PUBLIC FORESTS, PRIVATE GOVERNANCE:
THE ROLE OF PROVINCIAL GOVERNMENTS IN FSC FOREST CERTIFICATION

by

PETER J. WOOD

A thesis submitted in conformity with the requirements
for the degree of

DOCTOR OF PHILOSOPHY

GRADUATE DEPARTMENT OF THE FACULTY OF FORESTRY

UNIVERSITY OF TORONTO

© Copyright 2009, Peter J. Wood
Public Forests, Private Governance:  
The Role of Provincial Governments in FSC Forest Certification  
Doctor of Philosophy, 2009  
Peter J. Wood  
Faculty of Forestry, University of Toronto

Abstract

This dissertation examines changes that companies made in order to obtain Forest Stewardship Council (FSC) certification in the Canadian provinces of British Columbia, Alberta, Ontario and Quebec, and the role that provincial governments have played in the implementation of this emerging market-based form of governance. It analyzes the indirect roles that governments have played in either encouraging or inhibiting the adoption of certification through their policies, as well as the direct roles played in response to particular certification attempts that occurred on public land. Through the use of case studies of individual operations in each province, the interaction between state and non-state authority is explored, as well as the role that forest tenure played in each operation’s ability to obtain certification.

The results reveal that the changes required to obtain certification were substantial but associated with only a small subset of the FSC’s Principles and Criteria, heavily weighted towards environmental issues. While corrective action requests are issued to the company pursuing certification, the results show that non-exclusive tenure limits a company’s ability to respond to these requests without the cooperation of the provincial government and resource users with overlapping tenure rights. However, limited duration of forest tenure does not preclude certification, and for the most part, provincial governments are found to play important facilitative roles in certification, both through their policies and regulations, and as providers of information and technical support.
Further, the majority of the corrective actions were not required to be implemented prior to certification being awarded, but within the five year term of the certificate. This appears to have acted as a flexibility mechanism, allowing the certification system to secure the participation of companies in the short term, with the hope of leveraging greater change in the long term from the company, the government in question, and other resource users with overlapping tenure rights.
**Acknowledgements**

There are a number of people I would like to thank for helping make this dissertation possible. These include Johanna den Hertog, for introducing me to the subject and showing me how government attempts to respond to often conflicting pressures; and to Jessica Clogg and the West Coast Environmental Law Association for teaching me how to pressure government. I am very grateful to my supervisors Dr. David Balsillie, Dr. Susanna Laaksonen-Craig and Dr. Shashi Kant, for their helpful suggestions and patience throughout the process, and to the many others who I have drawn upon for academic guidance.

I would like to thank all my friends and relatives in Toronto for making my time there all the more worthwhile, and those in Vancouver, who always made me feel welcome when I returned. I am also grateful for my time working with the International Institute of Sustainable Development’s Earth Negotiations Bulletin team, and the friends I have met throughout the world as a result.

Most of all I would like to thank my mother, father and two wonderful sisters for their love and support, and for tolerating the occasional rant regarding the state of the planet.
Acronyms Used

AAC  Annual Allowable Cut
AAND  Alberta Aboriginal Affairs and Northern Development
AA  Alliance Autochtone du Québec
AEP  Alberta Environmental Protection
AF&PA  American Forest & Paper Association
AFPA  Alberta Forest Products Association
AFS  Alberta Forest Service
AOP  Annual Operating Plan
ASRD  Alberta Sustainable Resource Development
AVI  Alberta Vegetation Inventory
AWA  Alberta Wilderness Association
BC  British Columbia
BCC  Boreal Coordinating Committee
BCMOF  Ministry of Forests
BCMSRM  BC Ministry of Sustainable Resource Management
BCMWLAP  BC Ministry of Water, Land and Air Protection
BCSRMP  Sustainable Resource Management Planning
BEC  Biogeoclimatic Ecosystem Classification
BEO  Biodiversity Emphasis Option
BMP  Best Management Practice
C & I  Criteria and Indicators for Sustainable Forest Management
CAAF  Contrat d'Approvisionnement et d'Aménagement Forestier
CARs  Corrective Action Requests
CCFM  Canadian Council of Forest Ministers
CEPI  European Confederation of Paper and Pulp Industries
CFSCC  Canadian Sustainable Forestry Certification Coalition
CIFOR  Center for International Forestry Research
CIFQ  Conseil de l’Industrie Forestière du Québec
CoC  Chain of Custody
COSEWIC  Committee on the Status of Endangered Wildlife in Canada
CPAWS  Canadian Parks and Wilderness Society
CSA  Canadian Standards Association
CWD  Coarse woody debris
DFA  Defined Forest Area
DFMP  Detailed Forest Management Plan
EA  Environmental assessment
EKES  East Kootenay Environmental Society
EMS  Environmental Management System
ENGO  Environmental non-government organization
ESA  Environmentally Sensitive Area
FAPAQ  Faune et Parcs Québec
FDP  Forest Development Plan
<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>FEN</td>
<td>Forest Ecosystem Network</td>
</tr>
<tr>
<td>FERN</td>
<td>Forests and the European Union Resource Network</td>
</tr>
<tr>
<td>FHP</td>
<td>Final Harvest Prescription</td>
</tr>
<tr>
<td>FLEG(T)</td>
<td>Forest Law Enforcement and Governance (and Trade)</td>
</tr>
<tr>
<td>FM</td>
<td>Forest Management</td>
</tr>
<tr>
<td>FMA</td>
<td>Forest Management Agreement</td>
</tr>
<tr>
<td>FMP</td>
<td>Forest Management Plan</td>
</tr>
<tr>
<td>FMU</td>
<td>Forest management Unit</td>
</tr>
<tr>
<td>FN</td>
<td>First Nations</td>
</tr>
<tr>
<td>FPC</td>
<td>Forest Practices Code of BC</td>
</tr>
<tr>
<td>FSC</td>
<td>Forest Stewardship Council</td>
</tr>
<tr>
<td>FSMP</td>
<td>Forest Stewardship Management Plan</td>
</tr>
<tr>
<td>GFTN</td>
<td>Global Forest and Trade Network</td>
</tr>
<tr>
<td>GMO</td>
<td>Genetically modified organism</td>
</tr>
<tr>
<td>HCVF</td>
<td>High Conservation Value Forest</td>
</tr>
<tr>
<td>ILM</td>
<td>Integrated landscape management</td>
</tr>
<tr>
<td>ILO</td>
<td>International Labour Organization</td>
</tr>
<tr>
<td>ISO</td>
<td>International Organization for Standardization</td>
</tr>
<tr>
<td>ITTO</td>
<td>International Tropical Timber Organisation</td>
</tr>
<tr>
<td>IWMS</td>
<td>Identified Wildlife Management Strategy</td>
</tr>
<tr>
<td>KBLUP</td>
<td>Kootenay Boundary Land Use Plan</td>
</tr>
<tr>
<td>KKTC</td>
<td>Ktunaxa Kinbasket Tribal Council</td>
</tr>
<tr>
<td>LCC</td>
<td>Local Citizens Committee (ON)</td>
</tr>
<tr>
<td>MCPFE</td>
<td>Ministerial Conferences for the Protection of Forests in Europe</td>
</tr>
<tr>
<td>MENV</td>
<td>Ministère de l’Environnement du Québec</td>
</tr>
<tr>
<td>MNA</td>
<td>Métis Nation of Alberta</td>
</tr>
<tr>
<td>MOU</td>
<td>Memorandum of understanding</td>
</tr>
<tr>
<td>MRNF</td>
<td>Ministère des Ressources Naturelles et de la Faune</td>
</tr>
<tr>
<td>MSL</td>
<td>Mineral surface lease</td>
</tr>
<tr>
<td>NBS</td>
<td>National boreal standard (FSC Canada)</td>
</tr>
<tr>
<td>NDT</td>
<td>Natural Disturbance Type</td>
</tr>
<tr>
<td>NGO</td>
<td>Non-government organization</td>
</tr>
<tr>
<td>NIF</td>
<td>normes d’intervention forestière</td>
</tr>
<tr>
<td>OFIA</td>
<td>Ontario Forest Industries Association</td>
</tr>
<tr>
<td>OGMA</td>
<td>Old Growth Management Area</td>
</tr>
<tr>
<td>OGR</td>
<td>Operating Ground Rules (Alberta)</td>
</tr>
<tr>
<td>OLL</td>
<td>Ontario’s Living Legacy</td>
</tr>
<tr>
<td>OMNR</td>
<td>Ontario Ministry of Natural Resources</td>
</tr>
<tr>
<td>ONAS</td>
<td>Ontario Native Affairs Secretariat</td>
</tr>
<tr>
<td>OSB</td>
<td>Oriented strand board</td>
</tr>
<tr>
<td>P&amp;C</td>
<td>Principles and Criteria (FSC)</td>
</tr>
<tr>
<td>PAG</td>
<td>Public Advisory Group</td>
</tr>
<tr>
<td>PA</td>
<td>Protected Area</td>
</tr>
<tr>
<td>PEFC</td>
<td>Programme for the Endorsement of Forest Certification Schemes</td>
</tr>
<tr>
<td>(formerly known as the Pan European Forest Certification Council)</td>
<td></td>
</tr>
<tr>
<td>PEOLG</td>
<td>Pan European Operational Level Guidelines</td>
</tr>
<tr>
<td>Abbreviation</td>
<td>Description</td>
</tr>
<tr>
<td>--------------</td>
<td>-------------</td>
</tr>
<tr>
<td>PGAF</td>
<td>Plan général d’aménagement forestier</td>
</tr>
<tr>
<td>PHP</td>
<td>Preliminary Harvest Plan</td>
</tr>
<tr>
<td>PIC</td>
<td>Pre-industrial condition</td>
</tr>
<tr>
<td>PPMs</td>
<td>Process or Production Methods</td>
</tr>
<tr>
<td>PSP</td>
<td>Permanent sample plot</td>
</tr>
<tr>
<td>QH</td>
<td>Quota Holders</td>
</tr>
<tr>
<td>REDD</td>
<td>Reducing Emissions through avoided Deforestation and forest Degradation</td>
</tr>
<tr>
<td>RNI</td>
<td>règlement sur les normes d’intervention</td>
</tr>
<tr>
<td>RONV</td>
<td>Range of Natural Variability</td>
</tr>
<tr>
<td>RPF</td>
<td>Registered Professional Forester</td>
</tr>
<tr>
<td>SAA</td>
<td>Secretariat aux Affaires Autochtones (QB)</td>
</tr>
<tr>
<td>SAGD</td>
<td>Steam assisted gravity drainage</td>
</tr>
<tr>
<td>SARA</td>
<td>Species at Risk Act</td>
</tr>
<tr>
<td>SCC</td>
<td>Standards Council of Canada</td>
</tr>
<tr>
<td>SFB</td>
<td>Sustainable Forestry Board (SFI)</td>
</tr>
<tr>
<td>SFI</td>
<td>Sustainable Forestry Initiative</td>
</tr>
<tr>
<td>SFL</td>
<td>Sustainable Forest License</td>
</tr>
<tr>
<td>SFM</td>
<td>Sustainable Forest Management</td>
</tr>
<tr>
<td>SFMM</td>
<td>Strategic Forest Management Model</td>
</tr>
<tr>
<td>SFMP</td>
<td>Sustainable Forest Management Plan</td>
</tr>
<tr>
<td>SHS</td>
<td>Spatial Harvest Sequence</td>
</tr>
<tr>
<td>SLIMF</td>
<td>Small and Low Intensity Forest Management</td>
</tr>
<tr>
<td>SNNTC</td>
<td>Shuswap Nation Tribal Council</td>
</tr>
<tr>
<td>SOP</td>
<td>Standard Operating Procedure</td>
</tr>
<tr>
<td>TAG</td>
<td>Technical Advisory Group</td>
</tr>
<tr>
<td>TBT</td>
<td>Technical Barriers to Trade</td>
</tr>
<tr>
<td>TCEA</td>
<td>Timber Class Environmental Assessment (ON)</td>
</tr>
<tr>
<td>TEK</td>
<td>Traditional ecological knowledge</td>
</tr>
<tr>
<td>TEM</td>
<td>Terrestrial Ecosystem Mapping</td>
</tr>
<tr>
<td>TFL</td>
<td>Tree Farm License (BC)</td>
</tr>
<tr>
<td>THLB</td>
<td>Timber Harvesting Land Base</td>
</tr>
<tr>
<td>TIPSY</td>
<td>Table Interpolation Program for Stand Yields</td>
</tr>
<tr>
<td>TSA</td>
<td>Timber Supply Area</td>
</tr>
<tr>
<td>TSFMA</td>
<td>Timber Supply and Forest Management Agreement (QB)</td>
</tr>
<tr>
<td>TSR</td>
<td>Timber Supply Review</td>
</tr>
<tr>
<td>TUS</td>
<td>Traditional Use Studies</td>
</tr>
<tr>
<td>VQO</td>
<td>Visual Quality Objective</td>
</tr>
<tr>
<td>WTO</td>
<td>World Trade Organisation</td>
</tr>
<tr>
<td>WWF</td>
<td>World Wide Fund for Nature</td>
</tr>
<tr>
<td>ZEC</td>
<td>zone d’exploitation contrôlée</td>
</tr>
</tbody>
</table>
List of Tables

