort is likely to prevent adoption and to drive forest owners, and ultimately consuming mills, away from FSC. A less-costly approach would be to specify reasonable regional default protections, and then allow for deviation based on consultation with experts, where they exist. Requiring reference to this literature is not likely to be the deciding factor, as the cost-benefit consideration will likely drive most decision-makers away from the controlled wood program regardless of this final requirement.		The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
9.1 Question for Consultation - Salmonids	Current control measures for RT& E and their habitat types provide some flexibility for suppliers, the control measures will ensure the longevity of the species and their habitat.		The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
9.1 Question for Consultation - Salmonids	<p>The control measures for Listed Anadromous Salmonids are particularly concerning due to the high cost of expert consultants and extending protection areas beyond those designated in regulatory forest practices acts administered by state regulatory agencies in the Northwest. Wood suppliers are not under the control of the consuming mills. Developing customized BMPs for all listed and major tributary streams is unrealistic.</p> <p>The cost and complexity of such an effort is likely to prevent adoption and to drive forest owners, and ultimately consuming mills, away from FSC. A less-costly approach would be to specify reasonable regional default protections, and then allow for deviation based on consultation with experts, where they exist. Requiring reference to this literature is not likely to be the deciding factor, as the cost-benefit consideration will likely drive most decision-makers away from the controlled wood program regardless of this final requirement.</p> <p>Implementing water quality standards similar to the Control Measures for anadromous salmonids is not realistic, as forestry has a minor impact on aquatic habitats as demonstrated by very high implementation rates of BMPs. Current BMP implementation rates at 95+% are due largely to the SFI program's SFI Implementation Committee and training infrastructure. Harvesting contractors and their employees will struggle to implement a different and more restrictive set of riparian buffers beyond those established by state forestry and water quality agencies. Judgments as to the effectiveness of BMPs should be left to the respective state agencies.</p>		The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
9.2 HCV 1 - Critical Biodiversity Area CMs	<p>Sierra Nevada Mixed Conifer Stands Control Measure: Compliance with CA Forest Practice Rules and SFI Fiber Sourcing indicators should be sufficient to ensure compliance.</p> <p>Coastal Prairies and Montane Meadows Control Measure: Requirement to conduct surveys is cost prohibitive. These habitats are often found as inclusions within other forest conditions making it very difficult to delineate.</p> <p>Mixed Conifer Klamath-Siskiyou Control Measure: Area currently adapted to lo-mid fire severity and frequency. Compliance with existing BMPs should be sufficient to ensure compliance.</p> <p>Aquatic Habitats Southern Appalachians Control Measure: Cahaba River watershed is the center of the biodiversity hotspot. Compliance with existing BMPs should be adequate to ensure compliance.</p> <p>Bibb County Glades Southern Appalachians Control Measure: Area is already protected. Located within the TNC Bibb County Glades Preserve which is located within Cahaba River National Refuge.</p>	Existing protections should be acknowledged and accepted.	The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic

	<p>Longleaf Pine Habitats Control Measures: Biodiversity value driven in part by understory plant community. Adequately protected under existing regulatory and non-regulatory rules and guidelines.</p> <p>Pine Fatwoods Control Measure: Compliance with state forestry and wildlife BMPs and SFI Fiber Sourcing rules should be adequate to ensure compliance.</p>			
9.2 hCV 1 - Critical Biodiversity Area CMs	<p>The NRA identified Critical Biodiversity areas based on a species richness index developed by NatureServe and The Nature Conservancy (Chaplin et al. 2000). The analysis by Chapin et al. (2000) identified concentrations of “biodiversity” based on occurrences from NatureServe of 2,800 rare species in the U.S., weighting each species proportional to its range. The NatureServe element occurrence data provides sound information about observations of rare species. However, the database and the analysis have limitations. For example, there have been no uniform surveys of rare species across the nation. Thus, the geographic distribution of element occurrences is influenced by survey effort and additional observations may remain undiscovered due to a lack of surveys. Also, as the NRA acknowledges, the index based on these data is influenced by non-forest species. Although, the NRA presents no information about the extent of that influence, it concludes that “in areas that are predominantly forested or forest matrix it should be representative of biodiversity per HCV1.” The NRA presents no test of this assumption.</p>		<p>The CBAs were determined by the Critical Biodiversity Areas Dataset that identifies areas with high concentrations of rare species. The second draft of the NRA analyzes the CBAs as a whole rather than individual habitats within the CBAs, recognizing that the habitats contribute to the biodiversity of these areas. The Priority Forest Types were developed by the NRA WG using the US FM standard as guidance, along with additional input from stakeholders. Both of these areas were then assessed to determine if they are being threatened by forest management. Additional documentation to support the justification and rationale for the risk designations has been provided.</p> <p>Additionally, the second draft of the NRA does not identify specific mitigation actions</p>	Economic

			within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	
	The NRA states that Priority Habitats in Critical Biodiversity Areas “were identified in part through consultation with regional experts,” and that “Priority habitats were selected based on habitat types that were determined to be representative of the biodiversity associated with the area.” However, the NRA presents no information about the regional experts who selected the areas or the methods and criteria they used. Based on the lack of information about how the Critical Biodiversity Areas were identified, readers of the NRA are left to assume that the Priority Habitats were selected because they support unusual concentrations of rare species. However, no evidence of this relationship is presented. For which species are the Priority Habitats important? Identifying these relationships provides information that can strengthen the scientific rigor of the NRA and provide public commenters with information necessary to assess the proposed control measures.			
	Additionally, the Priority Habitats do not appear to align with an established ecosystem classification system. Furthermore, descriptions in the NRA of some Priority Habitats do not contain sufficient detail to facilitate identification in the field. Because they are within Critical Biodiversity Areas identified based on element occurrence data from NatureServe, a logical approach would have been to identify Priority Habitats using NatureServe Ecological Systems (Comer et al. 2003) or U.S. National Vegetation Classification Alliances or Associations (Jennings et al. 2009). Such an alignment would allow a list of associated rare species to be developed and would enhance the ability of forest managers to identify these Priority Habitats.			
	Descriptions of the Priority Habitats identify “potential” threats that are unsupported by citations from the peer-reviewed scientific literature and appear speculative. Terms such as “potential” and “may” appear numerous times in Section 3.3.1 with respect to “threats.” Some of these potential threats clearly are unsupported by scientific information. For example, in the description of Pocosins/ Carolina Bays in the Cape Fear Arch, the NRA states that there is “[s]ome stakeholder perspective that ‘shovel- logging’ of these mesic sites may result in undesirable regeneration.” However, the NRA presents no technical basis for this perception.			
	Recent research by Kimberly Bohn and Matthew Cohen (School of Forest Resources and Conservation, University of Florida) evaluated plant communities in forested wetlands following mat logging in accordance with Florida best management practices. The authors found that mat-logging Best Management Practices clearly reduced the extent and impact of skid trails on soil displacement, rutting, and microtopography. They also found that mat-logged sites appeared to have similar species composition to reference wetland sites and with more cypress stems in dominant positions. A publication from this research project is under development.			
	Similarly, the description of “Montane Longleaf Pine” suggests that the use of forest herbicides will potentially harm biodiversity, although studies such as Iglay et al. (2014) have shown that herbicides can be used to maintain high levels of understory plant diversity. The NRA suggests that sedimentation from forest management activities is a threat to biodiversity values in the Apalachicola Bay/River System in the Florida Panhandle and in the Oachita River Valley.			
	However, the NRA presents no evidence to support these assertions, which contrast with the fact that the overall rate of implementation of forestry best management practices in Florida during 1997 – 2011 ranged from 96% to 99% (Southern Group of State Foresters 2012), with implementation rates likewise high elsewhere.			
	The NRA provides no description of which rare species are to be addressed by the Control Measures. It also is unclear how Control Measures for some Priority Habitats can be implemented. For example, forest harvesting by definition alters stand-level structure and, as a result, associated plant and animal communities change. Yet, the Control Measure for Sierra Nevada Mixed Conifer Stands in California and Mixed Conifer Stands in the Klamath-Siskiyou recommend that stand-level species and structural diversity be maintained over time.			
9.2 Question for Consultation - BMPs in Alabama	While BMP use may be voluntary and BMPs differ among states, it is important to remember that compliance with the Clean Water Act is not. In order to assess whether separate requirements are needed in Alabama data would need to be present that the BMPs are not effective and/or not being properly implemented. This document doesn't go into enough detail to assess that. If the data do show this, then a possible control measure	After further assessment of the situation in Alabama, decide if control measures are needed. A possible control measure could be for	The second draft of the NRA does not identify specific mitigation actions within the control	Economic

