



HEADING TO THE FINISH LINE:

Public Summary of Significant Changes to Draft 2 of FSC Canada's National Forest Stewardship Standard

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FSC Canada

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Introduction

Since the release of Draft 2 for public consultation on November 24, 2016, FSC Canada and the Standard Development Group have been busy revising Draft 2 indicators and guidance in preparation for the third and final draft of the Standard.

Refinement of Draft 2 indicators was undertaken by analyzing and incorporating feedback obtained through:

- Field testing of full Draft 2 standard;
- Field and desk testing of key Draft 2 topics;
- Draft 2 public consultation comments;
- Forest Management Forum at the 2017 FSC Annual General Meeting in Montréal, QC;
- Standard Development Group led targeted discussions with chamber members;
- Standard Development Group discussions and agreement.

The purpose of this document is to provide stakeholders and interested parties a look at the significant changes made to key Draft 2 indicators of the FSC Canada Forest Management Standard for the submission of the Final Draft to the FSC Board of Directors in early 2018, and to FSC International, for final approval. The version of indicators presented in this document are considered 'Draft 3' or 'Final', and have been accepted by the Standard Development Group and have been approved by FSC Canada Board of Directors.

Topics chosen to be highlighted in this report were determined based on:

- Indicators identified as being significantly complex;
- Indicators which received considerable number of comments through consultation; and most importantly
- Indicators that have undergone substantial structural changes since Draft 2.

The topics to be highlighted in this report include:

- Disputes (Criteria 1.6, 2.6, 4.6, 7.6)
- Identification of Indigenous Peoples' rights and Free, Prior & Informed Consent (Criteria 3.1 & 3.2)
- Landscape Management (Indicator 6.1.3, Criterion 6.8)
- Structure of Criterion 6.3
- Woodland Caribou (Indicator 6.4.3)
- Conservation Areas Network (Criterion 6.5)
- Management Plans (Indicator 7.2.2)
- Monitoring (Criterion 8.2)
- Pesticides (Criterion 10.7)

For each topic, the considerations that lead to the change are summarized, including key related findings from testing and public consultation. In addition, the new proposed indicator is specified.



Summary of Significant Changes Since Draft 2

1. Dispute Resolution

Relevant Standard Reference: Criteria 1.6, 2.6, 4.6, 7.6 and some indicators in Principle 3

Background

The structure of the Criteria addressing disputes throughout the standard (1.6, 2.6, 4.6 and 7.6) is designed to address the various types of concerns raised by individuals or communities, and to ensure the appropriate level of response and action is taken by the Organization.

Both Draft 1 and Draft 2 consultation processes resulted in numerous comments and concerns regarding the structure and content of the dispute Criteria and related Indicators. As indicators related to dispute resolution appear in 5 Criteria (1.6, 2.6, 3.2, 4.6 and 7.6), concerns were expressed across these Criteria regarding consistency between indicators dealing with dispute resolution. Other concerns expressed related to the requirements for culturally appropriate engagement in developing the dispute resolution process, disputes of substantial magnitude and the applicability of ceasing of operations.

Due to the numerous concerns regarding the Dispute indicators, this topic was specifically chosen for scenario testing, and was a focus of the Draft 2 testing. Field and scenario testing of the dispute indicators revealed:

- Many companies make a distinction between a 'concern/complaint/request' and a 'dispute'. Most often they are dealing with 'concerns/complaints/requests' from external parties, and most already have a system in place to collate and track these 'complaints', mainly through their ISO 14001 Environmental Management Systems.
- No examples of dispute of substantial magnitude were identified; however, questions were raised regarding how and who would determine if 'a process is successful in achieving resolution' (as in Draft 2, Indicator 4.6.4) in a case of a dispute of substantial magnitude.
- Most examples of disputes of legal nature (Criterion 1.6) are between governments and other parties (other than The Organization). The exception would be issues of tenure on privately owned land. There were several concerns regarding the responsibility of The Organization in these cases, as it may be out of their control to resolve or be involved in the resolution of the dispute.

Approach to Draft 3

Based on the results of testing, and considering how disputes are commonly managed in the everyday operation of The Organization, a new approach was taken to the dispute indicators. Draft 3 applies a consistent framework to each dispute resolution management Criterion, based on the relevant aspect of forest management. The general framework applied to Criteria 1.6, 2.6, 4.6 and 7.6 is:

1. A system is in place whereby people can make their complaints known to The Organization.



2. A general dispute resolution process framework is developed, which needs to be adapted through culturally appropriate engagement prior to implementation.
3. Complaints are responded to in a timely manner. If not, they become a dispute and the dispute resolution process is then adapted and used.
4. Records of complaints and disputes are maintained, as well as outcomes of actions taken.
5. For Principle 1 and 4 only: If the dispute is elevated to a dispute of substantial magnitude, then the value or right at risk must be maintained/ protected.

Ind.	Criterion			
	1.6	2.6	4.6	7.6
1.	A system is in place whereby complaints can be made known to The Organization related to applicable laws or customary law.	A system is in place whereby complaints from workers can be made known to their employer.	A system is in place whereby complaints can be made known to The Organization related to impact of forest management activities on local communities and affected Indigenous Peoples.	A system is in place whereby complaints can be made known to The Organization related to impact of forest management activities on affected stakeholders, other than the ones concerned in Criterion 4.6.
2.	One or more publically available dispute resolution processes are in place, and include mechanisms to address disputes of substantial magnitude. Prior to implementation, the dispute resolution process is adapted through culturally appropriate engagement with the complainant, as necessary.	One or more publically available dispute resolution processes are in place. Prior to implementation, the dispute resolution process is adapted through culturally appropriate engagement with the complainant, as necessary	One or more publically available dispute resolution processes are in place, and include mechanisms to address disputes of substantial magnitude. Prior to implementation, the dispute resolution process is adapted through culturally appropriate engagement with the complainant, as necessary.	One or more publically available dispute resolution processes are in place. Prior to implementation, the dispute resolution process is adapted through culturally appropriate engagement with the complainant, as necessary.
3.	Complaints are responded to in a timely manner. Complaints that are not resolved are elevated to disputes	Complaints are responded to in a timely manner. Complaints that are not resolved are elevated to disputes	Complaints are responded to in a timely manner. Complaints that are not resolved are elevated to disputes	Complaints are responded to in a timely manner. Complaints that are not resolved are elevated to disputes



	and are being addressed via a dispute resolution process.	and are being addressed via a dispute resolution process.	and are being addressed via a dispute resolution process.	and are being addressed via a dispute resolution process.
4.	An up-to-date record of complaints and disputes is maintained, and includes: 1. Steps taken to resolve complaints and disputes; 2. Outcomes of all complaints and dispute resolution processes; and 3. Unresolved disputes, the reasons they are not resolved, and how they will be resolved.	An up-to-date record of complaints and disputes is maintained, and includes: 1. Steps taken to resolve complaints and disputes; 2. Outcomes of all complaints and dispute resolution processes, including where applicable, fair compensation* to workers for loss or damage to property, occupational diseases, or occupational injuries sustained while working for The Organization; and 3. Unresolved disputes, the reasons they are not resolved, and how they will be resolved.	An up-to-date record of complaints and disputes is maintained, and includes: 1. Steps taken to resolve complaints and disputes; 2. Outcomes of all complaints and dispute resolution processes; including, where applicable, fair compensation; and 3. Unresolved disputes, the reasons they are not resolved, and how they will be resolved.	An up-to-date record of complaints and disputes is maintained, and includes: 1. Steps taken to resolve complaints and disputes; 2. Outcomes of all complaints and dispute resolution processes, including, where applicable, fair compensation for loss or damage to property; and 3. Unresolved disputes, the reasons they are not resolved, and how they will be resolved.
5.	In case of a dispute of substantial magnitude, the process established in Indicator 1.6.2 is implemented.	(No DSM indicator)	In the case of a dispute of substantial magnitude, the process established in Indicator 4.6.2 is implemented.	(No DSM indicator)

The similar structure of these Criteria (e.g. system in place, dispute resolution process, resolving issues, record maintenance) allows for Organizations to use similar tools and processes to address the dispute Criteria.

Complaints and disputes related to the impact of forest management activities on affected Indigenous Peoples were put back into Principle 4, along with local communities. However, Indigenous Peoples may also have complaints related to the agreements they have with The Organization, which are addressed in Principle 3. Therefore the Standard includes requirements



for a dispute resolution process clause related to any binding agreements (Indicator 3.3.3) and to Free, Prior and Informed Consent agreements with Indigenous Peoples (Indicator 3.2.3.3). Other updates included modified or new definitions for 'complaints', 'disputes' and 'dispute of substantial magnitude'.



2. Identification of Indigenous Peoples' rights and Free, Prior & Informed Consent

Relevant Standard Reference: Indicators 3.1.2, 3.1.3, 3.1.4, and 3.2.4

Background

Since the first draft of the National Standard, Indicator 3.2.4, related to obtaining the free, prior and informed consent of Indigenous Peoples, elicited a significant number of responses that represented many diverse views and experiences of FSC members and interested stakeholders (particularly governments). Unfortunately, there was little written comment from Indigenous Peoples (members and/or rights holders in general), however feedback was provided through targeted webinars, workshops and field testing.