Table 2.1: Key events in the development of the FSC ..................................................... 17
Table 2.2: Timeline of FSC standards development in Canada ................................... 26
Table 3.1: Variables associated with strength of forest tenures in Canada ............ 56
Table 3.2: Major tenure systems in four Canadian provinces .................................. 58
Table 4.1: Themes and elements used in the assessment of CARs ......................... 78
Table 5.1: Possible options for government involvement in certification identified by the Brown and Greer Report ...................................................... 85
Table 5.2: Government roles in provincial case studies ......................................... 109
Table 6.1: Results of interviews with operations managers from each case study ...... 114
Table 6.2: A comparison of case study forest tenures .............................................. 116
Table 6.3: Corrective action requests issued in each case study, by FSC Principle ..... 134
Table 7.1: Conditions issued to Al-Pac that involved government ......................... 154
Table 7.2: Summary of interview responses regarding government involvement in forest certification case studies ................................................................. 159
Table 7.3: Direct governmental involvement in case studies ................................... 160
Table A.1: Wood volume and harvesting rights on Al-Pac's FMA .......................... 200

List of Figures

Figure 2.1: Forest regions of Canada ........................................................................ 26
Figure 3.1: FSC: A conceptual framework .............................................................. 60
Figure 3.2: Forest tenure strength ............................................................................ 61
Figure 4.1: The process of FSC forest certification ............................................... 69
Figure 4.2: Individuals interviewed, by sector ..................................................... 73
# Table of Contents

1 INTRODUCTION ................................................................................................................................. 1

1.1 Background ..................................................................................................................................... 1

1.2 Other Research to Date ...................................................................................................................... 6

1.3 Research Objectives .......................................................................................................................... 8

1.4 Structure of the Dissertation .......................................................................................................... 9

2 BACKGROUND: FORESTS AS AN EVOLVING ISSUE WITHIN INTERNATIONAL ENVIRONMENTAL GOVERNANCE ........................................... 11

2.1 Beyond Trees, Beyond Borders: Forests as a “Transboundary” Issue ........................................... 11

2.2 Beyond Governments: Certification and the Emergence of Private Forest Governance ............... 15

  2.2.1 The Forest Stewardship Council .............................................................................................. 16

  2.2.2 Other Forest Certification Systems in Canada .......................................................................... 31

  2.2.3 Forest Certification: Scrutiny and Skepticism ......................................................................... 34

2.3 Certification and Public forests ......................................................................................................... 36

2.4 The Canadian Forestry Context ..................................................................................................... 39

  2.4.1 Division of Powers .................................................................................................................... 39

  2.4.2 The Canadian Government and International Forest Policy .................................................. 39

  2.4.3 The Forest Products Association of Canada .............................................................................. 41

2.5 Conclusion ...................................................................................................................................... 42

3 LITERATURE REVIEW ....................................................................................................................... 44

3.1 Introduction ................................................................................................................................... 44

3.2 Certification as Non-State Market-Driven Governance .................................................................. 44

3.3 Assessing the Impacts of Certification ............................................................................................ 47

  3.3.1 Evaluating Operation-Level Changes ...................................................................................... 47

3.4 Certification and the Role of Government ....................................................................................... 49

  3.4.1 Why Should Government Be Involved in a Non-Governmental Initiative? ............................. 50

  3.4.2 Possible Government Roles in Forest Certification ................................................................. 51

3.5 Provincial Forest Tenure Systems .................................................................................................. 54

3.6 Conceptual Framework .................................................................................................................... 59

3.7 Discussion ...................................................................................................................................... 61