	could be for the certificate holder to perform a subset of site visits to ensure low risk of non-conformance with the CWA.	the certificate holder to perform a subset of site visits to ensure low risk of non-conformance with the CWA.	measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	
9.2 Question for Consultation - BMPs in Alabama	FSC US states that Alabama BMPs are insufficient without any supporting evidence, then suggests that more rigorous BMPs (above and beyond those adopted by other states and approved by the EPA) should be implemented in Alabama. Implementing water quality standards similar to the control measures for anadromous salmonids is not realistic, forestry has a minor impact on aquatic habitats with the implementation of BMPs, and there is robust evidence that Clean Water Act compliance related to forestry activity is successful due to BMP implementation by loggers and landowners. Landowners should not have to adopt more restrictive riparian buffers, those established by the state forestry and water quality agencies via established BMPs are effective and sufficient.		The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
9.2 Question for Consultation - BMPs in Alabama	Implementing water quality standards similar to the Control Measures for anadromous salmonids is not realistic, as forestry has a minor impact on aquatic habitats as demonstrated by very high implementation rates of BMPs and training infrastructure (likely due to SFI Implementation Committees). Harvesting contractors and their employees will struggle to implement a different and more restrictive set of riparian buffers beyond those established by state forestry and water quality agencies. Judgments as to the effectiveness of BMPs should be left to the respective state agencies. It is unrealistic to expect FSC Certificate Holders to implement measures beyond BMP compliance through command and control measures on loggers and landowners not voluntarily subscribed to the FSC Forest Management standards.		The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
9.2 Question for Consultation - BMPs in Alabama	FSC US speculates, without any stated evidence, that the Alabama BMPs are somehow insufficient to protect aquatic habitat. The suggestion is then offered that additional BMPs, above and beyond those adopted by the States, or undefined water quality standards, would have to be implemented in lieu of State BMPs.		The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
9.2 Question for Consultation - BMPs in Alabama	BMPs compliance in Alabama. For the group to decide that expertly developed BMPs are inadequate to address their values, there must be compelling data to support that. This decision cannot be value driven as each chamber may have different values regarding this. Otherwise state water quality BMP compliance is generally an appropriate control measure for these areas. Compliance trends are available and logger training has proven an effective tool for implementation.		The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative	Economic

			dialogue at a regional meeting.	
9.2 Question for Consultation - BMPs in Alabama	The NRA states that BMPs are poorly implemented in specific states or that sedimentation is a key issue in specific areas. There is no scientific reference to these grounds and findings. Land is currently certified to both FSC and SFI standards within these states and the FSC FM standards do not require that additional steps are taken. This wording within the NRA is beyond what is required on FSC certified land.	Remove wording from standard calling for additional measures to be taken in specific states, including wording on page 26 of 'control measures and questions for consultation.' 9.2 Q for consult – If data cannot be provided on impacts this section should be removed.	The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
9.2 Question for Consultation - BMPs in Alabama	Stakeholder concern is not evidence that BMPs are insufficient. BMPs are studied, tested and approved through a rather tedious process. Compliance rates for voluntary BMPs in the southeast is well over 90%, rivalling mandated BMP states. One cannot recommend that measures beyond state issued and EPA approved BMP programs are necessary for protection of aquatic resources, without substantial evidence that these resources are in fact harmed by current practices.		The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
9.2 Question for Consultation - BMPs in Alabama	FSC should not require measures beyond Alabama BMPs based on stakeholder concerns. Standard requirements should be data driven and judgments as to the effectiveness of BMPs should be the domain of the relevant state agencies.		The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
9.2 Question for Consultation - BMPs in Alabama	FSC US speculates, without any stated evidence, that the Alabama BMPs are somehow insufficient to protect aquatic habitat. The suggestion is then offered that additional BMPs, above and beyond those adopted by the States, or undefined water quality standards, would have to be implemented in lieu of State BMPs. FSC US also suggests excessively vague Control Measures for Pocosins/Carolina Bays, including "harvesting in a manner that maintains native plant diversity." Clearly, a wood procurement organization has no influence on maintaining native plant diversity and it is unclear what training programs would be appropriate, what monitoring should take place and how verification of effectiveness would be conducted. FSC US goes on to suggest that wood procurement organizations should somehow be held responsible for implementing Control Measures to maintain Longleaf Pine Savannas and Late Successional Bottomland Hardwoods "across the landscape." The Control Measure suggests some sort of "mitigation banking" as a burden of proof to show that harvesting is compensated by recruitment elsewhere. These kinds of statements and propositions suggest that FSC US has no concept or understanding of what FSC Certificate Holders are able to do, and not do, as wood procurement organizations.		The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic

9.2 Question for Consultation - BMPs in Alabama	If BMP compliance data is available, updated, reliable and defensible then any changes proposed by stakeholders should be made through the state channels not FSC.	BMP compliance should be made mandatory and should be included in supplier agreements for the priority habitats within critical biodiversity areas.	The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
9.3 HCV 2 - IFL	The requirement says that companies cannot take fiber from IFLs on public lands. However, the Summary says that only the IFLs and Roadless areas in the western states have specified risk. So are all IFLs on public lands off limits or not? The language in the summary appears to mean that all IFLs & Roadless areas others than those listed are "low risk"	Clarify the stance on IFLs and Roadless areas	IFLs are designated as Low Risk in the second draft of the NRA.	Economic
9.4 HCV 3 - Roadless Areas	Inventoried Roadless Areas and Wilderness Study Areas Control Measure: The draft document inappropriately determines protection levels for roadless areas. Under federal law timber harvest is not currently allowed in either of these designations.		Roadless Areas are designated as Low Risk in the second draft of the NRA.	Economic
9.4 HCV 3 - Roadless Areas	The requirement says that companies cannot take fiber from IFLs on public lands. However, the Summary says that only the IFLs and Roadless areas in the western states have specified risk. So are all IFLs on public lands off limits or not? The language in the summary appears to mean that all IFLs & Roadless areas others than those listed are "low risk"	Clarify the stance on IFLs and Roadless areas	IFLs are designated as Low Risk in the second draft of the NRA.	Economic
9.4 HCV 3 - Roadless Areas	Designation of Risk on Federal Lands (5.3.4 Roadless Areas): Risk should not be designated on Federal lands outside of Inventoried Roadless areas and Wilderness Study Areas. Federal lands are some of the most heavily regulated areas for timber management in the nation, with laws including the National Forest Management Act and National Environmental Policy Act. Timber sales are developed in accordance with forest management plans and undergo rigorous environmental reviews, with stakeholder input and the opportunity for parties to appeal the decisions made by the Forest Service and Bureau of Land Management, and ultimately, challenge the decisions in court. FSC-US should rely on the system currently in place, and refrain from adding an additional unnecessary and duplicative level of burden that could hinder the ability of these land managers to effectively manage and sustain our nation's public forests.		Roadless Areas are designated as Low Risk in the second draft of the NRA.	Economic
9.4 HCV 3 - Roadless Areas	Inventoried Roadless Areas and Wilderness Study Areas Control Measure: Under federal law timber harvest is not currently allowed in either of these designations.		Roadless Areas are designated as Low Risk in the second draft of the NRA.	Economic
9.5 HCV 3 - Priority Forest Types	Mesophytic Cove Sites Control Measure: The control measure is vague, would be difficult to measure, and would be un-auditable. Late Successional Bottomland Hardwood Control Measure: The control measure is ambiguous. Seems to require a landscape level assessment or inventory of stands that meet the conditions. This beyond the capability of most procurement organizations. Greater than 100 years would be a more appropriate age class. These stand conditions cannot be maintained even if they are protected. The Control Measure for Late Successional Bottomland Hardwoods will be challenging to implement. It requires that "Where stands greater than 80 years old are clearcut or otherwise harvested in a manner that reduces the quality and quantity of this forest type, it is shown that a commensurate quantity and quality of bottomland hardwoods are being recruited in the > 80 year age class." It is unclear how this can be implemented when decisions about harvesting are made by individual landowners who may only have limited area of this forest type on their property and no information about age-class distribution of bottomland hardwood forests within the broader landscape. A further concern is that this Control Measure is based on the invalid assumption that harvesting of bottomland hardwood forests >80 years old diminishes biodiversity value. While harvesting may change stand age class and structure, it does not diminish biodiversity.		The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic

9.5 HCV 3 - Priority Forest Types	We previously stated our concerns relative to the requirements for 9.2 and 9.5 around longleaf pine savannas and late successional bottomland forests; however, we emphasize them again here as related to Control Measures. Rewording the requirements to encourage active management rather than specifying 80 years of age for bottomland hardwoods or demonstrating “commensurate recruitment” when stands are harvested would help keep both forest types in well managed working forest conditions. Clearly specifying any priority forest type that is third party certified or has a forest management plan that incorporates the species’ ecological management needs as “low risk” would again serve as incentive to increase acres of these forest types.		The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
9.5 HCV 3 - Priority Forest Types	See comments above re bottomlands and longleaf	Re recruitment of longleaf some examples of burden of proof could include: • Support (financial or in kind) of longleaf restoration efforts • Net increase in longleaf acreages in the supply area	The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
9.5 HCV 3 - Priority Forest Types	FSC US also suggests excessively vague Control Measures for Pocosins/Carolina Bays, including "harvesting in a manner that maintains native plant diversity." Clearly, a wood procurement organization has no influence on maintaining native plant diversity and it is unclear what training programs would be appropriate, what monitoring should take place and how verification of effectiveness would be conducted. FSC US goes on to suggest that wood procurement organizations should somehow be held responsible for implementing Control Measures to maintain Longleaf Pine Savannas and Late Successional Bottomland Hardwoods "across the landscape." The Control Measure suggests some sort of "mitigation banking" as a burden of proof to show that harvesting is compensated by recruitment elsewhere. These kinds of statements and propositions suggest that FSC US has no concept or understanding of what FSC Certificate Holders are able to do, and not do, as wood procurement organizations.		The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
9.5 HCV 3 - Priority Forest Types	I cannot speak to any scientific basis for several of the PFTs; however I will address the mesophytic cove sites and bottom land hardwoods . Neither are clearly enough defined to allow for measurement of compliance. Additionally, neither of these types appear to have a silvicultural basis for the management techniques outlined. Compliance: There is no reasonable method that I can use to explain this idea to a supply base and require that they avoid them or maintain certain stand structure elements to remain compliant. The PFTs seem to be subjective and lacking in a solid scientific basis. The NRA cannot function with a wish list of poorly defined areas to potentially protect. I understand the idea and I can agree that there are important areas to consider that are difficult to map. I also understand that these areas will be located on private land and that as an industry and a certification scheme, we will not be able to dictate the terms of management on these sites. Putting the onus of nearly impossible compliance expectations on the economic chamber will not solve this issue. Instead, it will undermine the system and cause further erosion in the number of certified manufacturers. Areas of specified risk need to go beyond just specifying a risk, they must specify the area, the control measure, and what the impact of the control measure will be.		The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
9.5 HCV 3 - Priority Forest Types	Bottomland Hardwoods: This control measure is not implementable for a procurement organization or any organization that is not the actual land manager. The age criterion for this control measure is meaningless when the desired outcome is to ensure that a characteristic is maintained across the landscape. If the wording within the FSC FM standard allows for management of old growth stands while maintaining stand characteristics with	Bottomland Hardwoods: The control measure is currently NOT implementable: Remove 80	The second draft of the NRA does not identify specific mitigation actions	Economic

	<p>no mention of age, this control measure should also have that flexibility.</p> <p>Without baseline data on stand age and stand characteristics we do not see how any organization or CB will be able to implement a monitoring program. The companies that are purchasing this material are only purchasing small components of the wood sold from an individual harvest. This network of multiple companies purchasing from one logger/supplier creates issues implementing any control measure other than training and literature geared towards desired stand characteristics that are maintained and BMPs that are upheld.</p> <p>We do not believe auditing consistency will occur because of how this control measure is written. Different outcomes will be achieved due to each company choosing their own monitoring plan. It is likely that no consistency will occur as one company may find that land is being recruited only for another to highlight that not enough is being recruited to consider the material controlled or uncontrolled.</p>	year age wording from this control measure. The note below this control measure should be removed.	within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	
9.5 HCV 3 - Priority Forest Types	<p>The NRA states that the Priority Forest Types were developed based on the FSC US Forest Management list, guidance from Proforest, and additional stakeholder input. The NRA again acknowledges that “These Priority Forest Types and associated Control Measures are inherently value-driven, and are based on stakeholder input and the Forest Management list of regionally important ecosystems.” As with Priority Habitats, the Priority Forest Types do not appear to align with an established ecosystem classification system. Defining Priority Forest Types based on a classification system such as NatureServe Ecological Systems (Comer et al. 2003) or U.S. National Vegetation Classification Alliances or Associations (Jennings et al. 2009) would strengthen the NRA. One advantage of using Associations is that they have been assigned conservation ranks using a consistent and unbiased approach.</p> <p>Some Control Measures require that forests be “harvested in a way that maintains natural stand diversity and structure” or maintains the “quality” of the forest type. The term “quality” is subjective, so consideration of “quality” will be difficult. Further, as previously mentioned, forest harvesting by definition alters stand-level structure, and associated plant and animal communities will change subsequently. Thus, it is unclear how harvesting can be implemented without changing stand-level diversity and structure.</p> <p>The Control Measure for Late Successional Bottomland Hardwoods will be challenging to implement. It requires that “Where stands greater than 80 years old are clearcut or otherwise harvested in a manner that reduces the quality and quantity of this forest type, it is shown that a commensurate quantity and quality of bottomland hardwoods are being recruited in the > 80 year age class.” It is unclear how this can be implemented when decisions about harvesting are made by individual landowners who may only have limited area of this forest type on their property and no information about age-class distribution of bottomland hardwood forests within the broader landscape. A further concern is that this Control Measure is based on the invalid assumption that harvesting of bottomland hardwood forests >80 years old diminishes biodiversity value. While harvesting may change stand age class and structure, it does not diminish biodiversity.</p>		The Priority Forest Types were developed by the NRA WG using the US FM standard as guidance, along with additional input from stakeholders. These areas were then assessed to determine if they are being threatened by forest management. Additional documentation to support the justification and rationale for the risk designations has been provided. Additionally, the second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
9.5 HCV 3 - Priority Forest Types	<p>Some Control Measures require that forests be “harvested in a way that maintains natural stand diversity and structure” or maintains the “quality” of the forest type. The term “quality” is subjective, so consideration of “quality” will be difficult. Further, as previously mentioned, forest harvesting by definition alters stand-level structure, and associated plant and animal communities will change subsequently. Thus, it is unclear how harvesting can be implemented without changing stand-level diversity and structure.</p> <p>The Control Measure for Late Successional Bottomland Hardwoods will be challenging to implement. It requires</p>	The NRA should avoid the use of subjective terms such as “quality” when referring to Priority Forest Types, and should ensure that the Control Measures are practicable.	The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will	Economic