Principle 3 evolved between Draft 2 and Draft 3 as a result of a much broader discussion on Indigenous rights. While previous feedback focused on the specific requirements of an FPIC process (Draft 2 Indicator 3.2.6), the final stage of indicator development was approached from a context-driven perspective. That is, Indicators were reviewed through the lens of private landowners, large intact forests, remote but highly developed northern forests and forests subjected to a long history of forest management. The result was a significant overhaul of most indicators within Criterion 3.1 and 3.2.

The most challenging aspect of Indicator development for Principle 3 was attempting to strike a balance between auditability and flexibility. The Standard Development Group tested many versions of normative language to increase clarity of expectation without limiting options for innovation and adaption necessary in the human relationships involved in recognizing and upholding Indigenous Peoples' rights.

Approach to Draft 3

There were several significant changes to the content of Principle 3 between Draft 2 and Draft 3:

- Increased the number of, and content within, Intent Boxes;
- Inclusion of references to the overlap of private land rights and Indigenous rights within Intent Boxes;
- Incorporation of Policy Motion 40 into Indicator 3.2.4.

Intent Boxes

The original approach to Intent Boxes in Principle 3 was to minimize their number and content throughout the Principle. Instead, readers were directed to the FPIC Guidance document for more detailed information on the subject matter. Public consultation revealed that this approach was not appropriate for the Principle. The Standard Development Group suggested Intent Boxes for a number of Indicators based on consultation and field testing results, and settled on an additional 2 Intent Boxes. The information contained in the Intent Boxes addresses:

- Private lands;
- Customary rights;



- The principle of FPIC; and
- Culturally appropriate engagement.

Dealing with Private Lands

There was a lack of information in both Draft 1 and Draft 2 of the Standard regarding the application of Indigenous rights and FPIC to private lands. The Standard Development Group conducted field tests with Certificate Holders, some of which held with private lands, however these tests were not designed to address the unique circumstances of overlapping property rights and Indigenous rights.

Between August 29th and November 7th, numerous meetings were held with the Standard Development Group to discuss the private land context. There were two decisions needed to advance the subject matter:

- Acknowledgement that Indigenous rights might exist on private lands; and
- The rights of private landowners must be taken into consideration when weighing the rights of Indigenous peoples to access private lands, particularly in relation to customary rights.

During discussions the group often returned to the very real and possible scenario of disagreement between the Organization and Indigenous Peoples over asserted rights. It was decided that in the context of private lands in particular, an indicator was needed that allowed for Organizations to demonstrate best efforts to reach an agreement over the scope of rights to be included in an FPIC agreement. This is particularly important where a transition phase is needed to address circumstances where there has been very little to no dialogue on Indigenous rights.

Policy Motion 40/2017

At the 2017 General Assembly, the members passed Policy Motion 40 to create a new IGI to clarify that FPIC is to be achieved over time through a mutually agreed process. This Motion is significant to both Organizations and Indigenous Peoples as the initial interpretation of IGI 3.2.4 placed significant pressure on parties to reach an agreement within a one-year time frame.

Overview of Draft 2 and Draft 3 Indicators for Comparison

Draft 2 Indicators		Draft 3 Indicators	
Ind	Topic	Ind	Topic
P3 INTENT	Highlight the “collective” nature of Aboriginal rights and reference made to FSC Canada FPIC Guidance document for more detail.	P3 INTENT	Substantial context added to: <ul style="list-style-type: none"> • Bring into focus the nature and scope of customary rights and legal rights in the context of FPIC; • Highlight potential differences in the handling of disputes in non-public agreements; • Contextualize the application of Principle 3 on private lands.



3.1.2	Identification of Indigenous Peoples through documentation and mapping of specific parameters as per the IGI; Indigenous cultural landscape (ICL) value was added.	3.1.2	Identification of Indigenous Peoples rights through a shortened list of parameters; removed the ICL value as it was misunderstood in the list as a “right”; the parameters were removed from this indicator and adapted into 3.1.3 and 3.1.4.
		3.1.3 (NEW)	Indicator addresses circumstances of disagreement on the scope of rights to be addressed by an FPIC process
		3.1.4	Adapted an existing IGI to provide an “on ramp” to addressing rights that may be impacted by management activities through an FPIC process in 3.2.4
3.2.6	FPIC is <u>granted</u> by Indigenous Peoples prior to management activities, through a process that includes: <ul style="list-style-type: none"> Engagement, assessment, gathering assurances of community knowledge of FPIC, and a dispute resolution process to manage the agreement. 	3.2.4	FPIC is <u>obtained</u> prior to management activities, through a process that includes: <ul style="list-style-type: none"> Engagement, documentation of community goals and aspirations (formerly part of 3.1.2), and a dispute resolution process; When FPIC is not yet obtained, the Organization must demonstrate best efforts to engage in good faith with the intent of reaching an FPIC agreement.

Indicator Specific Revisions

Indicator 3.1.2

The Standard Development Group invested significantly in the revision of this Indicator. It is viewed as the starting point for FPIC processes and the SDG requested more clarity, consistency and applicability across the various tenure contexts in Canada. The result is a simplified Indicator, focused on the identification of rights using best available information.

Draft 2	Draft 3
3.1.2 Through culturally appropriate engagement with the Indigenous Peoples identified in 3.1.1, the following are documented and/or mapped: <ol style="list-style-type: none"> Their legal and customary rights of tenure; Their legal and customary access to, and use rights, of the forest resources and ecosystem services; Their legal and customary rights and responsibilities that may be affected by activities in the Management Unit; The evidence supporting these rights and responsibilities; and 	3.1.2 Through culturally appropriate engagement the following is documented and/or mapped using best available information: <ol style="list-style-type: none"> Their legal and customary rights of tenure; Their legal and customary access to, and use rights, of the forest resources and ecosystem services; Their other legal and customary rights and responsibilities that may be affected by management activities; The evidence supporting these rights and responsibilities; and



<p>5. Areas where rights are contested between Indigenous Peoples, governments and/or others.</p> <p>6. The expressed aspirations and goals of Indigenous Peoples related to management activities;</p> <p>7. The impact of management activity as it related to their legal and customary rights;</p> <p>8. Indigenous cultural landscapes (ICLs) where they have been identified by Indigenous Peoples.</p> <p>For part 8, Indigenous cultural landscapes, where Indigenous Peoples have indicated landscape level aspirations and management goals but have not yet provided the information to document and/or map them, a mutually agree to action plan will be developed to compile this information. (Adapt)</p>	<p>5. Areas where rights are contested between Indigenous Peoples, governments and/or others. (Adapt)</p> <p>3.2.4 (2) Documents an approach to identifying the goals and aspirations of affected rights holders related to management activities</p> <p>3.1.4 Legal and customary rights that may be impacted by management activities on specific areas of the Management Unit are identified and a summary of means by which these rights, and contested rights, may be addressed is provided by The Organization. (Adapt)</p>
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Indicator 3.1.3

This is a new indicator to Draft 3. The intent of this indicator is to address the very real situation of possible disagreement between Organizations (particularly private landowners) and Indigenous Peoples on scope of claimed of rights. The supporting Intent Box highlights the need to make best efforts to engage in good faith processes. There is specific reference to private landowners to provide additional guidance/support, particularly in regions of the country where, under previous versions of the Standard, did not require significant engagement with Indigenous People on private lands (e.g. Great Lakes-St. Lawrence and Maritimes Standards).

Draft 3 Version of Indicator 3.1.3

<p>When there is disagreement about the legal and/or customary rights affected by management activities, The Organization attempts, through culturally appropriate engagement, to reach agreement on an interim scope of rights to be recognized and upheld. This process is conducted in good faith, documented and available at the time of audit.</p> <p>Intent Box</p> <p>Meaningful relationships that support long-term and culturally appropriate engagement are fostered through dialogue that, in the beginning, may require persistent and sincere attempts to meet with Indigenous Peoples as identified in Indicator 3.1.1 to discuss the nature and scope of the legal and customary rights that may be impacted by management activities. The Organization may need to work with FSC Canada and their certifying body to provide background materials on FSC certification and processes.</p> <p>For private Land: If legal and/or customary rights are asserted without evidence and private land owners determine through impact assessment that the negative impacts of the assertion are too high, the right to private property may be weighed against the rights of Indigenous Peoples.</p>



Indicator 3.1.4

This Indicator is an amalgamation of two original IGIs (IGI 3.1.2(6) and 3.2.2) that were not included in Draft 1 or Draft 2 of Principle 3. Field testing and further public consultation revealed that there was a need to introduce an “on ramp” for indicators in Criterion 3.2 specifically requiring free, prior and informed consent. There was some concern that the “summary of means” would not clear to the reader, therefore the phrase has been clarified in the FPIC Guidance document.

Draft 3 Version of Indicator 3.1.4

Legal and customary rights that may be impacted by management activities on specific areas of the Management Unit are identified and a summary of means by which these rights, and contested rights, may be addressed is provided by The Organization. (Adapt)

Indicator 3.2.4

This indicator was significantly altered to address an overall restructuring of the Principle. First, the context of the Indicator has been changed to reflect the responsibilities of the Organization in reaching conformance to Standard requirements. That is, the original indicator required Indigenous Peoples to grant FPIC while Draft 3 directs Organizations to obtain FPIC. The Draft 3 Indicator is further clarified by cross-referencing the requirements to the rights holders identified in Indicator 3.1.4.