4 METHODOLOGY ............................................................................................................................... 63
<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.1 Multiple Case Study Analysis</td>
<td>63</td>
</tr>
<tr>
<td>4.2 Research Design</td>
<td>64</td>
</tr>
<tr>
<td>4.2.1 Study Area</td>
<td>64</td>
</tr>
<tr>
<td>4.2.2 Research Scope</td>
<td>67</td>
</tr>
<tr>
<td>4.2.3 Research Questions</td>
<td>70</td>
</tr>
<tr>
<td>4.2.4 Broad Themes and Leading Propositions</td>
<td>70</td>
</tr>
<tr>
<td>4.3 Data Collection</td>
<td>72</td>
</tr>
<tr>
<td>4.3.1 Interviews</td>
<td>72</td>
</tr>
<tr>
<td>4.3.2 Documents</td>
<td>75</td>
</tr>
<tr>
<td>4.4 Data Analysis</td>
<td>76</td>
</tr>
<tr>
<td>4.4.1 Analysis of Interviews</td>
<td>76</td>
</tr>
<tr>
<td>4.4.2 Analysis of Certification Body Assessment Reports</td>
<td>76</td>
</tr>
<tr>
<td>4.4.3 Government Involvement and Tenure</td>
<td>80</td>
</tr>
<tr>
<td>5 CANADIAN PROVINCIAL RESPONSES TO FOREST CERTIFICATION</td>
<td>81</td>
</tr>
<tr>
<td>5.1 British Columbia</td>
<td>81</td>
</tr>
<tr>
<td>5.1.1 Initial Response to Certification</td>
<td>81</td>
</tr>
<tr>
<td>5.1.2 FSC Progress Stalls</td>
<td>86</td>
</tr>
<tr>
<td>5.1.3 Present Status and Outlook</td>
<td>89</td>
</tr>
<tr>
<td>5.2 Alberta</td>
<td>90</td>
</tr>
<tr>
<td>5.2.1 Initial Response to Certification</td>
<td>90</td>
</tr>
<tr>
<td>5.2.2 Al-Pac: One Giant Leap for FSC?</td>
<td>91</td>
</tr>
<tr>
<td>5.2.3 Present Status and Outlook</td>
<td>92</td>
</tr>
<tr>
<td>5.3 Ontario</td>
<td>93</td>
</tr>
<tr>
<td>5.3.1 Initial Response to Certification</td>
<td>93</td>
</tr>
<tr>
<td>5.3.2 The “Ontario Surprise”</td>
<td>95</td>
</tr>
<tr>
<td>5.3.3 Present Status and Outlook</td>
<td>97</td>
</tr>
<tr>
<td>5.4 Quebec</td>
<td>98</td>
</tr>
<tr>
<td>5.4.1 Initial Response to Certification</td>
<td>98</td>
</tr>
<tr>
<td>5.4.2 Tembec-Davidson: Overlapping Tenure, Failed Certification</td>
<td>99</td>
</tr>
<tr>
<td>5.4.3 The Coulombe Commission and the First FSC Certifications</td>
<td>100</td>
</tr>
<tr>
<td>5.4.4 Present Status and Outlook</td>
<td>103</td>
</tr>
<tr>
<td>5.5 Discussion: Comparing Provincial Responses to Forest Certification</td>
<td>104</td>
</tr>
<tr>
<td>5.5.1 Evolving Approaches to Certification</td>
<td>104</td>
</tr>
<tr>
<td>5.5.2 Thinking Big: Certification-government Agreements</td>
<td>105</td>
</tr>
<tr>
<td>5.5.3 Types of Government Involvement Observed in Provincial Case Studies</td>
<td>107</td>
</tr>
<tr>
<td>5.6 Conclusion</td>
<td>110</td>
</tr>
<tr>
<td>6 CHANGES MADE IN RESPONSE TO FOREST CERTIFICATION</td>
<td>111</td>
</tr>
<tr>
<td>6.1 Introduction</td>
<td>111</td>
</tr>
<tr>
<td>6.2 Case Study Context</td>
<td>112</td>
</tr>
<tr>
<td>6.2.1 The Certification Process</td>
<td>112</td>
</tr>
<tr>
<td>6.2.2 Tenure</td>
<td>114</td>
</tr>
</tbody>
</table>
1 Introduction

This dissertation examines the nexus of multiple environmental governance realms—public and private, international and domestic, and voluntary and legally-binding— that has emerged in the past decade. With a focus on Canada and using a multiple case study approach, this research reflects on the early stages of implementation of forest certification and examines what aspects of forest management have been changed in response to this. Secondly, it offers a comparative analysis of how selected Canadian provincial governments have responded to certification as an emerging policy issue, and explores differences in the direct and indirect roles that provincial governments have played in its implementation. The findings indicate that despite forest certification being a “non-governmental” instrument, it is clear that government has a pivotal role to play.

1.1 Background

Since the end of World War II, but most notably over the past 30 years, international concern over the world’s remaining forests - particularly those in tropical regions with high levels of biodiversity and other regions with significant tracts of forest that have yet to be logged – has risen. In Canada, international as well as domestic concern over remaining “frontier forests”¹ first focused on coastal British Columbia, and was used to elicit support for boycott campaigns of forest products originating from this region.

Despite the efforts of both federal and provincial governments as well as the forest industry to promote Canada’s image as a leader in sustainable forest management (SFM), images of large-scale clear cuts and unprecedented acts of civil disobedience in protest of

¹ This term was developed by the World Resource Institute in 1997 to denote “large tracts of relatively undisturbed forest” (Bryant et al, 1997).
management practices continued to threaten claims of sustainability and undermined governments’ credibility, throughout the 1980’s and into the early 1990s. These campaigns were very successful, and forced significant changes in forest policy, particularly for BC (Zietsma and Vertinsky, 2001). However, in the tropics, these boycotts created perverse incentives for governments to convert forests to other uses, as the market for forest products slumped (Cashore, Auld and Newsom, 2004).

Over the past decade, boycotts have given way to more sophisticated market campaigns which advocate purchasing forest products from sustainable sources, in addition to shaming companies that continue to buy from controversial sources. The development of these strategies coincided with the emergence of international concern over the fate of the forests on BC’s central coast in the late 1990’s. This region was dubbed “the Great Bear Rainforest” as part of the effort to increase the region’s profile within market campaigns, and this proved to be very effective in evoking support. The market campaigns have been instrumental in achieving influence within land use decision-making for BC’s mid-coast (Shaw, 2004). Since then, concerns over harvesting in the boreal forest that spans northern Canada have spawned similar campaigns (Wilson, 2003).

This new type of campaigning required that advocacy groups go beyond identifying forestry operations that they were opposed to. If they were to re-direct consumer purchasing in a positive manner, they would need to define the type of forestry they would support, and this proved to be much more complicated. Their concerted efforts eventually resulted in the development of forest certification- a system to recognize and distinguish forest products that were harvested sustainably, from those whose source was either unknown or unsustainable. Certification has been referred to as “one of the most
provocative and startling institutional designs since governments the world over first began addressing the impacts of human activity on the natural environment.” (Cashore, Auld and Newsom, 2004: 219).

From the outset, environmentalists realized that in order for such an initiative to succeed, it would require the broader support of indigenous and local forest-dependant peoples, and soon it came to encompass the assurance of social and economic, in addition to environmental, sustainability. In 1993, the first major international forest certification system, the Forest Stewardship Council (FSC), was developed. It brought together a wide range of forest-related interests, and attempted to level the forest policy playing field and give a greater voice to social and environmental interests. The idea was to provide a labeling system that consumers could use to make informed choices regarding the sustainability of their purchases. However, consumer-level awareness and demand were low, and insufficient to move companies to pursue certification. Because of this, an important function of FSC was to enable influential groups to pressure major retailers of forest products to direct their purchasing power away from forestry companies which refused to stop logging in controversial regions or that used harvesting methods such as clearcutting, that were deemed unacceptable.

One of the most striking aspects of FSC at the time of its creation was that it did not allow for government involvement, including in its development, its governance structures, the determination of forest certification standards, and the auditing process. This decision was strategic, in that the FSC’s proponents sought to bypass government inaction and impasse that was evident at the 1992 UNCED “Earth Summit” in Rio de Janeiro, Brazil, which had failed to produce an outcome of any significance in terms of a
legally-binding forest convention. This was largely due to the irreconcilable differences between the expectations of developed and developing nations (Humphreys, 1996). The outcome of this process was a weak political compromise, and seen as the beginning of the demise of the idea of developing such a convention.

This left a policy vacuum at the international level, between the demand for global action to reverse the decline of forests, and the weak agreement that governments were able to deliver, which one author described as “100% short of providing even the most elementary basis for an international regime for the protection of the world’s forests.” (Szelkely, 1994, in Sand, 2001). It should be noted that it is unlikely that this “gap” would have been filled by even a legally binding agreement, as envisioned by proponent governments at the time, as civil society actors were demanding a much greater degree of change across a broader spectrum of environmental and social issues. This global governance gap was also increasingly reflected at the domestic level in many forested countries, to varying degrees, between the existing forest policy and regulatory framework (and more importantly, its implementation), and the expectations of environmental, indigenous and other interests.