	that “Where stands greater than 80 years old are clearcut or otherwise harvested in a manner that reduces the quality and quantity of this forest type, it is shown that a commensurate quantity and quality of bottomland hardwoods are being recruited in the > 80 year age class.” It is unclear how this can be implemented when decisions about harvesting are made by individual landowners who may only have limited area of this forest type on their property and no information about age-class distribution of bottomland hardwood forests within the broader landscape. A further concern is that this Control Measure is based on the invalid assumption that harvesting of bottomland hardwood forests >80 years old diminishes biodiversity value. While harvesting may change stand age class and structure, it does not diminish biodiversity.		be identified through a collaborative dialogue at a regional meeting.	
9.5 HCV 3 - Priority Forest Types	The cerulean warbler, a species specifically noted by FSC as a species that uses mesophytic cove sites, requires early successional habitat. Requiring the maintenance of “natural stand...structure” does not allow for the development of critical habitat for cerulean warblers and would be detrimental to the species.	Suggested re-wording if Mesophytic Cove Sites remain as a PFT: Mesophytic cove sites: Stands having mixed-mesophytic characteristics (as defined by Lucy Braun) are harvested in a way that maintains natural stand diversity, including some retention of late-successional elements.	The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
9.5 HCV 3 - Priority Forest Types	<p>Some of the control measures require that forests be “harvested in a way that maintains natural stand diversity and structure” or maintains the “quality” of the forest type. In a procurement wood organization and the way in which wood is bought, it is not possible to have a proof point of “harvested in way that maintains...” unless there is reliance on exiting systems and guidelines at a state and federal level.</p> <p>Mesophytic Cove Sites: The control measure is vague, would be difficult to measure, and would be un-auditable.</p> <p>Late Successional Bottomland Hardwood : This control measure is ambiguous as it seems to require a landscape level assessment or inventory of stands that meet the conditions. This beyond the capability of most procurement organizations. Greater than 100 years would be a more appropriate age class. The Control Measure for Late Successional Bottomland Hardwoods will be challenging to implement. It requires that “Where stands greater than 80 years old are clear-cut or otherwise harvested in a manner that reduces the quality and quantity of this forest type, it is shown that a commensurate quantity and quality of bottomland hardwoods are being recruited in the > 80 year age class.” It is unclear how this can be implemented when decisions about harvesting are made by individual landowners who may only have limited area of this forest type on their property and no information about age-class distribution of bottomland hardwood forests within the broader landscape. A further concern is that this Control Measure is based on the invalid assumption that harvesting of bottomland hardwood forests >80 years old diminishes biodiversity value. While harvesting may change stand age class and structure, it does not diminish biodiversity.</p> <p>Native Longleaf Pine Savanna: This control measure is not achievable. The FSC control measure states, “where longleaf pine is harvested in a manner that reduces the quality and quantity of this forest type, it is shown that a commensurate quantity and quality of longleaf pine savannah is being recruited elsewhere.” A wood procurement organization cannot go into the complexity of its supply chain to determine at the forest acre level what a landowner has properly decided for their lands. We can provide monitoring regarding forestry best management practices implementation but it is not feasible to assess a change on one land base and recruitment elsewhere.</p>		The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
9.5 HCV 3 - Priority Forest Types	Procurement organizations cannot be held responsible for land use change and forest management decisions made by private landowners. It is unrealistic to expect FSC Certificate Holders to maintain or restore any forest type through command and control measures on loggers and landowners.		The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified	Economic

			through a collaborative dialogue at a regional meeting.	
9.5 Question for Consultation - "Across the landscape" clause	Finally to address your specific question for consultation in this section "what is a reasonable burden of proof to expect CHs to show that where these forest types are harvested there is commensurate recruitment elsewhere?" we must take exception to this premise as worded. If a bottomland forest or a longleaf pine stand is harvested, and the expectation is that the harvested stand will be regenerated to the same forest type as harvested, we see no need to demonstrate "recruitment elsewhere". Nothing is changing except the age of the forest type, and that will be dynamic over time anyway.		The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
9.5 Question for Consultation - "Across the landscape" clause	Certificate holders cannot be held responsible for land use change and forest management decisions made by independent private forest landowners. It is unrealistic to expect certificate holders to maintain or restore any forest type through relationships with contractors and control measures imposed on independent loggers and landowners.		The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
9.5 Question for Consultation - "Across the landscape" clause	Procurement organizations cannot be held responsible for land use change and forest management decisions made by private landowners. It is unrealistic to expect FSC Certificate Holders to maintain or restore any forest type through command and control measures on loggers and landowners not voluntarily subscribed to the FSC Forest Management standards.		The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
9.5 Question for Consultation - "Across the landscape" clause	Procurement organizations cannot be held responsible for land use change and forest management decisions made by private landowners. It is unrealistic to expect FSC Certificate Holders to maintain or restore any forest type through command and control measures on loggers and landowners.		The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic

9.5 Question for Consultation - "Across the landscape" clause	The NRA has failed by prescribing landscape level control measures that are to be implemented via monitoring. The DDS section of the NRA will not be operational given the current wording of some control measures. Auditing these control measures against the DDS requirements will not be possible.	Consider having one allowed option of monitoring provided for all certificate holders for landscape level control measures so that consistency of auditing and interpretation is clear within each region where landscape level control measures occur. If landscape level monitoring cannot be implemented or designed by the CWWG, clearly define landscape level characteristics desired within each PFT/HCV and include several characteristics that each HCV or priority forest type needs. Redesign control measures to include a maintenance of the characteristics present so that control measures can have an attainable and measurable outcome.	The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
9.5 Question for Consultation - "Across the landscape" clause	The question here should be how any certificate holder could provide this proof; it is almost impossible without having full control of the FMU and/or implementing FSC STD 30-010.		The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
9.5 Question for Consultation - "Across the landscape" clause	Procurement organizations should not be held responsible for landscape level land use change, and forest management decisions made by private landowners.		The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
9.5 Question for Consultation - "Across the landscape" clause	The NRA suggests control measures at the "landscape" level that are not implementable by Certificate Holders. One control measure suggests that land owners "conduct harvest operations in a manner sufficient to maintain the distribution and extent of mid-seral Jack Pine across the landscape." FSC fails to recognize that landowners are not FSC Controlled Wood certificate holders and have little to no capacity to effect landscape level management. A further concern is that one of the Control Measures is based upon the invalid assumption that		The second draft of the NRA does not identify specific mitigation actions within the control	Economic