The sub-sections of the Indicator have been re-drafted to clarify both the role and limitations of the Organization in recognizing and upholding the right to FPIC. For example, public consultations and field testing revealed that it would be near to impossible for an Organization to “ensure” Indigenous Peoples know their rights in relation to FPIC. The intent of the sub-section is to provide further direction to the Organization regarding pertinent aspects of an FPIC process, including the role of the Organization in supporting dialogue and decision-making.

The Draft 3 version of this Indicator now includes language from Policy Motion 40/2017 to address the very real situation where the Organization and affected rights holders have not completed an agreement based on FPIC. This addition eliminates the binary construction of the indicator (i.e. yes/no agreement = conformance/non-conformance) to allow the Organization and affected rights holders time and space to negotiate in good faith.

Draft 2	Draft 3
3.2.6 Free, Prior and Informed Consent is granted by Indigenous Peoples* prior to management activities that affect their identified rights through a process that includes: <ol style="list-style-type: none"> Engaging affected Indigenous Peoples in the current and future planned forest management activities; 	3.2.4 Free, Prior and Informed Consent is obtained prior to management activities that affect the rights identified in Indicator 3.1.4 through a process that: <ol style="list-style-type: none"> Engages Indigenous Peoples in the assessment of the economic, social and environmental values of the forest management resource;



<ol style="list-style-type: none"> 2. Ensuring Indigenous Peoples know their rights and responsibilities regarding the resource; 3. Engaging the Indigenous Peoples in assessment of the economic, social and environmental values of the forest management resource; 4. Ensuring the Indigenous Peoples know of their right to withhold consent to the proposed management activities to the extent necessary to protect rights, resources, lands and territories; 5. Ensuring that Indigenous Peoples are free to provide or withhold consent without coercion; and 6. A mutually agreed upon dispute resolution process for the purpose of managing the binding agreement is developed that includes provisions for third-party mediation and arbitration. (Adapt) 	<ol style="list-style-type: none"> 2. Documents an approach to identifying the goals and aspirations of affected rights holders related to management activities; 3. Includes a mutually agreed upon dispute resolution process; 4. Supports dialogue regarding the rights and responsibilities of Indigenous Peoples 5. Informs affected Indigenous Peoples of their right to withhold consent or modify consent to the proposed management activities to the extent necessary to protect rights, resources, lands and territories; and 6. Supports decision making by affected Indigenous Peoples that is free of coercion, manipulation or intimidation; <p>When Free, Prior and Informed Consent has not been obtained, The Organization demonstrates best efforts to support a culturally appropriate engagement process with affected Indigenous Peoples that is advancing in good faith with the intent of reaching an agreement based on Free, Prior and Informed Consent. (Adapt)</p>
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3. Landscape Management

Relevant Standard Reference: Indicators 6.1.3, 6.8.1-6.8.4

Landscape management indicators play an important role in shaping the direction of Principle 6. In particular, a series of inter-related indicators in Criteria 6.1 and 6.8 address the requirements related to how the 'natural' state of a forest should influence the objectives for its broad characteristics. Criterion 6.1 contains a series of indicators that address requirements to assess or gather information that is used in indicators related to management in subsequent Criteria. Indicator 6.1.3 requires information regarding the state of the present and 'natural' condition of the forest to be collated and analyzed. Indicators in Criterion 6.8 then require the use of those analyses in developing targets and managing to meet those targets.

Background

The first draft of the Standard included a requirement in Criterion 6.1 that a Range of Natural Variation (RONV) analysis be completed for use in identifying targets for the forest's structure. The response to this indicator was strong and several comments noted that the analysis could be expensive to undertake and that the data required were not uniformly available. Several comments suggested that a pre-industrial condition (PIC) analysis was simpler to do, and could be used to accomplish similar objectives. In response to these comments, Draft 2 of the Standard contained a revised requirement in Indicator 6.1.3 to undertake either a RONV or a PIC analysis, and provided somewhat prescriptive direction regarding the circumstances under which either of the two approaches should be used. By the time all the permutations of possible forest types and analyses were considered, the indicator was complex – one of the longest in the Standard. The related requirements in Criterion 6.8 that addressed use of the analyses in setting targets were also long and somewhat complex.

Comments received on Draft 2 were not unfavorable toward the indicators. Several comments suggested that additional guidance would be necessary to ensure that all circumstances regarding forests' conditions could be accommodated. Initial attempts to redraft the indicators based on the Draft 2 comments led to even longer and more complex indicators, raising the concerns of the Standard Development Group.

In field tests undertaken of the Draft 2 indicators, several concerns regarding the complexity of the landscape indicators were identified, leading to practical suggestions of how the indicators could be shortened considerably, without sacrificing their intent. The Standard Development Group considered suggestions and re-worked the indicators so that they were considerably shorter, less complex, and still addressed the key requirements of developing and implementing targets based on natural forest conditions.

Approach to Draft 3

An overview of the Draft 2 and Draft 3 (Revised) indicators is provided in the table below.



Draft 2 Indicators		Draft 3 Indicators	
Ind.	Topic	Ind.	Topic
6.1.3	Analyses identify Present and Natural Forest Conditions: <ul style="list-style-type: none"> Complex instructions direct whether RONV or PIC approach is to be used to describe forest, based on data availability and history of forest management. RONV analysis preferred, and requirement to move to RONV analysis identified. 	6.1.3	Analyses identify Present and Natural Forest Conditions. <ul style="list-style-type: none"> Simpler instructions on when to use RONV or PIC analysis; RONV still preferred but greater flexibility provided in use of appropriate approach.
6.8.1	Identifies targets for forest types and age class distribution based on 6.1.3 analyses: <ul style="list-style-type: none"> Analogous complexity 'inherited' from 6.1.3 based on use of RONV or PIC approach. Provision for flexibility in targets based on climate change. Full range of age classes to be addressed Implementation of targets required. 	6.8.1	Identifies targets for forest types and age class distribution based on 6.1.3 analyses: <ul style="list-style-type: none"> Analogous simpler approach 'inherited' from 6.1.3 Provision for flexibility in targets based on climate change; Full range of age classes to be addressed.
		6.8.2	Addresses implementation of targets identified in 6.8.1: <ul style="list-style-type: none"> direction regarding implementation removed from 6.8.1 to separate out aspects of performance.
6.8.2	Identifies targets for patch size distribution based on 6.1.3 analysis: <ul style="list-style-type: none"> Implementation of targets required through best efforts requirements. 	6.8.3	Identifies targets for patch size distribution based on 6.1.3 analysis: <ul style="list-style-type: none"> somewhat simpler approach than D2.
		6.8.4	Addresses implementation of targets through best efforts requirements: <ul style="list-style-type: none"> direction regarding implementation removed from 6.8.2 to separate out aspects of performance.

Indicator-Specific Revisions

Indicator 6.1.3

As can be seen by the comparison below, the new version of the indicator (Draft 3) is considerably less complex than the previous version (Draft 2). Key changes include a less prescriptive approach, greater flexibility regarding the use of RONV or PIC analysis, and recognition that in some cases a blended approach may be appropriate. The revised approach, carried through to the Criterion 6.8 indicators, still requires that future forest conditions take account of historic/natural conditions so that the nature of the forest is not fundamentally altered.

Draft 2	Draft 3
Appropriate to the scale, intensity and risk of forest management operations, an assessment of the current forest is made, addressing:	Using best available information and appropriate to the scale, intensity and risk of



Draft 2	Draft 3
<p>1. The distribution of forest types (quantitative information);</p> <p>2. The distribution of forest types and age classes (quantitative information); and</p> <p>3. The range of disturbance sizes and sizes of post-disturbance patches.</p> <p>Additional assessments of the forest are made using the one of the following three approaches (A, B, or C) that is most appropriate.</p> <p>A) In Management Units with a long history of forest management or settlement and where the forest is significantly different from the pre-industrial forest in terms of landscape patterns, species and age-class distributions so as to make the use of an analysis of the Range of Natural Variation impractical the pre-industrial forest is characterized, addressing:</p> <ol style="list-style-type: none"> 1. The pre-industrial range of forest types (quantitative information); 2. The pre-industrial range of forest types by age class (quantitative information); and 3. The pre-industrial range of disturbance sizes and size of post-disturbance patches. <p>B) In Management Units where human use of the forest has not significantly altered landscape patterns from pre-industrial conditions and sufficient information is available, an analysis of the Range of Natural Variation has been prepared and includes:</p> <ol style="list-style-type: none"> 1. An assessment of the natural range of the amount of each forest type 2. An assessment of the natural range of forest types by age class; and 3. An assessment of the natural range of disturbance sizes and sizes of post-disturbance remnant patches. <p>For items 1 and 2 in this list, the analysis characterizes the Range of Natural Variation by identifying the upper and lower extremes of the range and measures of variance or dispersion between the extremes (for example, the interquartile ranges).</p>	<p>forest management activities, an assessment of the current forest is made, addressing:</p> <ol style="list-style-type: none"> 1. The distribution of forest types (quantitative information); 2. The distribution of forest types by age classes (quantitative information); and 3. The range of natural disturbance sizes and sizes of post-disturbance remnant patches. <p>Additional assessments of the natural condition of the forest are made as follows:</p> <p>Where appropriate data exist and where it is practical based on the effort required, an assessment of the range of natural variation (RONV) of the forest is completed. Where appropriate data to complete a RONV assessment do not exist or where it is impractical to complete a RONV assessment, the pre-industrial Condition (PIC) of the forest is characterized. The RONV or PIC analysis includes:</p> <ol style="list-style-type: none"> 1. An assessment of the natural range of the amounts of each forest type; 2. An assessment of the natural range of forest types by age class; and 3. An assessment of the natural range of disturbance sizes and sizes of post-disturbance remnant patches. <div data-bbox="850 1241 1414 1793" style="border: 1px solid black; padding: 5px;"> <p>INTENT BOX</p> <p>Analyses required in this Indicator are used in subsequent Indicators that address setting of targets for different aspects of forest condition (i.e. Indicator 6.8.1 - forest community composition, and Indicator 6.8.3 - forest patches). Although RONV analysis is generally considered to be more robust and appropriate for identifying preferred future forest conditions, the Indicator also addresses the use of PIC analysis, recognizing that the data and effort required for RONV may make that approach impractical.</p> <p>Organizations may elect to use a mix of RONV and PIC analyses based on the condition of their forest, for use in the subsequent Criterion 6.8 Indicators.</p> </div>