FSC introduced a fundamentally different type of environmental governance than had ever been seen before, bypassing conventional regulatory structures. While other eco-labeling initiatives existed, such as for organic produce or “dolphin-friendly” tuna, the certification of forests was the first such labeling program with widespread land-use and policy implications. This posed a novel challenge for governments, particularly those in countries with a large proportion of forested lands under public ownership, such as Canada, and where forest policy has long been the exclusive domain of the state.
While some have described certification as a new policy “tool” within a much larger policy toolbox available to governments as another way of promoting SFM, others have depicted it as symptomatic of a much larger shift towards the privatization of environmental governance (Cashore, 2002, Parkins, 2006). In this context, privatization refers not to the selling off of governmental assets, but to a relinquishing of the traditional state regulatory role with regard to environment and natural resources management. Other non-state actors, most notably environmental groups, aboriginal peoples and industry, have increased the role that they play in the setting and enforcement of forest practice requirements. Whether the government’s withdrawal preceded or was caused by the rise of non-state governance systems such as forest certification is unclear, but for many regions it is the current paradigm within which forest management occurs. McDermott, Noah and Cashore (2007) have referred to this as “an era of expanding private sector initiatives and shrinking state-based governance”.

The governmental response to the introduction of FSC has varied widely around the world, both over time and between jurisdictions. In its nascent stages, FSC appeared to catch governments off guard, and it was not clear what role, if any, they should play. While FSC had presented itself as a non-governmental process, it was clear that government, either through action or inaction, could have an influence on the adoption of this new instrument, as much of the standard upon which FSC is based overlaps with issues that have traditionally been considered the domain of the state. After FSC’s creation, other industry-supported certification systems emerged, designed to compete with FSC. However, these have not posed the same challenge to governmental policy that
FSC has, and often defer to existing government requirements on controversial topics, such as the consultation of indigenous people.

In the Canadian context, where forests are largely publicly owned and managed by provincial governments through complex tenure systems, government policy was bound to have an influence on the uptake of FSC. However, the various provincial governments have adopted a range of responses to FSC, from policies that have facilitated its uptake among forestry companies, to actions (or inaction) that impeded this. One action that has been supported by all provincial governments is to participate in the creation of a certification system designed to provide a “made in Canada” alternative to the FSC, and to gain market acceptance for products carrying this label. The majority of provinces have maintained that they do not favor one system over another, and that they support all systems to the extent that they are consistent with existing government policy.

1.2 Other Research to Date
Forest certification has been examined through a number of academic disciplines. International law theorists have considered where certification fits within the spectrum of “soft” and “hard” law (Meidinger, 2003). Political scientists have approached the issue as a “non-state market-based” form of governance (Cashore, 2002), and have examined strategies used by competing certification systems to gain governance legitimacy. Elliot and Schlaepfer (2001) used the “Advocacy Coalition” approach to evaluating the success of NGO attempts to influence forest management through certification, and identified that in Canada, a strong, very united “Forestry Coalition” exists between the forest industry and the various provincial forest ministries. Sociological research has placed an emphasis on the human dynamics within the process of certification, including the role of trust within
public participation aspects of standards-setting and auditing (McDermott, 2003). Hickey (2004) compared the monitoring and reporting requirements of “soft laws” within various jurisdictions, including forest certification standards, and concluded that although similarities exist, there is a large discrepancy between jurisdictions in terms of these requirements.

Economists have approached certification from a number of angles. Most research to date has focused on motivations to become certified. Overdevest and Rickenbach (2006) explored various motivations, including market mechanisms (economic benefits linked to price premiums and access to niche markets), learning (improved SFM practices), and signaling (improved corporate image and communications with external audiences). They concluded that companies pursuing certification have little expectation regarding market benefits, and are mostly motivated by the “signaling” incentive. Araújo (2008) has applied this framework to Brazil, and found that although companies did not receive a price premium for their certified products, they were very satisfied with the non-economic benefits obtained. Van Kooten et al (2003) explored country-level motivations to become certified.

Other economics-based approaches have assessed consumer willingness to pay (WTP) (Forsyth et al, 1999; Kozak et al, 2004; Archer et al, 2005) and the market potential (Spinazze and Kant, 1999) for certified products. Aguilar and Vlosky (2007) concluded that WTP is positively correlated with respondents’ income. In general, consumers reported that they would be willing to pay a premium for certified products. However, these studies were based on voluntary responses and not actual behaviour, and other
studies have demonstrated that this premium has yet to materialize in the marketplace
(Hayward and Vertinsky, 1999, Aguilar and Vlosky, 2007).

Despite widespread uptake of certification, evaluations of its actual impacts and benefits
are just beginning to emerge, and are often limited to the collection of anecdotal evidence,
such as in the form of “self-reporting” by the company in question. Preliminary results
suggest that certification has had an impact, mostly within large-scale forestry in North
America (Nussbaum and Simula, 2004: 3; Newsom and Hewitt, 2005; Newsom, Bahn and
Cashore, 2006), and this warrants more systematic analysis.

Despite the interest in forest certification, there is an overall paucity of research to date
pertaining to the role that governments have played within the process (Segura, 2004),
perhaps due to the assumption that it is primarily a non-governmental instrument.
Particularly, very little has been written regarding the interaction between sub-national
levels of government and forest certification. There has not been any Canadian studies that
have compared the changes being made in response to FSC certification in the various
provinces.

1.3 Research Objectives

The main objectives of this dissertation are threefold:

(a) To compare and contrast how select Canadian provincial governments
have responded to the introduction of forest certification within their
jurisdiction;
(b) To quantify and categorize the types of changes that major public forest tenure holders have had to make in order to become certified; and

(c) To determine whether the strength of a licensee’s forest tenure influences the level and type of involvement required of government during the certification process.

The research conducted uses a multiple case study approach, including the provinces of BC, Alberta, Ontario and Quebec, and the first major licensee to receive certification within each.

1.4 Structure of the Dissertation

In Chapter 2 presents the motivation for this research, discussing how forests have, over time, become an issue of international concern, and how the perceived need to address this issue at the international level resulted in the development of a series of intergovernmental institutions. It then describes the emergence and development of forest certification, as a non-governmental alternative to the perceived failure of the inter-governmental response.

Chapter 3 reviews research to date that has examined certification and the impacts that it has had on forest management, as well as that which has explored the various possible roles that government can play within forest certification. In Chapter 4, I will present the methodology used in my research, including research design, study area, and data analysis approach. I will discuss the use of case studies and the selection criteria that were used.

Chapter 5 compares how the governments of B.C., Alberta, Ontario and Quebec have addressed certification as an emerging policy issue, and how this has changed over time.
Chapter 6 describes and compares the changes that four forestry operations in BC, Alberta, Ontario and Quebec were required to make in order to obtain and remain certified. Chapter 7 examines how each provincial government was involved in the certification assessments of these same four operations, and determines whether forest tenure played a role in this regard.

Chapter 8 concludes with an overall discussion of the dissertation’s findings regarding the relationship between private and public forest governance in Canada, and reflects on how this research contributes to the larger body of knowledge concerning forest certification. It revisits and reflects on assumptions and propositions made at the outset, considers the implications of the study’s findings, and suggests future avenues of research.
2 Background: Forests as an Evolving Issue Within
International Environmental Governance

2.1 Beyond Trees, Beyond Borders: Forests as a
“Transboundary” Issue

Before examining the impact that international regimes such as forest certification have
had on forest management and the role that government has played, it is important to
understand how forests came to be considered more than a purely domestic issue.

Until recently, deforestation and forest degradation have been considered the exclusive
domain of individual nations, and have not been given much attention at the international
level. Customary rules of environmental law have traditionally acknowledged that a state
has the sovereign right to exploit resources located within its territories as it sees fit, to the
extent that this does not interfere with another state’s ability to do the same. This was
incorporated in Principle 21 of the 1972 Stockholm Declaration on the Human
Environment. In contrast, it has long been accepted that environmental issues such as water
and air pollution, that have significant and obvious transboundary repercussions, warrant
attention at the international level. Although it is often difficult to establish an explicit
causal relationship between forest over-exploitation in one nation and environmental harm
in another, such diffuse threats are gaining wider recognition in international
environmental law.

Over the last thirty years, forests have rapidly become an issue of international concern,
with several factors contributing to this change (Brunnée, 1996; Dimitrov, 2006). This is
largely due to an evolving awareness of the many services that forests provide beyond the production of timber. The increasing recognition of global ecological interconnectivity and awareness of the far-reaching impacts that domestic exploitation of natural resources can have, combined with the rise in concern for human rights, has thrust deforestation squarely into the realm of international relations.