	harvesting of bottomland hardwood forests >80 years old diminishes biodiversity values. While harvesting may change stand age class and structure, it does not diminish biodiversity. Speculative and personal judgments must be removed from the document.		measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	
9.5 Question for Consultation - "Across the landscape" clause	Proof of recruitment at the landscape level could be provided by organizations like the Longleaf Alliance, state DNRs/Forestry Commissions, NRCS CRP planting programs, periodic review of regional data eg FIA, etc.	All this talk about longleaf is kind of a moot point. It should be stated to suit IUCN and then cite all the wonderful work taking place to restore the ecosystem and the markets that support the regeneration of the tree by providing economical return. Case closed.	The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
9.6 HCV 3 - Primary forest & Old Growth				
9.6 Question for Consultation - Redwood CMs	Of all the forests, old growth and primary forest control measures on public lands should NOT apply to the redwood region because of the regulatory framework in California.	<p>In California, there are multi-agency, multi-disciplinary review teams which include on-the-ground inspections and enforcement and mandatory public solicitation of input and comment on every THP.</p> <p>There are strong systems (as well as laws and rules) in place to insure the protection of significant high conservation value (HVCF) areas. The definition of what constitutes a HVCF is very clear.</p>	The second draft of the NRA designates specified risk for old growth forests on publically-owned lands in the Pacific Coast and Rocky Mountain regions that are not protected (as demonstrated by GAP Status 1 and 2 areas in the USGS PAD US dataset). Additionally, the second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
		Primary and old growth redwood forests are low risk to be threatened by forest management activities due to the strong regulatory		

		<p>overlay of the California Forest Practice Act and California Forest Practice Rules. These rules require multi-agency, multi-disciplinary review teams and on the ground inspection for every submitted harvest plan. These harvest plans must provide protections for a multitude of values in the forest including extensive watercourse protections (with greater protections for watercourses inhabited by threatened salmonid species); protections for domestic water supplies; protections for endangered and threatened wildlife species and habitat (including protections for late-successional habitat). (California Forest Practice Rules 2014 accessible online at www.fire.ca.gov).</p>		
9.6 Question for Consultation - Redwood CMs	It is not practical to apply Primary Forest Control Measures on private lands in the redwood region to all forest products. The concept of requiring FSC Certificate Holders to force set-asides and preservation of certain forests is unrealistic.		<p>The second draft of the NRA designates specified risk for old growth forests on publically-owned lands in the Pacific Coast and Rocky Mountain regions that are not protected (as demonstrated by GAP Status 1 and 2 areas in the USGS PAD US dataset). Additionally, the second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.</p>	Economic

	Monitoring developed by one company will be subject to auditor's approval, leading to inconsistent approaches wherein one company must avoid material only to have the company next door purchase that material.		The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
9.6 Question for Consultation - Redwood CMs	Each FMU needs to be evaluated separately to determine if all species or just redwood specifically should follow control measures.		The second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
	It is not practical to apply Primary Forest Control Measures on private lands in the redwood region to all forest products. The concept of requiring FSC Certificate Holders to force set-asides and preservation of certain forests is unrealistic.		The second draft of the NRA designates specified risk for old growth forests on publically-owned lands in the Pacific Coast and Rocky Mountain regions that are not protected (as demonstrated by GAP Status 1 and 2 areas in the USGS PAD US dataset). Additionally, the second draft of the NRA does not identify specific mitigation actions within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.	Economic
General, Control Measures	Appropriateness of Control Measures: The question for consultation should address two important issues with regard to the draft control measures: 1) Appropriateness of the Control Measure to protect the species; and 2) Are the control measures reasonably implementable by FSC CoC certificate holders. Point 2, is sadly missing from the Question for Consultation. In other words, a control measure may contain appropriate elements for a		The second draft of the NRA does not identify specific mitigation actions	Economic

	<p>protection activity, but if it is not feasible to implement, then it has no value.</p> <p>The draft control measures are demonstrated evidence that FSC US has lost sight of the intent of the Controlled Wood Standard, and instead has turned it into the equivalent of the FSC Standards for Forest Management, imposed indirectly through FSC Chain of Custody Certificate Holders and independent suppliers.</p>		<p>within the control measures, rather a suite of actions will be identified through a collaborative dialogue at a regional meeting.</p>	
<p><u>Part 3: Conversion Risk Assessment and Control Measures</u></p>				
I. Introduction & Summary	<p>Conversion Risk Assessment: The conversion of forestland to other land uses is not a forest products demand driven issue. If anything, strong demand for forest and paper products provides landowners with an incentive to keep their lands in forest cover and production.</p>		<p>FSC has clearly articulated that the consideration of risk of materials from areas of conversion is required, even if the conversion is not due to forest management activities. The second draft of the NRA limits the areas of specified risk.</p>	Economic
I. Introduction & Summary	<p>The conversion of forestland to other land uses is not a forest products demand driven issue. If anything, strong demand for forest and paper products provides landowners with a positive incentive to keep their lands in forest cover and production. Disagree with requirements that some conversion sources are not allowed as controlled wood fiber input. Land use decisions are made by private corporate and family forest landowners in the United States based upon economic returns, long-term management planning, and landowner objectives for property they own. Imposing vague and arbitrary land use controls such as acreage size restrictions for legal land conversions, may cause conversion wood fiber not to be utilized when harvested during land use change and left behind as waste versus being utilized the circular economy. Certified organizations will have to find alternative fiber to replace wasted conversion sources, creating accelerated harvesting of other forests. Certain land conversions (such as mining) will occur regardless of requirements to exclude it as controlled wood source. Conversion sources should be allowed as controlled wood input.</p>		<p>FSC has clearly articulated that the consideration of risk of materials from areas of conversion is required, even if the conversion is not due to forest management activities. The second draft of the NRA limits the areas of specified risk.</p>	Economic
I. Introduction & Summary	<p>The conversion of forestland to other land uses is not a forest products demand driven issue. If anything, strong demand for forest and paper products provides landowners with a positive incentive to keep their lands in forest cover and production.</p> <p>Disincentives to the maintenance of forest cover include regulatory forestry policies that cause landowners to conclude that keeping their lands in forestry is a poor investment decision. The FSC US National Risk Assessment, with its proposed Control Measures and associated costs/burdens on landowners and procurement organizations, will have the unfortunate effect of causing more forest conversion.</p> <p>As private U.S. landowners discover that FSC US is attempting to indirectly and involuntarily involve them in the FSC US Forest Management Standard, they will maintain their distance from the FSC Program. FSC Certificate Holders access private lands by permission only and are guests of the landowner while on their property. It is inconceivable that FSC Certificate Holders would become regulators of private forest management and land use</p>		<p>FSC has clearly articulated that the consideration of risk of materials from areas of conversion is required, even if the conversion is not due to forest management activities. The second draft of the NRA limits the</p>	Economic