Draft 2	Draft 3
<p>C) In Management Units where human use of the forest has not significantly altered landscape patterns from pre-industrial conditions and sufficient information is not available or analyses have not been prepared to assess the Range of Natural Variation as required in part B of this indicator, the pre-industrial forest is characterized, addressing:</p> <ol style="list-style-type: none"> 1. The pre-industrial range of forest types (quantitative information); 2. The pre-industrial range of forest types by age class (quantitative information); and 3. The pre-industrial range of disturbance sizes and size of post-disturbance patches. <p>In addition, a process is in place and is being implemented to gather information and conduct analysis so as to be able to characterize the Range of Natural Variation as described in component B of this indicator. (Add)</p>	<p>The Indicator includes requirements to characterize the present forest by age classes and assess natural conditions of forest types by age class. This requirement is intended to recognize that some age classes may be broad, such as in Great Lakes–St. Lawrence and Acadian Forest types, and may include classes of multi-or all-aged forest.</p> <p>Indigenous Peoples' traditional use of a forest is consistent with the concept of 'pre-industrial forest as describe in the glossary.</p> <p>All reasonably-available data should be used in the analyses and reasonable and defensible interval classes (i.e. for age classes and disturbance sizes) should be used.</p>
<p>INTENT BOX</p> <p>Analyses required in this indicator are used in subsequent indicators that address different aspects of forest condition (i.e. 6.8.1 - forest community composition and 6.8.2 - forest patches). This indicator recognizes that different circumstances exist regarding forest landscapes and data availability that affect the type of analyses that are possible and appropriate to use in subsequent indicators. Three circumstances (A,B, and C) are recognized:</p> <ul style="list-style-type: none"> • A –This case applies to conditions such as exist in the Maritimes, southern Quebec, and southern Ontario where there is a long history of settlement and forest management. For example, the Acadian Forest has been settled for more than 200 years and the proportion of shade-tolerant species that were historically dominant, has declined significantly while intolerant species have increased significantly. The area also there has a considerable history of agriculture that affects landscape patterns. 	



Draft 2	Draft 3
<ul style="list-style-type: none"> • B - This case applies to conditions such as exist in northern Ontario and other places where forest is still the main land cover and sufficient data exist and analyses of the Range of Natural Variation* have been prepared. • C - This case applies to conditions in which it would be desirable to manage according to the Range of Natural Variation, but where sufficient data are not available or analyses have not been completed. These circumstances may exist in many Management Units. <p>Recognizing the case B is more desirable than case C, the indicator requires demonstration of progress in moving from the circumstances described in case C to those in case B.</p> <p>The spatial scale at which an analysis of the Range of Natural Variation is conducted can significantly affect the results. Data from a smaller area will generally produce a narrower range. The scale at which analyses should be undertaken for this indicator should be based on an ecologically appropriate area and scale, regardless of the size of the management unit.</p>	

Indicators 6.8.1 and 6.8.2

Indicator 6.8.1 applies the analyses undertaken in Indicator 6.1.3 so that targets for the distribution of forest types and age classes can be identified. The previous version of this indicator had separate and complex direction depending on whether RONV or PIC analysis had been used in Indicator 6.1.3. This has been greatly simplified following the lead of Indicator 6.1.3. Indicator 6.8.1 has also been split into two indicators to separate the planning from implementation components

Draft 2	Draft 3
<p>6.8.1 A distribution of forest types and age classes of forest types is maintained or restored according to A or B. below.</p> <p>A) Where an assessment of the Range of Natural Variation has been completed for Indicator 6.1.3, targets for the distribution of forest types and ages classes of forest types are based on the Range of Natural Variation.</p>	<p>6.8.1 Based on the analyses undertaken for Indicator 6.1.3, targets are identified for the distribution of forest types that are intended to maintain, restore, or enhance the condition of the forest appropriate to the regional context.</p> <p>Targets may take anticipated impacts of climate change into account provided they are based on best available information.</p>



Draft 2	Draft 3
<p>Reasonable bounds (such as the interquartile range) are used as a guide for identifying the targets for forest types and age class consistent with the Range of Natural Variation.</p> <p>B) Where an Assessment of the Range of Natural Variation has not been completed for Indicator 6.1.3, targets for the distribution of forest types and age classes of forest types are based on the pre-industrial condition identified through Indicator 6.1.3.</p> <p>Reasonable flexibility is used in identifying targets for forest types and age classes based on the extent of the difference between present forest conditions and the pre-industrial condition.</p> <p>Once an analysis of the Range of Natural Variation has been completed, as described in Part C of Indicator 6.1.3, the requirements of Part A of this indicator are used for Management Units where human use of the forest has not significantly altered landscape patterns from pre-industrial conditions.</p> <p>For both A and B:</p> <p>Measures are being implemented to achieve the identified targets for distributions of forest types and age classes of forest types;</p> <p>The distribution of forest types and age classes of forest types to be maintained or restored may take anticipated impacts of climate change into account only when based on a peer-reviewed strategy of adaptation to climate change; and</p> <p>Age-class distributions used in this indicator represent the full range of ages such that old forest classes are incorporated into the age-class distributions to be maintained or restored. (Adapt – from IGI 6.8.1 and 6.8.2)</p>	<p>Target age-class distributions represent the full range of natural forest ages such that old forest classes are incorporated into the targets.</p> <div data-bbox="829 422 1414 447" style="border: 1px solid black; background-color: #e1eef6; padding: 2px;"> <p>INTENT BOX</p> </div> <p>The Organizations should identify targets that achieve progressive outcomes related to forest structure and composition that take the regional context into account. In regions with a long history of settlement and land conversion, where the forest has been significantly altered from a pre-industrial condition, an appropriate target may include the maintenance of natural forests. In forests that have not been significantly altered, appropriate targets may consider opportunities to return the forest to a more natural condition. Such targets may be based on the use of the interquartile range where an RONV analysis has been used in Indicator 6.1.3.</p> <p>As identified in the Intent Box for Indicator 6.1.3, there may be circumstances in which it is appropriate to use a blended approach for Range of natural variation and pre-industrial condition to set targets for the future forest condition. In these circumstances, The Organizations are expected to implement the requirements of this Indicator for those portions of the forest that are most well-suited for each approach.</p> <p>6.8.2 Measures are being implemented to achieve the targets for distributions of forest types and age classes of forest types identified in Indicator 6.8.1.</p>
<div data-bbox="204 1650 797 1675" style="border: 1px solid black; background-color: #e1eef6; padding: 2px;"> <p>INTENT BOX</p> </div> <p>This indicator requires that targets for forest types and age classes of forest types be identified and worked towards. The indicator uses the results of the analyses required in indicator 6.1.3 as a basis</p>	



Draft 2	Draft 3
<p>for identifying appropriate targets. Part A of this indicator refers to situations in which an assessment of the Range of Natural Variation as been completed. Indicator 6.1.3 requires that such an analysis be completed "where human use of the forest has not significantly altered landscape patterns from pre-industrial conditions and sufficient information is available".</p> <p>Part B of this indicator applies to situations in which an assessment of the Range of Natural Variation has not been completed for Indicator 6.1.3. Two situations apply to this case, as identified in Indicator 6.1.3: 1) instances in which the Management Unit has "a long history of forest management or settlement, and where the forest is significantly different from the pre-industrial forest...."; and 2) "where human use of the forest has not significantly altered landscape patterns from pre-industrial conditions and sufficient information is not available or analyses have not been prepared to assess the Range of Natural Variation".</p> <p>This indicator allows discretion in identifying appropriate targets for forest types and age classes of forest types. Where the Range of Natural Variation is used in setting the targets (Part A), the indicator permits "Reasonable bounds (such as the interquartile range)", and where the pre-industrial condition is used in setting targets (Part B), the indicator permits "Reasonable flexibility". This level of discretion is provided to recognize that forests do not exist as steady-states and to recognize that existing forest landscapes may be considerably different from either the Range of Natural Variation or the pre-industrial conditions. Organizations should identify targets that require them to make diligent efforts to return forests to a more natural condition, or remain within natural bounds.</p>	

Indicator 6.8.3 (formerly part of 6.8.2)

Direction on addressing forest patch sizes is also based on the analyses undertaken Indicator 6.1.3. In Draft 3, the direction is simpler because of the more streamlined nature of 6.1.3. In addition, aspects of implementation have been moved to Indicator 6.8.4, and an intent box has been added, comparable to that in Indicator 6.8.1 that addresses the flexibility provided in identifying targets. Finally, reference to IFLs and the role that they could play in addressing this



indicator’s requirements have been removed in Draft 3 as all IFL content is to be addressed in Phase 2 of the Standard.