Conservation of biological diversity was arguably the first issue of “common concern” that provided the basis for international intervention regarding forests. This was exemplified in the images of forest destruction that were used during the 1980s to create global awareness of both tropical and temperate deforestation, with a focus on saving “charismatic megafauna” such as the panda or the grizzly bear. Since then, the “norm” of biodiversity conservation has matured to include concern for ecosystems as a whole and all their components. Furthermore, the socioeconomic underpinnings and consequences of biodiversity loss have gained greater recognition, particularly within tropical regions. This has made the issue of biodiversity conservation much more complex, but has helped generate the political will to address forest issues as a way of achieving the UN’s Millennium Development Goals (MDGs) associated with poverty reduction.

Climate change is another issue of common concern that has helped push forests into the international policy arena. From early on it has been widely accepted that forests play an important role within the carbon cycle, and thus contribute to regulating greenhouse gases and climate change. However, early discussions primarily focused on the potential for afforestation and reforestation to sequester and store carbon. Over time, our understanding of how much carbon is released due to deforestation and forest degradation has increased greatly. A recent international study has revealed that deforestation accounts for nearly
20% of all anthropogenic greenhouse gas emissions (Gullison et al, 2007). This, combined with an overall greater public awareness of climate change and political pressure to address it may further contribute to forests being an international issue. Links between forests and climate change have been made more explicit with the introduction of the “REDD” concept (reducing emissions from deforestation and forest degradation in developing countries), included as part of the 2007 UNFCCC Bali Action Plan. Proponents of REDD propose that positive incentives should be provided to developing countries to slow down their rates of deforestation and forest degradation, through a range of domestic actions such as the establishment of reserves or parks, the clarification of land rights, SFM practices and the alteration of policies (UNU-IAS, 2008: 6).

Human rights issues linked to forest exploitation have also contributed to the development of forests as an international concern. The norm of protecting the health and traditional livelihoods of forest-dependant peoples has been gaining strength and wider acceptance, and this has helped thrust the issue within the international arena. Worker safety and welfare are also issues that have been increasingly accepted as an issue to be addressed at the international level. This has taken the form of intergovernmental efforts, including the International Labour Organization (ILO) and associated standards, and private governance initiatives such as labeling of child labor/ sweatshop-free products.

Despite the increasing acceptance of forests as an issue of international concern, the norm of national sovereignty is deeply entrenched, and remains a limiting factor in the development of international forest policy. As the norm of forests as an issue of transboundary concern developed over time, so has the number of international institutions, at both the regional and global level, that have been developed to address
issues related to this. Although the 1992 UNCED Summit did not result in a forest
convention, it produced a range of non-legally binding agreements and statements on
forests. In its wake, a series of intergovernmental processes continued to debate how to
address forests at the international level, including the International Panel on Forests, the
International Forum on Forests, and finally the United Nations Forum on Forests (UNFF),
currently in its eighth year. Governments have been under heavy criticism for not
producing much in the course of these processes, aside from a long list of proposals for
action that should be accomplished. Some have gone so far as to say that UNFF was
constructed as “a hollow entity deliberately deprived of decision-making powers”, arguing
that this resulted from the entrenchment of the “norm of environmental multilateralism”
which has prohibited states from disengaging from failed political initiatives, and that this
has created skepticism about the effectiveness of global governance (Dimitrov, 2006). A
close look at the content of the recent Multi-Year Programme of Work and Non-legally
Binding Instrument developed by UNFF in 2007 does not reveal a great deal of “value
added” over other voluntary statements that emerged in 1992 (Earth Negotiations Bulletin,
2007).

At the same time that the forest-specific international negotiations were occurring, a
multitude of multilateral environmental agreements (MEAs) were being signed and
ratified that were of great significance to forests. A recent study of international forest-
related instruments revealed that coverage of major forest-related issues is fairly
comprehensive (McDermott, O’Caroll and Wood, 2007). This study examined how a
wide range of global and regional MEAs addressed seven thematic elements which are
widely used to categorize the various roles forests play. These included the extent of
forest resources; biological diversity; forest health and vitality; productive functions of forest resources; protective functions of forest resources; socio-economic functions; and legal, policy and institutional frameworks. It was found that several key international agreements—such as the Convention on Biodiversity and the United Nations Framework Convention on Climate Change, cover many—if not most—of the forest-related issues that enjoy broad support as being of transboundary concern, and thus most appropriately addressed at the international level.

However, the language used in establishing the requirements under these instruments was also found to be highly discretionary and vague. In contrast, it was found that the language used in establishing trade law rules (such as those contained within the GATT and WTO) was much stronger, and more likely to prevail where a conflict with environmental agreements was encountered. The forest issues that were not well covered tended to be those still largely associated with state-level decision-making (such as forest fire management, protection of soil, and many socio-economic functions).

This may explain why many felt the need to go beyond inter-governmental efforts to address forest decline at the international level, and to develop a non-governmental alternative.

2.2 **Beyond Governments: Certification and the Emergence of Private Forest Governance**

The lengthy and unproductive intergovernmental forest policy-making process left many actors, particularly NGOs, extremely frustrated. At the same time, the use of boycotts
alone was falling out of favor as a strategy, as this did not provide any incentive to keep forests standing, and had the potential to create perverse incentives to convert the land to other uses, such as agriculture, particularly in the tropics. There was an identified need to offer a “carrot” to counter the boycott “stick”.

Thus, some NGO’s turned to the marketplace and the power of a “buycott”- directing purchasing power towards sustainable sources. However, this would require the definition and verification of SFM practices. This need prompted the development of the concept of forest certification and the Forest Stewardship Council (FSC), as an alternative means to pursue their goals.

The underlying premise of certification- “letting the market decide”- is consistent with the paradigm of trade liberalization, and thus also held appeal for the growing number of decision makers who were embracing this concept at the time of FSC’s development. (Bernstein, 2001).

### 2.2.1 The Forest Stewardship Council

An early attempt at creating certification and labeling schemes for forest products was initiated by Friends of the Earth (FoE) in 1985. The “Good Wood Scheme” encouraged British and European consumers to avoid purchasing unsustainably produced tropical timber products, and to seek out their ‘Seal of Approval’ (FOE, 2007). In 1989, the Rainforest Alliance also developed “Smartwood”, their own global forestry certification program (Rainforest Alliance, 2007).
The FSC forest certification system was officially founded in Toronto, Canada in 1993 by a diverse range of stakeholders, including environmental NGOs such as Friends of the Earth, Rainforest Alliance, Word Wide Fund for Nature, and Greenpeace; indigenous forest peoples; professional foresters; big retailers such as IKEA; and both large and small forest companies. They developed FSC with the goal of supporting “environmentally appropriate, socially beneficial, and economically viable management of the world's forests” (FSC, 2007). Table 2.1 provides a summary of key events and the stakeholders involved in this process.

Table 2.1: Key events in the development of the FSC

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>1990</td>
<td>A group of timber users, traders and representatives of environmental and human-rights organizations meet in California to discuss the need for a forest certification system. They agree this will require a global consensus on what is meant by good forest management, independent audits of the management, and a global umbrella organization. The name Forest Stewardship Council is developed.</td>
</tr>
<tr>
<td>1990-1993</td>
<td>Intensive consultation processes in ten countries held to determine support for the proposal to develop a worldwide certification and accreditation system covering all kinds of natural forests and plantations.</td>
</tr>
<tr>
<td>Oct 1993</td>
<td>FSC Founding Assembly in Toronto, Canada: 130 participants from 26 countries. FSC Board of Directors elected.</td>
</tr>
<tr>
<td>1993</td>
<td>First FSC forest management certificate (Mexico). First chain of custody certificate (USA).</td>
</tr>
<tr>
<td>1994</td>
<td>First FSC Executive Director appointed (Tim Synnott)</td>
</tr>
<tr>
<td>1994</td>
<td>FSC Secretariat Office opened in Oaxaca, Mexico. The FSC Principles and Criteria, together with the Statutes for the FSC (now the By-Laws), approved by founding members.</td>
</tr>
<tr>
<td>1996</td>
<td>FSC established as a legal entity in Mexico. First four Accreditation Contracts signed for Forest Management certification. First certified and labeled product (wooden spatulas). First FSC Working Group (UK) endorsed by the FSC Board of Directors. Principle 10 for plantations ratified by the FSC membership.</td>
</tr>
<tr>
<td>1996</td>
<td>First FSC General Assembly in Oaxaca.</td>
</tr>
<tr>
<td>1997</td>
<td>First FSC National Standard endorsed (Sweden).</td>
</tr>
<tr>
<td>2001</td>
<td>Second FSC Executive Director appointed (Heiko Liedeker)</td>
</tr>
<tr>
<td>2003</td>
<td>The FSC Secretariat moves to Bonn, Germany</td>
</tr>
</tbody>
</table>

Source: Adapted from FSC, 2007.
This goal was to be accomplished by acknowledging good forest management via a labeling system that would be easily recognizable to consumers, based on voluntary standards for forest management. These standards are established at the national level, or in the case of larger nations, on a sub-national basis, according to a multi-stakeholder consensus-based process. FSC bodies have been established throughout the world, all working with a common set of 10 principles and 56 criteria (P&C), adapted to the local context through a rigorous standards-setting process that can take several years. If a company meets these standards and passes a third-party audit by an FSC-accredited Certifying Body, they are able to reap the potential market benefits of having this eco-label (FSC, 1993).