	<p>planning to address totally new and unfounded conservation and preservation objectives.</p> <p>FSC Chain of Custody Certificate Holders that purchase wood from independent entities and work with private landowners will likely drop their FSC Controlled Wood Certificates and any influence that FSC may have had, will be permanently lost.</p>		<p>areas of specified risk. Additionally, the CMs include the use of regional collaborative dialogues that will include all interested stakeholders, including non-certified landowners.</p>	
I. Introduction & Summary	<p>Wood from Conversion (3.4.4.1 and 3.4.4.2)</p> <p>These indicators serve a useful role, and correctly note that de minimis levels of conversion may occur. However, it is not clear how the monitoring and evaluation component of these programs would be completed by companies attempting to meet these requirements, and it may prove to be impossible or unduly burdensome. U.S. facilities source from hundreds to thousands of private timberland owners in a year. Landowners are under no legal obligation to disclose the intent of their forest activities. Certificate holders easily could be put in the untenable position of having, in good faith, purchased and utilized what they believed to be low-risk material, and then, after the fact, finding out that this was not the case and being forced to take corrective action.</p>		<p>The second draft of the NRA contains control measures where the exact mitigation actions will be determined during a collaborative dialogue at a regional meeting. Therefore, monitoring and evaluation are not explicitly included in the second draft.</p>	Economic
I. Introduction & Summary	<p>Conversion section of the risk assessment is adequate -</p> <p>Comments were made above regarding inconsistency of acceptable conversion areas, etc...</p>		<p>Thank you for your comment. Additional analysis has been carried out and this documentation and rationale for the risk designations have been incorporated into the second draft of the NRA.</p>	Economic
I. Introduction & Summary	<p>The draft NRA would block mills from buying wood salvaged from forest land converted to another land use, if the area converted is larger than 40 acres in size. It is unclear how this would be implemented, particularly whether the 40-acre reference means contiguous acres, a single geographic area, one forest owner, one purchaser, one transaction, one FSC certificate, or one single year. Another concern is whether the forest owner's intent will have to be documented and if so, in what manner. Documentation would be a significant intrusion in both a business transaction and property ownership. This is both unrealistic and inappropriate, especially in the absence of a compelling need: the NRA's analysis shows that conversion of forest land is not a major problem in the US. And nothing in the NRA suggests that a boycott of salvaged wood would have any effect on the levels of land use change, which is driven by other factors, not the value of the salvaged wood.</p>	<p>Re-evaluate the criteria and results related to conversion.</p>	<p>FSC has clearly articulated that the consideration of risk of materials from areas of conversion is required, even if the conversion is not due to forest management activities. The second draft of the NRA limits the areas of specified risk. Additionally, the CMs include</p>	Economic

			the use of regional collaborative dialogues that will include all interested stakeholders, including non-certified landowners.	
I. Introduction & Summary	<p>The conversion of forestland to other land uses is not a forest products demand driven issue. If anything, strong demand for forest and paper products provides landowners with a positive incentive to keep their lands in forest cover and production.</p> <p>Disincentives to the maintenance of forest cover include regulatory forestry policies that cause landowners to conclude that keeping their lands in forestry is a poor investment decision. The FSC US National Risk Assessment, with its proposed Control Measures and associated costs/burdens on landowners and procurement organizations, will have the unfortunate effect of causing more forest conversion.</p> <p>As private U.S. landowners discover that FSC US is attempting to indirectly and involuntarily involve them in the FSC US Forest Management Standard, they will maintain their distance from the FSC Program. FSC Certificate Holders access private lands by permission only and are guests of the landowner while on their property. It is inconceivable that FSC Certificate Holders would become regulators of private forest management and land use planning to address totally new and unfounded conservation and preservation objectives.</p> <p>FSC Chain of Custody Certificate Holders that purchase wood from independent entities and work with private landowners will likely drop their FSC Controlled Wood Certificates and any influence that FSC may have had, will be permanently lost.</p>		FSC has clearly articulated that the consideration of risk of materials from areas of conversion is required, even if the conversion is not due to forest management activities. The second draft of the NRA limits the areas of specified risk. Additionally, the CMs include the use of regional collaborative dialogues that will include all interested stakeholders, including non-certified landowners.	Economic
I. Introduction & Summary	Exemption allowing small holders (20 acs) to convert to plantations will allow them to realize more productivity for their forest and in turn the property will remain in forest longer.	Encourage this rational to continue to be included with the allowance of material from conversion exemptions being allowed. Use of this fiber is much better than burning and landfilling so long as we are not encouraging conversion.	The second draft of the NRA maintains the distinction between natural forest, semi-natural forest and plantations, but directs users to the FSC US Plantation guidance for assistance. Additional clarification has been included to further explain that just because a stand is planted, it is not necessarily a plantation.	Economic
II. Conversion Framework	The prohibition on buying wood from landowners who convert 20 acres of forest to “plantations” has similar problems. Forest owners in the US manage native species, which don’t appear to be viewed as plantations under		The second draft of the NRA maintains	Economic

	<p>FSC's definitions. In any case it will not be known if they meet the plantation definition for some years after planting, when and if they fail to develop the "principal characteristics and key elements" of natural forest systems. So the risk of conversion will be low and generally not measurable at the time of logging. The NRA does not explain how these issues will be addressed, issues such as intent and documentation. This is also an unworkable restriction that isn't justified under the NRA.</p>		<p>the distinction between natural forest, semi-natural forest and plantations, but directs users to the FSC US Plantation guidance for assistance. Additional clarification has been included to further explain that just because a stand is planted, it is not necessarily a plantation.</p>	
III. Explanatory Materials				
3.1 Conversion Context				
3.2 Conversion Datasets				
3.3 Conversion Results	<p>These are difficult to understand. I'm not sure what the difference between gross and net acres presented are? Labelling the tables and providing more background information so I know what I am looking at would help. Also, what is the baseline for comparison in these tables – it's not really clear. More clarity on these are called for – or exclude them – because they don't really provide much information without further discussion as is.</p>	<p>Exclude tables or provide an explanation of the information found within the tables.</p>	<p>The data-driven approach to assessing conversion in the first draft was inconclusive, so a qualitative literature review was carried out to determine the risk of conversion at a finer scale.</p>	<p>Economic</p>
IV. DDS Justification	<p><u>RMS does not agree with or support the two tiered De Minimis exemption from conversion. It defies logic that FSC would accept 40 acres as de minimis for a conversion of a forested tract to a non-forested use, while using 20 acres as the upper acceptable de minimis threshold for a forested tract to a plantation.</u> It defies logic that the stricter threshold for conversion of a forested tract to a plantation is because the "conversion to plantation is a forestry decision". We would put forth that both decisions are likely economic decisions. We further put forth a forested plantation offers far more ecological benefits and forest related economic values than an asphalted parking lot, a strip mall or a subdivision. Further, exempting specific areas such as urban infill, public benefits, or FSC certified mills seems to be a change in philosophy for FSC, and one that seems to benefit certain stakeholders at the expense of others. We agree with the concept of de minimis, we agree some conversion should be allowed without introducing high risk wood into the system; what we disagree with is the sliding scale against forest plantations and for addressing certain activities. We urge FSC to adopt a consistent approach; e.g., XX acres or XX% acres are considered de minimis or exempt for purposes of conversion, which seems to be the approach outlined in the Conversion Risk Assessment Framework.</p> <p>RMS does not agree with the concept expressed that a natural forest is better ecologically than a plantation. We offer as a case in point two loblolly pine stands 25 years of age in numerous southern states. One stand is loblolly that was regenerated naturally; the other a loblolly stand that was planted. Both stands have been thinned over time, both have had chemical treatments to reduce woody competition and both have been fertilized. Almost any visitor to the two stands could not identify any significant ecological differences between</p>		<p>The second draft of the NRA maintains the distinction between natural forest, semi-natural forest and plantations, but directs users to the FSC US Plantation guidance for assistance. Additional clarification has been included to further explain that just because a stand is planted, it is not necessarily a plantation. The</p>	<p>Economic</p>