Draft 2	Draft 3
<p>6.8.2 A distribution of forest patch sizes, including large areas of forest in contiguous blocks, is maintained or restored. Targets for the size and distribution of forest patches are informed by the analysis of the Range of Natural Variation or the assessment of pre-industrial condition completed for Indicator 6.1.3.</p> <p>Targets for the size and distribution of forest patches take into account whether the Management Unit has a long history of management and settlement.</p> <p>Best efforts are made to:</p> <ol style="list-style-type: none"> 1. Maintain contiguous blocks of forest that are of natural-disturbance origin; 2. Aggregate existing and planned disturbances as a means of creating and maintaining large contiguous blocks; and 3. Minimize the extent of roads and other linear disturbances in the contiguous blocks, including through removal and reclamation. (Adapt – from IGI 6.8.1 and 6.8.2) 	<p>6.8.3 Based on the analyses undertaken for Indicator 6.1.3, targets are identified for the size distribution of forest patches to maintain, restore, or enhance the condition of the forest as appropriate to the regional context.</p> <p>The targets also consider the needs of species at risk that require large areas of contiguous habitat.</p>
<p>INTENT BOX</p> <p>Where Intact Forest Landscapes occur, their management can contribute to meeting the requirements of this Indicator. For Management Units in which Intact Forest Landscapes do not exist, and for portions of Management Units outside of Intact Forest Landscapes, the requirements of this indicator should be addressed through management of the remaining large areas of contiguous forest.</p>	<p>INTENT BOX</p> <p>As for Indicator 6.8.1, Organizations should identify targets that require them to make diligent efforts to achieve progressive outcomes related to forest structure and composition and take the regional context into account. Considerations should include the extent to which the size distribution of forest patches of the present forest differs from pre-industrial conditions. Pre-industrial and natural conditions may not be appropriate targets given that large disturbances may not be socially acceptable.</p>

Indicator 6.8.4 (formerly part of 6.8.2)

Indicator 6.8.4 addresses the portion of the former indicator 6.8.2 focused on implementation. As with other revisions of this sort, the intent is to clearly separate planning requirements from implementation requirements. One part of this indicator that was of concern identified in both Draft 2 comments and field testing was the requirement to maintain contiguous blocks of forest that are of natural disturbance origin. The Standard Development Group continued to see value in the requirement, but believed that additional context was needed to emphasize that the requirement need not be additive to those of other indicators, and that there are forest



types, and areas of the country for which it will be of less relevance based on the management and disturbance history.

Draft 3 – New indicator 6.8.4:

6.8.4 Measures are being implemented to achieve the targets for forest patch sizes, identified in Indicator

6.8.3. Best efforts are made to:

1. Maintain contiguous blocks of forest that are of natural-disturbance origin;
2. Aggregate existing and planned disturbances as a means of creating and maintaining large contiguous blocks; and
3. Minimize the extent of roads and other linear disturbances in the contiguous blocks, including through removal and reclamation.

INTENT BOX

This Indicator requires that best efforts be made to maintain contiguous blocks of forest that are of natural disturbance origin, while implementing measures to achieve the targets identified in Indicator 6.8.3. This requirement is not intended to be additive to those expressed in other Indicators that may also deal with large blocks of forest, such as Indicator 6.4.3 (caribou), or the requirements of HCV Categories 2 and 3 (addressed in Principle 9) that address landscape-level ecosystems and large remnant ecosystem patches. In other words, if the maintenance of contiguous areas of forest of natural-disturbance origin is addressed elsewhere, extra efforts should not be required to address the requirements of this Indicator.

The Indicator's requirement for maintenance of contiguous blocks of forest that are of natural disturbance origin should take forest type and management history into account. Some forests areas may have a long history of management involving frequent stand entries and which are generally not susceptible to large natural disturbances. In such cases, there should be moderated expectations of the extent to which this requirement can be addressed in forests with a long history of management and limited natural disturbance.



4. Structure of Criterion 6.3

Relevant Standard Reference: Criterion 6.3, as well as Criteria 6.6, 6.7, 6.8

Background

In Draft 2, Criterion 6.3 contained four indicators all related to the protection of forest land and soils from detrimental effects associated with management activities. The first three indicators addressed:

- protection of soils from physical damage,
- protection of soils from nutrient loss and,
- avoidance of the loss productive land.

These indicators had a similar structure in that they each required the development of best management practices (BMPs) and the implementation of the BMPs. The fourth indicator in the Criterion addressed how to respond in circumstances where precautionary thresholds associated with the three types of detrimental effects had been exceeded.

In reviewing comments received on Draft 2, it became apparent that there was a potential unintended consequence associated with the structure of the first three indicators related to repeated non conformances (NCRs) within an indicator. Because the indicators each contained two distinct aspects of performance - a) development of BMPs, and b) implementation of the BMPs, circumstances could arise in which minor transgressions related to different aspects of conformance in successive years could result in the identification of a Major NCR, under the premise that the root cause of the original NCR has not been fully addressed. For this reason, FSC-STD-60-002 (Structure and Content of National Forest Stewardship Standards) advises that “each indicator should refer to a single aspect of performance” in part to avoid circumstances such as this.

Approach to Draft 3

To address this issue, a decision was made to split the requirements in the first three indicators so that different indicators addressed requirements associated with development and implementation, as is shown in the table below. So, although Criterion 6.3 now contains seven indicators instead of the previous four, there are no additional requirements and the structure now avoids circumstances that could lead to the unintended consequence of the identification of Major NCRs where they are not really warranted by the Organization’s performance.

Draft 2 Indicators		Draft 3 Indicators	
Indicator	Topic	Indicator	Topic
6.3.1	Protection of Soils from Physical Damage <ul style="list-style-type: none"> • Content of BMPs • Implementation of BMPs 	6.3.1	Protection of Soils from Physical Damage <ul style="list-style-type: none"> • Content of BMPs
		6.3.2	Protection of Soils from Physical Damage <ul style="list-style-type: none"> • Implementation of BMPs
6.3.2	Protection of Soils from Nutrient Loss	6.3.3	Protection of Soils from Nutrient Loss <ul style="list-style-type: none"> • Content of BMPs



	<ul style="list-style-type: none"> • Content of BMPs • Implementation of BMPs 	6.3.4	Protection of Soils from Nutrient Loss <ul style="list-style-type: none"> • Implementation of BMPs
6.3.3	Loss of Productive Land <ul style="list-style-type: none"> • Content of BMPs • Implementation of BMPs 	6.3.5	Loss of Productive Land <ul style="list-style-type: none"> • Content of BMPs
		6.3.6	Loss of Productive Land <ul style="list-style-type: none"> • Implementation of BMPs
6.3.4	Response to exceedance of precautionary thresholds have been exceeded.	6.3.7	Response to exceedance of precautionary thresholds have been exceeded.

Some other indicators in the Standard (e.g. within Criteria 6.6, 6.7, and 6.8) were similarly split to separate out requirements for planning and implementation.



5. Woodland Caribou

Relevant Standard Reference: Indicator 6.4.3 and Annex H

Background

The caribou indicator (6.4.3) has been among the most challenging in the Standard on which to come to broad agreement. Comments on Draft 2 indicated strong resistance from the Economic Chamber to the notion of having an indicator based on a single species; however based largely on the FSC Board's recognition of the validity of approach, work on the single species indicator continued. Additional concerns highlighted through testing were expressed regarding this indicator's complexity, the perceived limited extent to which it enabled alternate approaches, the lack of clarity in the requirements of Table 6.4.3 that could result in conformance even in circumstances in which less-than-desirable management is implemented, and that the approach was not sufficiently based on the state of caribou populations.

Overall, there were concerns as to how to accommodate the range of possible circumstances in various disturbance scenarios, range re-definitions, and novel management practices that exist across the country, while at the same time not increasing the complexity of the indicator's requirements.

The caribou indicator was the basis of considerable discussion at the FSC Canada's 2017 Annual General Meeting: a workshop-like structure was used as a forum for vetting concerns and identifying possible solutions. Following the workshop, the Standard Development Group (SDG) formed a subcommittee to work further on the indicator and a series of solutions were identified. Further discussions with the SDG resulted in consensus that the caribou indicator addressed the key issues and was in a format suitable for inclusion in the Standard.

Approach to Draft 3

Draft 3 of the caribou indicator retains the same broad structure as Draft 2, presenting three approaches to achieve conformance:

- A. Satisfying legal requirements of the Species at Risk Act (SARA) through implementation of a SARA-compliant Range Plan.