FSC is composed of members that are categorized according to the following “Chambers”: Environmental, Social, and Economic. In Canada, a fourth chamber was added to specifically accommodate aboriginal interests, in order to recognize the significance of the relationship between aboriginal peoples and forests in Canada (Auld and Bull, 2003). This chamber structure is invoked in all aspects of FSC’s governance, with each chamber given equal voting power. This is further balanced at the international level, with equal power assigned to the Northern and Southern hemispheres.

This structure holds great appeal for indigenous groups, NGOs and other forest policy actors who are afforded greater power than they receive within conventional decision-making processes. FSC also provides these groups the potential to hold companies accountable to measurable standards pertaining to some of the most controversial issues, and to have them enforced by an independent auditor. Moreover, it delegates a higher level of control to local stakeholders, and contains an appeal mechanism which allows
any affected party to contest a particular certification or aspect of a standard. It has been seen by some as a “fast track” approach to pursuing policy objectives traditionally dealt with through government (Elliott and Schlaepfer, 2003).

2.2.1.1 FSC Standards Development

International FSC forest management standards (see Appendix D) are utilized to develop national or regional standards based on an intensive, and often lengthy multi-stakeholder process, inclusive of a wide range of voices, including those of governmental representatives, albeit in an ex-officio capacity. Consequently, the resulting standards are able to reflect local priorities, preferences and concerns, but often at the expense of international consistency amongst the many standards.

FSC is acutely aware of these regional differences in the standards, as well as the criticism that this may result in the creation of an “unlevel playing field” with regard to trade. Therefore, FSC has made attempts to harmonize standards, but they have emphasized that they must take into consideration regional attributes which would justify these differences, including variables related to tenure arrangements (FSC International, 2005).

2.2.1.2 Certifying Bodies

FSC does not perform certification audits themselves. Instead, they set rules of accreditation that must be met by certifying bodies (CBs) to carry out audits based on

---

2 The process of developing FSC standards is extremely complex. For a detailed account of the process and the political dynamics involved, please see Tollefson, Gale and Haley (2008) Setting the Standard: Certification, Governance, and the Forest Stewardship Council.
FSC standards which have been developed for a particular region. In the absence of approved standards, CBs are allowed to use their own “generic” standards (based on the ten core principles). However, once regional standards are approved, operations that were certified under the generic standard must pass an audit using the regional standard to maintain certified status.

As of February, 2008 there were 18 CBs that had received FSC accreditation, and five of these are active in Canada: Société Générale de la Surveillance (SGS); Scientific Certification Systems (SCS); KPMG; Woodmark/Soil Association; and Rainforest Alliance’s Smartwood program (FSC International, 2008). Smartwood is responsible for the vast majority of all Canadian FSC certifications to date, and merits separate discussion.

Smartwood is based in Richmond, Vermont, and has been certifying forests since 1989 (Smartwood, 2002). As mentioned earlier, Smartwood was a key player in the formation of FSC and in the development of the international standard. Smartwood is also active in the verification of chain of custody certification, non-timber forest product certification, and has recently included “verified legal origin” certification, which attempts to screen against illegally sourced logs but is not as comprehensive as forest certification (Smartwood, 2007). Smartwood was contracted as the certifying body for all four of the case studies examined in this research.

---

3 See Appendix E for a description of the chain of custody certification process.
2.2.1.3 FSC in Canada

Soon after the creation of FSC, a National Working Group was established in Canada, with the purpose of developing regional standards and promoting FSC certification and FSC certified products. FSC Standards have been developed for four forest regions: the Maritimes, Great Lakes/ St. Lawrence, British Columbia and the Boreal. This section will describe the process of standards development for these four regions.

2.2.1.3.1 Maritimes Region

The development of FSC standards for the Maritimes started soon after the initiation of the FSC itself, with an inaugural meeting held in April 1996 that led to the creation of a diverse multi-stakeholder Technical Standards Writing Committee (TSWC). The TSWC produced a first draft for consultation and field testing in the summer of 1997, and two further drafts were subsequently produced in late 1997 and early 1998. In July 1998, the TSWG transformed into the Maritimes Regional Standards Committee (MRSC), which was composed of many of the same members. The MRSC produced a third draft which was forwarded to FSC Canada in August 1998. FSC Canada returned the draft with comments, and the MRSC incorporated these and submitted a fourth draft in August 1998.

Although the process was characterized as an inclusive, “bottom up” process, it did not find favor with large forestry interests, most notably J.D. Irving Limited, who contested the outcome, and the restrictions the standard posed on the use of pesticides. This resulted in FSC launching a Commission of Inquiry in 2000, which ultimately found that “there
was significant agreement among sufficient members of the broad range of the stakeholder groups, including First Nations, economic, environmental and social to support the FSC Canada Working Group’s endorsement of the standard.” (Boetekees et al., 2000, in Gale, 2004). In the end, J.D. Irving allowed their certification to lapse at the end of the five-year term.

The standard underwent further revisions in light of recent comments received from FSC Canada, and was accredited by FSC International in January 2008.

2.2.1.3.3 Great Lakes - St. Lawrence Region (GLSL)

In April 1997, stakeholders with an interest in certification were consulted and a meeting was held at Parry Sound, Ontario, to select a Technical Advisory Group for the FSC-GLSL Region. Later that year at a workshop in Halliburton, Ontario, stakeholders were identified and an eight person Steering Committee was elected, who then met once a month for the next six months. They issued a draft of the standard in May 1998 and allowed time for a public review. The Steering Committee reviewed the feedback and subsequently amended the standard and stakeholders were then issued a copy of the changes made. A two day workshop with the Maritimes FSC group took place soon after, in an attempt to harmonize the draft standards. Field testing was conducted by Smartwood and Scientific Certification Systems (SCS), and in December 1999, another draft was issued. Further consultation and comments over the next few years resulted in the release of another draft in May of 2004. However, there were significant outstanding concerns regarding the consultation of indigenous peoples, and greater outreach efforts were initiated.
In order to assure transparency of process, FSC Canada has made available comments received on recent drafts (FSC Canada, 2006). The issue of the relationship between certification requirements and government regulations figures prominently within this feedback, most notably in the context of Principle 3 (concerning the consultation of aboriginal peoples). For example, one stakeholder commented:

“They are a political issue that concerns the State and the Indigenous People nations. Foresters can undergo certain pressures from this situation, but cannot settle it.”

- Comment received by FSC Canada on the 2006 Draft of FSC GLSL standard.

(FSC Canada, 2006)

A new consultation draft was released in the fall of 2006, and a “Field Tested Draft” was released in May 2007. Comments were received throughout 2007, and a revised version is expected to be released in 2008.

2.2.1.3.2 British Columbia

The B.C. FSC regional standards development process was initiated in 1996 through an informal Working Group composed of organizations and individuals, which met periodically until 1998, to discuss how to formally structure the organization and increase stakeholder involvement in FSC. The first draft of the standards was initiated by a volunteer-based, technical drafting team. However, the Interim Steering Committee
decided to speed up the process by contracting consultants to complete this task, and hired a Regional Coordinator.

In March of 1999, the first draft was reviewed by the Interim Steering Committee, which then released it for full public consultation in May of 1999. The development of the second draft occurred over a period of approximately 16 months, and after much consultation and amendment by the Standards Team, the Steering Committee released it for public comment. Development of the third draft occurred over a much shorter period of time (approximately four months), with a Technical Advisory Team (TAT) acting as the primary authors (although ultimately the final document is attributed to the Steering Committee, with technical support from the TAT).

On 22 April 2002 the third draft was approved by the Steering Committee for recommendation to FSC-Canada, which approved it and sent it to the international body for final endorsement. However, due to a protest issued by members of the Economic Chamber, who claimed that that standard was unduly onerous, the international FSC body did not approve it outright, requesting revisions be made prior to granting their final endorsement. These revisions, including the incorporation of considerations for small landowners, were made in March 2005 and received unanimous approval from the Steering Committee. The standard was re-submitted to the international board and received final endorsement in October 2005.