	<p>the two stands. Yet, under the NRA, wood from the natural stand is low risk, wood from the planted stand may be high risk. This scenario can be repeated in other forest types across the country as well. FSC does not place this same level of risk on plantations in other countries; we struggle to understand the scientific rationale for this higher level of risk associated with plantations in the US.</p> <p>RMS cannot determine at what point a plantation is considered a “conversion” and therefore high risk. The FSC US Forest Management Standard does at least define certain plantations as being “established after 1994” as not being eligible for certification. Does that still stand in terms of the NRA? Or are all P10 plantations considered “high risk” regardless of year of establishment? We ask FSC for clear and consistent language with regards to plantations and associated risk as related to this NRA.</p>		control measures require a company to include the following statement in educational materials:	
			<p>“Any conversion of forest to plantation or non-forest use may have negative impacts on social, economic and/or environmental values. However, the greatest risk of materials from conversions entering the supply chain is from larger conversions. Therefore, to minimize the risk of adverse impacts from conversion, and the risk of materials from conversions entering the FSC supply chain, we will not accept materials from converted forest areas that are greater than 100 acres (40.5 hectares).”</p>	
IV. DDS Justification	<p>Criteria for forest conversion. The applicable risk criteria for forest conversion appears to have been changed to an outright ban, recognizing the de minimus exemption, on using wood from any conversion of natural or semi-natural forests to other uses, regardless of spatial scale or the reason for conversion. Such a standard would be difficult to enforce and in many cases would not further the core principles of FSC. In order to further FSC’s goals, the treatment of wood from converted forests requires a more nuanced approach that truly seeks to identify and minimize risks in regions where forest lands are systematically being lost to other uses due to poor management or misaligned economic incentives. At a minimum, FSC would be better served to retain the existing indicator of losses to forest land not exceeding 0.5% per year at the eco-regional level. With respect to the de minimus exemption, it is illogical that the exemption would be larger for forests converted to non-forest use than for those converted to plantations. This suggests that FSC deems it more conducive to convert forests to non-forests than to have trees on the landscape in the form of a plantation.</p>		<p>The second draft of the NRA maintains the distinction between natural forest, semi-natural forest and plantations, but directs users to the FSC US Plantation guidance for assistance. Additional clarification has been included to further explain that</p>	Economic

			just because a stand is planted, it is not necessarily a plantation. The control measures require a company to include the following statement in educational materials:	
			“Any conversion of forest to plantation or non-forest use may have negative impacts on social, economic and/or environmental values. However, the greatest risk of materials from conversions entering the supply chain is from larger conversions. Therefore, to minimize the risk of adverse impacts from conversion, and the risk of materials from conversions entering the FSC supply chain, we will not accept materials from converted forest areas that are greater than 100 acres (40.5 hectares).”	
IV. DDS Justification	<p>The average conversion size to add one irrigation system is 100ac. This is a very common type of land clearing for past used agricultural land in the US.</p> <p>In the US as landowners have become larger and larger it is not uncommon for a large agricultural landowner to plant in trees or let fallow his fields according to commodity pricing and his long term plans. The NRA DDS threshold does not accurately allow for this to occur. The landowner is making this decision and thus there will be no real impact on the ground from the implementation of this control measure. The land where this is occurring may have been converted to agriculture a few times over the last 200 years and land will continue to swing back and forth. Because agriculture has the same ‘bigger is better’ mentality this standard will be unfairly implemented in the southern states compared to the northern states that have the same conversion happening at a smaller tract and landowner size.</p>	Change conversion for agriculture to allow for flexibility of past used agricultural land to be brought back into agriculture use at any size threshold.	The control measures require a company to include the following statement in educational materials:	Economic
			“Any conversion of forest to plantation or non-forest use	

			may have negative impacts on social, economic and/or environmental values. However, the greatest risk of materials from conversions entering the supply chain is from larger conversions. Therefore, to minimize the risk of adverse impacts from conversion, and the risk of materials from conversions entering the FSC supply chain, we will not accept materials from converted forest areas that are greater than 100 acres (40.5 hectares)."	
V. Estimates from datanalysis				
General, Plantations	<p>RMS urges FSC to address the inherent bias against plantations, eliminate the "two tier" definition plantations currently used, and take a clear position that includes wood from all plantations as low risk. The FSC definition of plantation as "a stand that lacks the principal characteristics and key elements of natural forest systems" and the statement "FSC does not consider all planted stands as plantations" is at its essence wordplay to game the certification system rather a definition consistent with Society of American Forestry (SAF) principles and practices or long standing forest management teachings in dozens of accredited university forestry programs across the United States. Further, this "two tier" system can and will in many cases lead to a planted "semi natural forest" of the present being a "plantation" of tomorrow. As a specific example, RMS harvests a planted loblolly pine stand today that has in place an herbaceous species component, a mid-story hardwood component, and the overstory of loblolly pine. FSC would clearly state this stand, prior to harvest, has key characteristics and elements of a natural forest system, hence its designation as a semi-natural forest. RMS uses chemicals to site prepare the harvested tract for planting, replants with loblolly seedlings, and uses herbicide in the first year to reduce competing vegetation. We later apply fertilizer to the loblolly pines to stimulate their growth. We use and rely on chemicals and herbicides, thus FSC now considers this to be a plantation. Under the criteria proposed, and the current "two tier" FSC plantation designation, we have converted a semi-natural stand to a plantation; hence wood from this conversion is high risk. And 28 years later, at time of harvest, the "plantation" again looks and has the characteristics of a "semi-natural forest". This example is not farfetched, it is reality on millions of acres across the southern United States today. Further, it is fact that an auditor or a FSC stakeholder could use either designation on these millions of acres at any point in time in a manner that best suited their interests at that time. We take note of the statement in 3.1.2 "There is no practical way to distinguish FSC-Plantations from natural or semi-natural forests using readily available data sets". This statement strongly supports our position that the FSC "semi-natural" and "plantation" designations are not based on any widely accepted forestry system in the US today. Thus, we urge FSC to adopt clear language around plantations, adopt the SAF language around what is and is not a plantation, and clearly state that wood from sustainably managed plantation forests is low risk.</p>		<p>The second draft of the NRA maintains the distinction between natural forest, semi-natural forest and plantations, but directs users to the FSC US Plantation guidance for assistance. Additional clarification has been included to further explain that just because a stand is planted, it is not necessarily a plantation.</p>	Economic