Where a SARA-compliant Range Plan does not exist, conformance can be achieved either through approach B or C.

- B. Addressing the requirements via a risk-based approach based on the state of the caribou population in the range, habitat conditions in the range, and habitat conditions in the management unit.
- C. Alternate measures that include incorporation of new science.

The table below identifies the main changes that have resulted in the caribou indicator's evolution to a workable, progressive feature of the National Standard.



Feature	Key Elements of Draft 2	Key Elements of Draft 3
Approach A	<ul style="list-style-type: none"> Implementation of a SARA-compliant Range Plan. 	<ul style="list-style-type: none"> Draft 3 still requires implementation of a SARA-compliant range plan; Includes identification of specific elements of the range plan that are to be included that provide greater clarity of expectations compared to the D2 version.
Approach B	<ul style="list-style-type: none"> Risk-based approach through implementation of the requirements of Table 6.4.3; Key elements of the table including use of precautionary approach, use of benchmark disturbance levels, recovery and restoration of habitat, and working within sphere of influence. 	<ul style="list-style-type: none"> Risk-based approach through implementation of the requirements of Table 6.4.3; Table 6.4.3 requirements simplified and clarified to create a more logical progression of requirements related to risk status; Quantitative requirements related to habitat amount and condition added in circumstances of high risk; Requirement related to sphere of influence removed; Requirement related to sufficiency of overall aspects of habitat quality removed.
Approach C	<ul style="list-style-type: none"> Alternate methods to include: <ul style="list-style-type: none"> validation by an independent expert; use of risk-based approach comparable to, or better than Table 6.4.3. 	<ul style="list-style-type: none"> Alternate methods based on development of a caribou conservation approach that includes: <ul style="list-style-type: none"> Use of best available information and peer-reviewed science; Evaluation of socio-economic impacts; Management of habitat below critical thresholds; Respect for, and effective engagement of Indigenous Peoples; and Incorporation of knowledge from interested and affected stakeholders.
Other		<ul style="list-style-type: none"> Structure of Intent Box revised for more logical flow Definitions of some terms placed in glossary Generally greater reliance on direction from range plan guidance in Approaches A and B More explicit incorporation of the role of Indigenous Peoples.

Draft 3 Indicators

An overview of the revised Draft 3 Indicator 6.4.3 (without intent boxes) is provided below.

<p>6.4.3 Management of caribou habitat is implemented following approach A, B or C below.</p> <p>A. A range plan that is SARA compliant and addresses caribou habitat management in a manner consistent with the content, measures and objectives identified in the Range Plan Guidance for Woodland Caribou, Boreal Population (Environment and Climate Change Canada 2016), or subsequent direction from</p>



Environment and Climate Change Canada that replaces or supplements the Guidance exists and is being implemented. At a minimum the content of the range plan being implemented includes:

1. An assessment of the status of the population in the range, supplemented by information on the status of the population in the Management Unit ;
2. An assessment of the habitat, including current habitat condition, critical habitat, and disturbance levels;
3. Identification of important habitat or landscape features, including continuous tracts of undisturbed habitat, known calving areas and travel corridors;
4. Habitat management measures that will support self-sustaining caribou populations and protect critical habitat;
5. A demonstration of how at least 65% undisturbed habitat in the range will be achieved or maintained over time;
6. Incorporation of Indigenous peoples' knowledge; and
7. Monitoring of habitat condition.

Where only a portion of the Management Unit is covered by a range plan that meets the requirements of Approach A, the range plan is being implemented for that portion of the Management Unit, and Approach B or C is being implemented for the remainder of the Management Unit that is within a caribou range not covered by the range plan.

Where a range plan that meets the requirements of Approach A above does not exist, management of caribou habitat is being implemented following Approach B or C.

B. Management of caribou habitat is implemented following the requirements of Table 6.4.3. The following requirements are also addressed:

1. Updated measurements of cumulative disturbance are used where available provided that the methodology used in calculating cumulative disturbance and definitions of human-induced and natural disturbance are comparable to those employed by Environment Canada (2012).
2. Best efforts are made to keep projected levels of cumulative disturbance on caribou ranges below 35% when a large natural disturbance occurs that significantly elevates the levels of cumulative disturbance. Expert input is used to identify how to adjust management activities following large natural disturbances.

Table 6.4.3. Key to requirements related to caribou habitat. The numbers in the gray-shaded cells refer to the numbered requirements in the box following the table. The letters in the cells are for reference only.

Caribou range Population Status	Range Risk Category (% cumulative disturbance)	Management Unit Disturbance Category (% cumulative disturbance in the portion of the Management Unit that overlaps caribou range)	
		≤35%	>35%
Stable or Increasing	Low (≤20%)	Cell A: 1	Cell B: 2
	Moderate (>20-35%)	C: 1,3	D: 2,4
	High (>35%)	E: 2,5	F: 2,4,5,6
Decreasing or Unknown	Low (≤20%)	G: 1	H: 2
	Moderate (>20-35%)	I: 2,3,5,6	J: 2,4,5,6
	High (>35%)	K: 2,4,5,6	L: 2,4,5,6

As described in the intent box for Approach B below, requirements associated with the population status of decreasing or unknown also apply to circumstances in which the population is stable or increasing due to extraordinary human intervention.



Requirements Related to Caribou Habitat	
1	Carefully planned implementation of forest management activities that follow a precautionary approach is permitted.
2	Carefully planned implementation of forest management activities that follow a precautionary approach is permitted. Access is managed to minimize impacts on caribou and caribou habitat.
3	Planning efforts are in progress to maintain cumulative disturbance within the Management Unit at ≤ 35%.
4	At least 50% of the undisturbed habitat as of January 1, 2018 (using the most up-to-date data for disturbance available) in the portion of the Management Unit that is within a caribou range is set aside from forest management for 30-50 years and remains reserved for the duration of that period. ECCC (2016) is used as a basis for identifying and managing undisturbed habitat to be set aside. Cumulative disturbances in the remaining areas only increase in the near-term when linked to a plan demonstrating a shift to ≤ 35% at the Management Unit level in the coming 30-50 years.
5	Planning efforts consider the level of cumulative disturbance at the range level and contribute to efforts to maintain or reduce range disturbance to ≤ 35%.
6	Habitat restoration is in progress.

- C. Through an efficient collaborative process with self-identified interested and affected stakeholders and affected Indigenous Peoples, a caribou conservation approach consistent with the Range Plan Guidance for Woodland Caribou, Boreal Population (ECCC 2016) is implemented for the Management Unit.

Informed by best available information and peer-reviewed science, the approach fosters stewardship of caribou habitat that supports self-sustaining caribou populations. The approach includes:

1. An assessment of the status of population in the Management Unit;
2. An assessment of the current habitat condition, critical habitat, and disturbance levels;
3. Identification of important habitat or landscape features, including continuous tracts of undisturbed habitat, known calving areas and travel corridors;
4. Habitat management measures that will support self-sustaining caribou populations and protect critical habitat;
5. Respect for, and effective engagement of Indigenous Peoples;
6. Incorporation of knowledge from interested and affected stakeholders;
7. Evaluation of socio-economic impacts; and
8. Monitoring of habitat condition and population response.

Looking Ahead

Planned work for Phase 2 of the new National Standard includes addressing means by which the caribou indicator can work synergistically with previously-identified options for addressing Intact Forest Landscapes to address some requirements of Policy Motion 65.



6. Conservation Areas Network

Relevant Standard Reference: Criterion 6.5

Background

Criterion 6.5 of the Standard addresses Conservation Area Networks (CAN)– those portions of the Management Unit for which conservation is the primary and, in some circumstances, exclusive objective. Indicators in this Criterion have undergone considerable evolution as perspectives on appropriate processes for identifying lands that could contribute to CAN lands have progressed.

The Criterion includes 11 Indicators – more than most other Criteria and considerably more than the IGLs, which have only five. The length of the Criterion is based somewhat on its legacy of predecessor regional standards that had different visions of CANs, how they should be identified, and the process for securing the intended vision of CAN lands.

Some of the key challenges identified through Draft 2 comments and testing include:

- Process for obtaining input and support from interested parties – ensuring an inclusive yet efficient and manageable process;
- Obtaining FPIC with Indigenous People in relation to the identification of gaps, as well as overlap between the Criterion’s requirements regarding FPIC and Criterion 3.2;
- Overlap of this Criterion and components of Principle 9 (including IFLs);
- Concerns with the application of this Criterion on private lands;

Approach to Draft 3

The Indicators in the Criterion attempt to address the logical steps that Organizations would undertake in a broad process of filling gaps related to the Conservation Areas Network, that would include a number of steps from developing a process for identifying candidate lands through to making concerted efforts to have lands be given legal protection.

There have been a number of changes in the Indicators since Draft 2 – while most have provided greater clarity regarding specific elements, some have more fundamentally changed the nature of the Criterion’s requirements. The most significant changes are:

- Deletion of the category of CAN lands formerly referred to as ‘Special Conservation Areas’;
- Reducing the categorization of CAN lands from two to one – ‘Designated Conservation Lands’ (DCLs);
- Changing the considerations included in ensuring that the suite of DCLs has support among those involved in the process (Indicators 6.5.1 and 6.5.8);
- Clarifying the requirements of FPIC (Indicator 6.5.10);
- Clarifying the requirements of private land owners.