**2.2.1.3.4 Boreal Region**

The northern Boreal region of Canada is by far the country’s most important forest region in terms of sheer size, representing over 75% of the total forested area, spanning eight
provinces and two territories (see Figure 2.1). Furthermore, it contains over 80% of Canada’s indigenous communities (FSC Canada, 2004). However, this region was the last to develop FSC regional standards. The development of the National Boreal Standard (NBS) took place over a period of two years, initiated in 2001. By the end of the process, a total of 2000 people had been involved in consultations, 175 people had participated in a total of 15 separate committees, and there were over 70 meetings and four rounds of field testing. It received unanimous endorsement at a National Forum held in Winnipeg in December 2003 (FSC-Canada, 2004). Of interest to my research is a small paragraph contained in the introductory chapter of the standard, regarding “Challenges in Developing the Standard”:

“The process-based elements of the standard transcend provincial or regional laws and regulatory requirements, although some criteria in the standard, primarily in Principle 1, require adherence to local and national laws and administrative requirements. On the other hand, there are several places where the standard requires a level of performance beyond that required by some provincial and/or territorial laws or regulations. Such requirements exist in the standard to be consistent with the FSC’s view of a well-managed forest, regardless of provincial or regional requirements.” (FSC Canada, 2004: 23)

This clearly suggests that according to FSC, meeting government requirements will not always be sufficient to assure that a forest is well managed.
Figure 2.1: Forest regions of Canada

![Forest regions of Canada map](image)

Source: Natural Resources Canada, 2005.

Table 2.2: Timeline of FSC standards development in Canada

<table>
<thead>
<tr>
<th>FSC Standard</th>
<th>Initiated</th>
<th>1st draft</th>
<th>2nd draft</th>
<th>3rd draft</th>
<th>4th draft</th>
<th>5th draft</th>
<th>FSC-Canada Approved</th>
<th>FSC-International Approved</th>
</tr>
</thead>
<tbody>
<tr>
<td>BC</td>
<td>1996</td>
<td>1999</td>
<td>2000</td>
<td>2002</td>
<td>n/a</td>
<td>n/a</td>
<td>2002</td>
<td>2005</td>
</tr>
<tr>
<td>GLSL</td>
<td>1997</td>
<td>1999</td>
<td>2004</td>
<td>2006</td>
<td>2007</td>
<td>n/a</td>
<td>pending</td>
<td>pending</td>
</tr>
<tr>
<td>National Boreal Standard</td>
<td>2001</td>
<td>2002</td>
<td>2003</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>Dec 2003</td>
<td>August 2004</td>
</tr>
</tbody>
</table>

Source: Based on dates obtained from the regional standards, available at http://fsccanada.org

By 2008, FSC was doing exceedingly well overall in Canada in terms of total number of hectares certified, and the country boasted the largest FSC-certified area in the world (24
million hectares), roughly a quarter of the world’s total (Abusow, 2007). This is largely concentrated in large licensees in the boreal region, most notably Tembec and Al-Pac, and it has yet to be seen whether others will follow suit, or at what point this figure will plateau in the future.

2.2.1.4 FSC Regional Standards and Tenure in Canada

It is important to understand the differences between FSC regional standards, in both content and process of development, in order to understand the application and influence of each. Above I have described how FSC’s international standards are developed to suit the local context, through an intensive multi-stakeholder process that is balanced according to environmental, social, economic and aboriginal interests. I have also provided a background on how this process has been carried out in four regions of Canada (Maritimes, Great Lakes/ St. Lawrence, BC and the Boreal). This section will focus on how each standard approaches the issue of tenure, as the key variable that this dissertation will examine in respect to the role of government in forest certification.

There are two FSC regional standards applicable to the four different case studies to be examined in Chapter 6 and 7. While FSC’s Canadian National Boreal Standard (NBS) was applied in the Alberta, Ontario and Quebec cases, the assessment of the BC case study was conducted according to the FSC-BC standard. The Great Lakes/ St. Lawrence standard is

---

4 To give an idea of relative size, Canada has approximately 310 million hectares of productive forest land, 143 million of which is subject to forest management (NRCAN, 2007). The total area certified in Canada (FSC, CSA and SFI combined) is 138,000 hectares (FPAC, 2007).

5 It should be noted that two of the case studies examined (BC: Tembec TFL 14 and Ontario: Gordon Cosens) were certified against earlier draft standards that have since undergone revision and have been accredited by FSC. However, audits that have been
also applicable to this dissertation, as this was the standard used in the Tembec-Davidson certification audit, even though the certification process was discontinued (to be discussed in 5.4.2, page 99). All three standards will be examined in this section.

Within FSC, the issue of tenure is primarily addressed through Principle 2, listed below:

**FSC Principle #2: Tenure and use rights and responsibilities**

Long-term tenure and use rights to the land and forest resources shall be clearly defined, documented and legally established.

2.1 Clear evidence of long-term forest use rights to the land (e.g. land title, customary rights, or lease agreements) shall be demonstrated.

2.2 Local communities with legal or customary tenure or use rights shall maintain control, to the extent necessary to protect their rights or resources, over forest operations unless they delegate control with free and informed consent to other agencies.

2.3 Appropriate mechanisms shall be employed to resolve disputes over tenure claims and use rights. The circumstances and status of any outstanding disputes will be explicitly considered in the certification evaluation. Disputes of substantial magnitude involving a significant number of interests will normally disqualify an operation from being certified.

The differences that exist between the various Canadian regional standards are largely due to the evolution of the standards development process itself, and this holds true for Principle 2. The GLSL Standard, developed before the BC and National Boreal Standard (NBS), contains a very straightforward interpretation of the FSC’s Principle 2.1 and the issue of tenure in general, with no consideration of non-exclusive tenure, mainly emphasizing the “unambiguous” demarcation of boundaries. By contrast, both the NBS and BC standards give detailed consideration to the issue of non-exclusive tenure and conducted since the initial certification have been based around the most recent FSC-accredited version of the standard. Source: FSC International, 2001.
government’s role, as by this time these had emerged as contentious issues within the standards development process. The BC and NBS standards also include additional “intent” statements, providing guidance on the application of this criterion.

In the case of the NBS, this intent statement acknowledges that complications may arise in relation to non-exclusive tenure, and that there may be circumstances where an applicant might not have sufficiently strong enough tenure to warrant certification, but adds that it is the intention of FSC to “encourage innovation in working with other resource users”. In other words, the actions of other tenure users should not preclude the applicant’s ability to meet FSC standards, and non-exclusive tenure should not preclude FSC certification.

The NBS also integrates tenure-related concerns into other relevant aspects of the standards, including criteria that require the applicant to consider the cumulative impacts of other tenure holders in the environmental impact assessment (Criterion 6.1.2); provide encouragement and incentives for overlapping tenure holders to adhere to FSC rules on aspects such as managing access, limiting disturbance and, retaining structure (6.3.19); as well as working with non-forest sector tenure holders to limit forest conversion (6.10.6).

For BC, the issue of tenure was heavily contested within the standards development process, and it was at the heart of the controversy over government’s role with regard to forest certification. The BC process was significantly more lengthy and resource-intensive than in all other regions, due to the wide range of interests and divergent views represented on the standards setting team, and the politically charged nature of forestry in the region. One standards development team member went so far as to resign, citing the
incongruity of having two BC government representatives as observers in the standards-setting process when the province does not endorse the FSC. He further lamented that the process suffers “from a lack of democratic process and undue government influence” (Genovali, 2000: 15).

The BC standard takes a more detailed approach than the NBS, perhaps because it only needs to address the tenure system of a single jurisdiction. It explicitly addresses the various possible tenure arrangements within BC individually, noting that area-based tenures, such as a Tree Farm Licence (TFL), are deemed to meet the “clear long term tenure and use rights” requirement, so long as they are renewable over a time period that can allow fulfilment of the management plan. However, applicants with non-exclusive volume-based tenures require additional involvement by the provincial government and other tenure holders. Unless they are able to convince the government to apply jointly for certification, they must demonstrate that “efforts” are being made by other tenure holders and the provincial government to meet FSC standards. In addition, any “permits, license plans or analyses” that the province puts in place in the management unit must adhere to FSC standards, and the determination of the annual allowable cut (AAC) must be set specific to the management unit. Finally, if the tenure is non-renewable and of insufficient duration to fulfil management objectives, the application has to be made jointly with the province, or by the province alone.

The standards go on to impose further requirements pertaining to lands “where the manager does not have title”, which clearly applies to nearly all of BC’s managed forests. Most notably, the manager must demonstrate that the government has not imposed any constraints that would prevent them from meeting FSC requirements, and that the actions
of other tenure holders do not undermine their ability to achieve management plan objectives\(^6\).