	<p>RMS takes strong exception to the language "Category 4 – Conversion: The Organization shall implement a system designed to avoid, including through language in the Controlled Wood Policy and supplier agreements, material from land where natural forest cover is being converted to non-forest uses or plantations". We have previously noted our concerns with language around plantations; yet this section raises the bias against plantations to a new level. Quoting from 4.1: "Plantations.....lack most of the principle characteristics and key elements of natural forests.....The following are examples of stand types that are considered plantations:....Block plantings of cloned trees resulting in a major reduction of within-stand diversity...Stands established through hydrological modification, including the installation of pattern ditching, that affects the water table and resulting stand hydrology." How does, or how will FSC define a "cloned tree"? Are mass clonal pollinated (MCP) loblolly pine seedlings considered "cloned trees"? How will FSC interpret "stands established through hydrological modification? RMS manages hundreds of thousands of acres that are planted on sites that have pattern ditching or hydrological modification, some of which dates back over 100 years. Some of these sites have been in loblolly pine for decades. Is wood from these sites suddenly "high risk"? What about forest stands outside a river levee system? These forest stands are in existence at least in part because of hydrological modification. What about forest stands on tracts where the US Army Corps of Engineers has altered the hydrology of the Region? Private forest landowners across the southern US have millions of acres of lands that fall into this category, whether along the White and Arkansas Rivers in Arkansas, or the Tennessee Tombigbee River in Alabama and Mississippi, to the Santee and Cooper Rivers in South Carolina. We have strong concerns about wood from long standing forests suddenly becoming "high risk" and expressly addressed as such in supplier agreements.</p>			
General, Plantations	<p>The FSC US definition of "forest plantations" in the FSC Controlled Wood Standard NRA is more stringent than the FSC Forest Management Standard. Federal and state laws and regulations consider forest plantation land in the US to be a sustainable, accepted silviculture practice. Plantations are established in compliance with the Clean Water Act, Endangered Species Act, and other laws and regulations enforced by the Environmental Protection Agency, Army Corps of Engineers, Fish and Wildlife Service and other federal and state agencies. The arbitrary limit of 20 acres or less for plantation conversion is unrealistic and not based on accepted, legal forest practices currently followed in the US.</p>		<p>The second draft of the NRA maintains the distinction between natural forest, semi-natural forest and plantations, but directs users to the FSC US Plantation guidance for assistance. Additional clarification has been included to further explain that just because a stand is planted, it is not necessarily a plantation.</p>	Economic
General, Plantations	<p>FSC US has redefined and expanded "Forest Plantations" from the definition contained in the FSC US National Forest Management Standard. Thus, the Controlled Wood Standard has become more stringent than the Standard intended for landowners that volunteer to implement the FSC Forest Management Standard.</p> <p>FSC US is inconsistent with US and State laws and regulations that consider forest plantations in the U.S. as being "Normal Silvicultural" practices defined in U.S. Clean Water Act regulations. EPA and Corps of Engineers regulations consider "Normal Silviculture" as including minor drainage, bedding and reforestation of appropriate tree species.</p> <p>FSC US fails to recognize that the growing of mature trees itself "alters stand hydrology" and "affects the water table." Upon harvesting and removal of trees in wetter areas, water tables rise to the surface and preclude regeneration of the forest, if normal silvicultural practices are not implemented. Minor drainage, bedding and other normal silvicultural practices are necessary to accomplishing adequate reforestation and good forest management.</p> <p>FSC US's arbitrary limits of 20 acres or less for plantations is unrealistic and not based on the reality of forestry in the US context. There is no stated rationale or basis for such a small acreage size limitation.</p>		<p>The second draft of the NRA maintains the distinction between natural forest, semi-natural forest and plantations, but directs users to the FSC US Plantation guidance for assistance. Additional clarification has been included to further explain that just because a stand is planted, it</p>	Economic

			is not necessarily a plantation.	
General, Plantations	<p>Plantation Definition: The guidance provided is helpful, but there is still not enough guidance to determine on the ground, and consistently among different certificate holders, what constitutes a plantation in the U.S. context. Based on the indicators given, it is not possible to make definitive classifications. This is an extremely important definition, with many important ramifications in the NRS.</p> <p>Annex B indicates “This intent should be used as a framework to guide regional decision-making in lieu of additional FSC-US guidance specific to regions & forest types.” Who is involved in “regional decision-making,” when will this take place, & what will be the forum? How will it be ensured that such decisions are documented and implemented consistently?</p>		The second draft of the NRA maintains the distinction between natural forest, semi-natural forest and plantations, but directs users to the FSC US Plantation guidance for assistance. Additional clarification has been included to further explain that just because a stand is planted, it is not necessarily a plantation.	Economic
General, Plantations	<p>The FSCUS guidance on plantations has been revised and is subject to change or will change as FSC motions and FSCUS standards change. The NRA calls out the plantation guidance and provides examples on what is considered a conversion to plantation. It would be imprudent to place wording within the NRA only to have the wording that is acceptable change. Current examples given in the document have had exceptions allowed across the US forest management portfolio.</p>	Remove all plantation examples that are in place within NRA and control measures and highlight that FSCUS plantation guidance should be followed.	The second draft of the NRA maintains the distinction between natural forest, semi-natural forest and plantations, but directs users to the FSC US Plantation guidance for assistance. Additional clarification has been included to further explain that just because a stand is planted, it is not necessarily a plantation.	Economic
General, Plantations	<p>The prohibition on buying wood from landowners who convert 20 acres of forest to “plantations” has similar problems. Forest owners in the US manage native species, which don’t appear to be viewed as plantations under FSC’s definitions. In any case it will not be known if they meet the plantation definition for some years after planting, when and if they fail to develop the “principal characteristics and key elements” of natural forest systems. So the risk of conversion will be low and generally not measurable at the time of logging. The NRA does not explain how these issues will be addressed, issues such as intent and documentation. This is also an unworkable restriction that isn’t justified under the NRA.</p>		The second draft of the NRA maintains the distinction between natural forest, semi-natural forest and plantations, but directs users to the FSC US Plantation guidance for assistance. Additional clarification has been included to further explain that	Economic

			just because a stand is planted, it is not necessarily a plantation. FSC has clearly articulated that the consideration of risk of materials from areas of conversion is required, even if the conversion is not due to forest management activities.	
General, Plantations	<p>The exception for a conversion of natural or semi-natural forest to plantations is not broad enough and tends to assume that all plantations are intensively managed which may include practices such as bedding, fertilization and herbicide use. Many plantations that are established outside of the coastal plain and lower piedmont are not intensively managed at all and should not be considered a conversion. On upper piedmont and mountain properties in the eastern and south eastern US most plantations are established on poor mixed hardwood and pine sites. There is no bedding or fertilization and herbicides are not generally used. Usually natural hardwood regeneration will be intermingled with the planted pines. These plantings are also widely scattered and are not common practice on the landscape. The rotation age is generally also much longer than 15 to 20 years as is common in the intensively managed plantations of the coastal plain and lower piedmont.</p> <p>Also, plantations are defined to be forest areas, “that lack most of the principle characteristics and key elements of natural forests.” Principle characteristics and key elements of forests are not defined in any of the FSC standards. While we all know what FSC is driving at, it should be better defined.</p>	<p>Suggest re-writing this exception to say. “Instances of conversion of natural or semi-natural forest to intensively established and managed plantations in the coastal plain and lower piedmont shall be limited to 50 acres or less. Plantations established in the upper piedmont and mountains of the eastern and south eastern US shall not be considered a conversion if bedding, fertilization and herbicides are not used in the establishment or management of the plantation.”</p>	<p>The second draft of the NRA maintains the distinction between natural forest, semi-natural forest and plantations, but directs users to the FSC US Plantation guidance for assistance. Additional clarification has been included to further explain that just because a stand is planted, it is not necessarily a plantation.</p>	
General, Plantations	<p>By including the bullet that describes plantations as “Stands established through hydrological modification, including the installation of pattern ditching, that affects the water table and resulting stand hydrology”, FSC US has redefined and expanded the current definition of plantations as described in the FSC US Forest Management Standard.</p>	<p>Remove the third bullet in the Note that states: “Stands established through hydrological modification, including the installation of pattern ditching, that affects the water table and resulting stand hydrology” There is no explanation for this change and it would appear that the change has been made to satisfy a single stakeholder group, rather than in the best interests of advancing the standard.</p>	<p>The second draft of the NRA maintains the distinction between natural forest, semi-natural forest and plantations, but directs users to the FSC US Plantation guidance for assistance. Additional clarification has been included to further explain that just because a stand is planted, it is not necessarily a plantation.</p>	Economic
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	<p>FSC’s definitions. In any case it will not be known if they meet the plantation definition for some years after planting, when and if they fail to develop the “principal characteristics and key elements” of natural forest systems. So the risk of conversion will be low and generally not measurable at the time of logging. The NRA does not explain how these issues will be addressed, issues such as intent and documentation. This is also an unworkable restriction that isn’t justified under the NRA.</p>		<p>the distinction between natural forest, semi-natural forest and plantations, but directs users to the FSC US Plantation guidance for assistance. Additional clarification has been included to further explain that just because a stand is planted, it is not necessarily a plantation.</p>	
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