These changes are explained in detail below.

Conservation Area Network Lands



The first two versions of the Standard contained two different types of lands that could be identified through the Criterion 6.5 indicators – Special Conservation Areas (SCAs, or called Special Management Areas in Draft 1), and Candidate Protected Areas (CPAs). The Criterion's objective for Candidate Protected Areas was to shepherd them through to achieving regulated status by working within The Organization's sphere of influence. If successful, these lands would become legislated areas whose mandate was conservation and so they would ultimately be withdrawn from certificate holders' tenure. The objective for Special Conservation Areas was also to contribute to conservation objectives, but they did not have an ultimate objective of regulated protection – instead they were to remain within the management auspices of The Organization. This approach was seen to provide greater flexibility by keeping lands within the direct management oversight of the tenure holders.

Although this approach was appealing in that it did not aspire to having all identified lands withdrawn from companies' tenure, it was cumbersome in application. Further, as the requirements for the Criterion's indicators evolved from Draft 1, to Draft 2 and into discussions on Draft 3, the aspirations of SCA lands became more and more similar to those of CPAs, and so, eventually it was recognized that a simpler approach would be to have only one category of lands identified by the Criterion's indicators – Designated Conservation Lands (DCLs). Key discussions that led to this decision occurred as a result of testing and at FSC's Annual General Meeting in Montreal in June, 2017.

Support for Designated Conservation Lands

The requirement of the National Boreal Standard that addressed the need for candidate protected areas to have support from stakeholders was generally lauded in the development of the National Standard, and there was a desire to include the same type of provision. However issues with the application of this requirement in the National Boreal Standard led to a desire to bring more clarity. The Draft 1 and Draft 2 Standards attempted to identify benchmark levels of support required, however it proved difficult to develop objective requirements that were seen by all chambers to be fair. This problem has been addressed in Draft 3 by bringing the notion of consensus into the process of obtaining support. First, in Indicator 6.5.1, which lays out requirements for the involvement of stakeholders and Indigenous Peoples, there is now a requirement to establish a process for the achievement of consensus amongst the parties involved in the identification and management of DCLs. Then, later on, as the indicators emulate the sequence of events that are likely to be necessary in achieving the CAN vision, Indicator 6.5.8 requires that consensus be achieved through implementation of the process identified in Indicator 6.5.1. This change seeks to provide increased flexibility in the design of the engagement process, and emphasizes the need for openness and collaboration early in the process rather than at the end of the process.

An important component of the notion of consensus is that it does not necessarily mean unanimity. The definition of consensus used in the Standard is: "General agreement, characterized by the absence of sustained opposition to substantial issues by any important part of the concerned interests and by a process that involves seeking to take into account the views of all parties concerned and to reconcile any conflicting arguments. Note: Consensus need not imply unanimity."



FPIC with Affected Indigenous Peoples

In Draft 2, FPIC requirements were articulated in Indicators 6.5.1 and 6.5.8 as a means to ensure that any potential changes in the designation of land and subsequent activity restrictions did not affect the rights of Indigenous Peoples. However, it was recognized that the requirement to identify and uphold the rights of Indigenous People is explicit within Principle 3, and therefore, changes were made to Criterion 6.5 in Draft 3 to focus on the changes that could affect Indigenous Peoples specifically as a result of the CAN process.

Therefore, the right to FPIC is now addressed in Indicator 6.5.10, which requires that FPIC is necessary before attempts are made to influence land designation status, i.e. move identified DCLs on traditional territories to legally protected status. Indicator 6.5.10 also stipulates that in situations where FPIC is not obtained, the lands are expected to remain as DCLs, however The Organization does not proceed with measures to encourage the legally protected status of these areas.

Dealing with Private Lands

The issue of Conservation Area Networks applies to both private and public forests. However, there are some very striking differences between the two circumstances – most obvious is that private forests are the property of individuals or corporations, and it was agreed that it would be inappropriate for the Standard to require owners to give up ownership of the lands, such as would be necessary if they were to become regulated protected areas.

Most circumstances related to private lands will be dealt with in Canada's SIR Standard, but because these issues are very complex and because of the desire to provide reassurance in the main Standard regarding ownership rights, the Standard clarifies that some of the indicators do not apply to private lands. The following Indicators in this Criterion do not apply to forests on private lands:

- Indicator 6.5.1 which addresses engagement requirements;
- Indicator 6.5.4 which addresses the public availability of the gap analysis and peer review of the gap analysis;
- Indicator 6.5.8 which addresses the support required for the suite of designated conservation lands; and
- Indicator 6.5.10 which addresses requirements to work within sphere of influence to move designated conservation lands to regulated status.

Draft 3 Indicators

An overview of the revised Draft 3 indicators (without intent boxes) is provided below.

Criterion 6.5:

6.5.1 An efficient process is used to engage Indigenous Peoples whose traditional territory overlaps the Management Unit and self-identified interested and affected stakeholders, regarding the identification and management of designated conservation lands.

The process includes the development of a mechanism to achieve consensus on the identified designated conservation lands.



6.5.2 Using best available information, an analysis is used to identify gaps in the completeness of the Conservation Areas Network in the Management Unit. Elements considered for inclusion in the gap analysis address enduring features, representation of native ecosystems, landscape connectivity, and High Conservation Values and High Conservation Value Areas.

The analysis uses inputs from the entire area of ecological influence.

The results of the gap analysis are mapped.

6.5.3 A peer review of the gap analysis is completed by one or more independent experts.

6.5.4 The gap analysis and peer review are made publicly available, including in electronic format.

6.5.5 Areas that address gaps are identified as designated conservation lands.

6.5.6 Designated conservation lands are of sufficient size to ensure the values they are intended to address are effectively protected based on a precautionary approach.

6.5.7 The total proposed target area of the Conservation Areas Network within the boundaries of the Management Unit, including existing protected areas, and designated conservation lands is identified by considering:

1. Relative extent of the Conservation Areas Network in the area of ecological influence
2. Contribution of the Conservation Areas Network to the attainment of regional provincial, national and international (e.g. Aichi biodiversity targets) conservation and protected area targets;
3. Guidance from the FSC Policy and Standards Committee that Conservation Areas Networks achieve a minimum area of 10% of the Management Unit¹;
4. Best available scientific information and research regarding appropriate conservation targets; and
5. Socio-economic considerations (for example, implications for wood availability and harvest levels).

6.5.8 Consensus is achieved on the identification of designated conservation lands through implementation of the process identified in Indicator 6.5.1.

6.5.9 Forest operations including harvesting, silviculture, and road building, are not undertaken by The Organization within designated conservation lands except when confirmed by independent expert opinion as appropriate to achieve objectives associated with restoration or maintenance of natural conditions.

6.5.10 The Organization works within its sphere of influence to achieve the following:

1. Move designated conservation lands to full legal regulated status;
2. Recognition of designated conservation lands in Management Plans and other relevant documents; and
3. Avoid harvesting, road building and other operations proposed by other tenure holders that are not consistent with conservation objectives of designated conservation lands.

¹ The 10% threshold is provided in the International Generic Indicators (FSC-STD-60-004 V1-0) and in its related guidance document (FSC-GUI-60-004 V1-0).



Free, Prior and Informed Consent is obtained prior to efforts to work within The Organization's sphere of influence to achieve regulated status for designated conservation lands that overlap Indigenous Peoples traditional territories (per Criterion 3.2).

6.5.11 The completed gap analysis is reviewed at least every five years, and updated if necessary, based on availability of new information or advances in gap analysis methodology. Updates to areas identified as designated conservation lands occur as required based on updates to the gap analysis.

If substantial changes to the gap analysis occur as a result of the update, a peer review is undertaken.



7. Management Plan

Relevant Standard Reference: Indicator 7.2.2

Background

The FSC International Generic Indicators (IGI) provides a list of relevant elements that are to be included in the management plan. The list can be found in Annex E of FSC-STD-60-004 (IGIs).

Draft 1 of the FSC Canada Standard was based on the list provided in IGI Annex E, as well as a few additional important elements from the National Boreal Standard. Draft 1 public consultation resulted in an overwhelming number of comments related to Indicator 7.2.2. Some of the key questions that arose were those related to how the indicator relates to provincial requirements and concerns regarding the total number of required elements within the indicator.

In Draft 2 of the standard, an intent box was added in Criterion 7.2 to address significant stakeholder comments regarding the management plan, and some elements were adjusted within Indicator 7.2.2 to streamline requirements and improve readability. However, Draft 2 consultation feedback indicated that the management plan requirements were still overly onerous, prescriptive and not value-added, given the existing rigorous and legal provincial forest management planning requirements.

Approach to Draft 3

The approach to Draft 3 seeks to significantly reduce the number of required elements in Indicator 7.2.2 as a means to streamline the Indicator, given the low level of risk of non-conformance. The new indicator focuses on the core requirements needed, as well as those that fulfill potential gaps where provincial forest management planning requirements are likely not strong enough or may not exist.

Draft 3 version of Indicator 7.2.2:

7.2.2 The management plan includes the legal provincial forest management planning requirements and

addresses the following elements:

1. Management objectives;
2. Description of the forest resources to be managed, environmental limitations, land use and ownership status, socio-economic conditions and profile of adjacent lands;
3. Results of assessments and monitoring programs;
4. Planned management activities and silvicultural systems used, based on the ecology of the forest and its social context;
5. Rationale for timber harvesting levels and species selection;
6. Measures to prevent and mitigate negative impacts of management activities;
7. Measures to conserve and/or restore values identified throughout the other Principles of the Standard;



8. Maps describing the forest resources, key infrastructure, land use and management designations (including HCVs), and planned management activities.

INTENT BOX

The information required for adjacent lands primarily refers to shared values, resources, and services. It may not be possible in all circumstances to provide a profile of adjacent lands. The expectation is that information regarding adjacent lands will be provided only in cases where the information is publicly available, such as within a forest management plan on a neighboring Crown Land Management Unit.



8. Monitoring Program

Relevant Standard Reference: Criterion 8.2

Background

Criterion 8.2 focuses on the monitoring elements that are required to evaluate and identify the impacts of activities and changes in conditions on the forest. The Criterion requires three distinct categories be monitored: environmental impacts of management activities (addressed in Principle 10), social impacts of activities (addressed in Principles 1-5 and 9), and changes in environmental conditions (addressed in Principles 5, 6 and 9). The International Generic Indicator (IGI) document (FSC-STD-60-004) provides a list of specific monitoring elements in Annex G, which are to be included in The Organization's monitoring plan.

Draft 1 of the FSC Canada Standard based the monitoring requirements in Criterion 8.2 on the list provided in IGI Annex G. Draft 1 public consultation resulted in numerous comments related to Criterion 8.2, specifically regarding the length and prescriptiveness of the indicators.

Draft 2 attempted to streamline the indicators within Criterion 8.2 as a means to reduce redundancy, notably by removing requirements to monitor aspects that were already being evaluated for conformance in other parts of the standard. Draft 2 consultation feedback indicated the length and the prescriptiveness of the indicators were still of significant concern, and industry feedback noted the significant cost and effort that would be required to address some of the required elements. Field testing indicated that the expectations of each indicator were not totally clear, and that some of the indicators were not consistent in what they were asking to be monitored (e.g. in some cases looking for monitoring of impacts, and in other cases, looking for monitoring of actions or implementation of management activities).

Approach to Draft 3

Indicators 8.2.1, 8.2.2 and 8.2.3 were reviewed for consistency in terms of the list of elements to monitor, how realistic and feasible the requirements were, and whether the assessment of the status or impact to a value was already a component of other indicators found in other parts of the Standard. As a result, the list of required elements within the Criterion 8.2 indicators was significantly streamlined.

Draft 3 indicators within Criterion 8.2 are as follows:

8.2 INTENT BOX
The monitoring program to evaluate environmental, social and economic impacts of management activities and the changes in environmental condition should be designed in a way to focus on the identification of significant and adverse impacts, and consider the cost of implementing monitoring initiatives, as well as a reasonable timeframe by which changes in conditions can be detected. The information used to fulfill the monitoring requirements can be obtained from various sources including The Organization



- 8.2.1 Monitoring is sufficient to identify significant environmental impacts of management activities, including (where applicable):
1. Poor regeneration (Criteria 10.1 and 10.5);
 2. Invasiveness or other adverse impacts associated with alien species (Criterion 10.3);
 3. Adverse effects of fertilizers (Criterion 10.6);
 4. Adverse effects of pesticides (Criterion 10.7);
 5. Adverse effects of biological control agents (Criterion 10.8);
 6. Physical damage to soil, loss of soil nutrient and loss of productive forest area (Criterion 6.3);
 7. Adverse effects of increased access (Indicator 6.8.4);
 8. Site level damage of harvesting and extraction on residual trees and on environmental values (Criterion 10.11);
 9. Damage caused by inappropriate storage or disposal of waste materials (Criterion 10.12).
- 8.2.2. A system is in place to monitor the social and economic aspects of management activities, including (where applicable):
1. Illegal or unauthorized activities identified by The Organization (Criterion 1.4);
 2. Resolution of disputes (Criteria 1.6, 2.6, 4.6, 7.6);
 3. Sexual harassment and gender discrimination (Criterion 2.2);
 4. Occupational health and safety (Criterion 2.3);
 5. Timely payment of wages The Organization is responsible for or that is within The Organization's sphere of influence (Criterion 2.4);
 6. Health of workers related to the exposure to pesticides or fertilizers (Criterion 2.5 and Indicator 10.7.7);
 7. Full implementation of the terms in binding agreements (Criterion 3.3);
 8. Protection of sites of special cultural, ecological, economic, religious or spiritual significance to Indigenous Peoples and local communities (Criteria 3.5 and 4.7);
 9. Actual annual harvests compared to projected annual harvests of timber and non-timber forest products (Criterion 5.2); and
 10. Economic viability of The Organization (as required by Indicator 5.5.1).
- 8.2.3 Systems are in place to obtain up-to-date monitoring information identifying significant changes in environmental conditions caused by forest management activities, including (where applicable):
1. The maintenance and/or enhancement of ecosystem services (Criterion 5.1) (when The Organization makes FSC promotional claims regarding the provision of ecosystem services, or receives payment for the provision of ecosystem services)
 2. Species at risk and the effectiveness of actions implemented to protect them and their habitats (Criterion 6.4);
 3. Naturally occurring native species and biological diversity and the effectiveness of actions implemented to conserve and/or restore them (Criterion 6.6);
 4. Water bodies, riparian zones, water quality and flow in watersheds and the effectiveness of actions implemented to conserve and/or restore them (Criterion 6.7);
 5. Forest types, age classes per forest type and forest patch sizes, and the effectiveness of actions implemented to maintain and/or restore these features (Criterion 6.8); and
 6. Conversion of natural forest to plantations or conversion to non-forest cover (Criterion 6.9).



9. Use of Pesticides

Relevant Standard Reference: Criterion 10.7

Background

FSC International maintains a list of prohibited pesticides, otherwise known as highly hazardous pesticides (HHP) (FSC-STD-30-001a) that cannot be used under any circumstance unless a request for a temporary derogation is made. This list is updated by a committee at the international level and usually includes Group 1 (carcinogenic) and Group 2 (probably carcinogenic) products from the International Agency for Research on Cancer (IARC) classification. On March 2016, IARC added glyphosate to the Group 2 list of products.

In accordance with FSC International Policy, no changes have been made to the requirements of Criterion 10.7 (specifically Indicator 10.7.3), and the use of HHP is prohibited unless FSC International has granted derogation for its use.

Both Draft 1 and Draft 2 consultation processes revealed numerous concerns regarding the potential addition of glyphosate to an upcoming revised list of HHPs, and that Certificate Holders would have to apply for a temporary derogation for its use.

Proposed Solution

In 2016, FSC established the Pesticides Policy Working Group (PPWG) to revise the FSC Pesticides Policy (FSC-POL-30-001) with the objective of identifying the best feasible approach to reduce the use of chemical pesticides in FSC certified forests, and to prevent, minimize and mitigate the related environmental and social impacts.

In line with the objectives of the 2015-2020 FSC Global Strategic Plan and stakeholder feedback, the Policy is currently being revised to incorporate a risk-based approach that considers not only the hazard of the active ingredient but also how the chemical pesticide is used.

The PPWG has developed the first draft of the FSC Pesticides Policy and it was open for public consultation until October 29, 2017.

Significant changes proposed in the revision of the Policy include:

- a) A shift from a hazard-based approach to a risk-based approach that considers both the hazard and exposure aspects of the pesticide.
- b) Highly hazardous pesticides are prohibited or restricted based on a prioritization of the criteria to identify them. HHPs listed on the FSC prohibited list cannot be used on FSC certified forests except if required by government or in an emergency situation. In these cases, no derogations will be permitted.
- c) The procedure for the emergency use of HHPs has changed, applying only to FSC prohibited HHPs and with Certifying Bodies administering the process and making decisions, rather than the FSC Policy and Standards Unit and the FSC Pesticides



Committee, respectively. Consequences for inappropriate use of the emergency procedure have been strengthened.

d) The roles and responsibilities of the Certifying Bodies are strengthened in the auditing process.

e) FSC will develop global risk assessment indicators for the use of highly restricted and restricted HHPs that will be adapted to the regional/national context by Standard Development Groups, and included in FSC Canada's National Forest Management Standard.

After the consultation period ending on October 29th 2017, the PPWG is assessing the feedback and will prepare a second draft of the policy. A synopsis of the comments will be published on the FSC website with the subsequent draft of the policy. The summary will include the key themes of stakeholder feedback and how these were considered in the revisions of the policy.

It is expected that the revised FSC Pesticides Policy will be finalized around the end of 2018.



Conclusion

With the Standard Development Group and FSC Canada Board approval, FSC Canada's Forest Management Standard, along with the evidence package describing the process and decisions made, have been sent to FSC International for review and approval. Once approval has been achieved, the Standard will be in effect and can be used by certificate holders and forest managers seeking FSC forest management certification. Updates regarding the progression of these next steps will be provided as more information becomes available.

Reaching agreement and approval is a significant milestone that, without the interest, input and commitment from stakeholders, partners and volunteers, would not have been possible. To this end, FSC Canada extends a sincere and warm thanks and appreciation for all your involvement throughout this standard development process.