Overall, on the issue of demonstrating clear long term tenure, the NBS and BC standards set themselves apart from those of the GLSL region in their level of detail and their consideration of non-exclusive tenure, and the BC standard goes furthest in terms of articulating specific additional requirements that must be met (by government and other tenure holders, in addition to the applicant) in order to achieve certification of lands where the manager is not the land owner.

### 2.2.2 Other Forest Certification Systems in Canada

In response to the development of the FSC, several industry organizations developed their own certification systems, such as the Sustainable Forest Initiative (SFI) of the American Forest and Paper Association (AFPA) and the Canadian Standards Association (CSA) Z808/809 Standard. Some have referred to these as “FSC competitors”, arguing that they were specifically designed to counter the influence that it appeared FSC was developing (Cashore, 2002). The main actors favoring these other systems position themselves as certification systems created by and for their own particular region.

Regardless of motivation, the presence of multiple certification systems created a power struggle to gain market acceptance and market share. This has raised the profile of the

\(^6\) This aspect of the BC standards was particularly contentious, and the final version of this criterion is considerably less onerous than how it was originally worded in the draft approved by the FSC-BC Regional Initiative Steering Committee in April 2002. It was changed in response to conditions imposed by the FSC-International Accreditation Board (FSC, 2005a). It gives the applicant the option of taking steps to mitigate damages caused by other tenure holders, if their activities are found to be undermining the applicant’s ability to meet FSC requirements.
debate over “what constitutes sustainable forest management” to unprecedented levels. A great deal of work was commissioned to assess the relative merits of each system (e.g. Meridian Institute, 2001). While this research does not include case studies that involved these other systems, it is relevant to understand what they are and how they came to be.

The Canadian Standards Association (CSA), a non-profit national standards writing organization, developed its own forestry-specific system (CSA Z808/809). This standard was developed under a contract with the Canadian Sustainable Forestry Certification Coalition, which is a group comprised of 22 forest industry organizations from across Canada. The standard was written by a technical committee composed primarily of forest industry representatives, members of government, and academics, along with limited input from selected NGO’s and the National Aboriginal Forestry Association. It was designed to be consistent with the ISO 14001 environmental management system standard and the 21 critical elements derived from the Canadian Council of Forest Ministers’ Criteria and Indicators Process. The CSA standard requires forest companies to have a SFM system established, in addition to an ongoing public participation and continuous improvement processes. Several environmental groups have withdrawn their support for this system, claiming that their interests were not taken into consideration (Canadian Environmental Network, 1996). So too have Aboriginal groups, claiming that the CSA standards “offer Aboriginal people nothing more than a promise to comply with what is already an insufficient approach to addressing Aboriginal rights.” (Collier, Parfitt and Woollard, 2002: 32).

The other major forest certification system active in Canada is the American Forest and Paper Association’s (AF&PA) Sustainable Forestry Initiative (SFI). This program was
developed in 1996 by professional foresters, conservationists and scientists chosen by the AF&PA, a national trade association for the forest, paper and wood products industry. Conforming with the SFI is a condition of being a member of the AF&PA, and its members own approximately 90% of all company-owned forested land in the US (AF&PA, 2007). The AF&PA describes the SFI program as a “comprehensive system of principles, objectives and performance measures that integrates the perpetual growing and harvesting of trees with the protection of natural attributes”. The five general guiding Principles are: sustainable forestry; responsible practices; forest health and productivity; protecting special sites; and continuous improvement.

These are expressed in 12 Objectives, and for each Objective, there are 2 or 3 Performance Measures against which these are evaluated. In the document “Voluntary Verification Indicators” (AF&PA, 2005), the SFI outlines examples of specifics that could be used to evaluate a program participant’s ability to meet a Performance Measure; there are approximately 10 of these for each one intended to provide metrics for evaluating compliance.

In 2004, the CSA system was endorsed by the Programme for the Endorsement of Forest Certification schemes (formally known as the Pan European Forest Certification Council, PEFC), and the SFI followed suit in December 2005. The PEFC is an “umbrella” system with a membership consisting of 33 national forest certification systems, 22 of which have received official endorsement, amounting to over 196 million hectares of certified forest (PEFC, 2007).
2.2.3 Forest Certification: Scrutiny and Skepticism

2.2.3.1 Scrutiny of Non-FSC Certification Systems

Soon after forest certification emerged as an important component of international forest politics, many groups began to monitor the various systems and the forest companies that were getting certified. Reports such as “Behind the Logo” (FERN, 2001), “On the Ground” (Good Wood Watch, 2003), and “Footprints in the Forest” (FERN, 2004) were largely responses to the emergence of FSC-competitor systems, with FSC supporters interested in exposing what they believed to be unsustainable practices condoned by other systems. This escalated into an all-out “battle of the systems”, each system attempting to gain legitimacy and support from within the market (Cashore, 2002; EEM, 2007).

This played out in attempts to get the building industry to recognize certified wood within its own environmental programs. When the Leadership in Energy and Environmental Design (LEED) Green Building Rating System was introduced in Canada in 2001, the CSA was quick to lobby for the wood procurement requirement to include CSA-certified wood, even though in the US this was limited to FSC. However, these efforts were unsuccesful and LEED currently only recognizes FSC certified products.

2.2.3.2 Scrutiny of FSC

In the early days of FSC, the organization enjoyed strong support from a wide spectrum of environmental and social groups. With the introduction of competing certification systems, FSC supporters were eager to set the FSC apart as the “high bar” to be met. However, as the number of forests certified by FSC grew, criticism of industry-led
certification systems soon spread to criticism of the FSC system itself. Disputes occurred over individual FSC certifications, particularly in high conservation value forests. The Rainforest Foundation (2002) issued a report titled “Trading in Credibility: Myth and Reality of the FSC” which called into question the sustainability of FSC-certified operations around the world, and the legitimacy of FSC standards-setting processes.

In 2006, one of FSC’s founding members created the website “FSC-Watch”, dedicated to monitoring the FSC (FSC-Watch, 2007). Several individual certifications have been appealed, as well as FSC policies (such as percentage-based claims and the process of developing FSC standards). Increasingly, certification in general is being rejected by more hardline environmental activists as being a compromise that has continued to allow the logging of old-growth forests, and they argue that the concept has been co-opted by industry in an effort to “greenwash” their image (Hall, 1999, Rainforest Portal, 2007). As one of FSCs critics has stated:

“It is ludicrous to expect the public to differentiate FSC certification from other "green" seals and business-as-usual industrial ancient and plantation logging. A much more truthful, ecologically sufficient and accessible public message is that all ancient forest logging must end as a matter of planetary survival, and we must meet our needs for wood products from regenerating, ecologically managed natural forests for the benefit of local peoples.” (Barry, 2008)

Even the government of Norway, in its 2007 ban of tropical timber from public procurement, would not provide an exemption for FSC certified wood products:

“Today there is no international or national certification that can guarantee in a reliable manner that imported wood is legally and sustainably logged” (Press release, Government of Norway, 2007).
The only certification that has been formally appealed to date in Canada has been that of J.D. Irving in New Brunswick, certified according to the FSC-Maritimes standard, with the dispute centered around the use of pesticides in forest management (Cashore and Lawson, 2003). However many other FSC certifications have drawn criticism, included those of Tembec in Ontario and Quebec (Greenwood Earth Alliance, 2007; Eichenberger 2007). Much of this dispute has centered around where the certifications have been taking place (e.g. old growth forest, high profile areas such as the Great Bear Rainforest, Clayoquot Sound, the Boreal), as opposed to how forest management is carried out.

In response to this, in October 2007 a new eco-label emerged, called “Ancient Forest Free Paper” was established by “the Markets Initiative”, a Canadian NGO that directs purchasers of paper towards sources that do not contain fiber from old growth forests. While they indicate that FSC is “the only international certification scheme that is recognized by the Markets Initiative and other environmental groups as a measure of ecologically sustainable logging”, they emphasize that this alone does not suffice, as FSC does allow for logging in what they deem “ancient forests”.

In September 2008, Friends of the Earth, one of the founders of FSC, announced that it no longer supported the organization, saying that it “fails to guarantee high environmental and social standards” (Friends of the Earth, 2008).

2.3 Certification and Public forests
While private ownership of forests is increasing, over 80 percent of the global total area remains publicly owned, usually by a federal or state/provincial government entity (FAO Global Forest Resource Assessment, 2005: 109). In the context of public forests,
government is the landowner, which in turn assigns harvesting rights to individual companies (licensees) according to a tenure system. Optimally, this tenure system is designed to maximize the net public benefit achieved as a result of forest management. Each forest tenure contains a complex mix of obligations that the licensee must fulfill, and benefits that the licensee is entitled to (Haley et al, 2009).

Obligations almost always include a requirement to abide by governmental forest rules and regulations and to pay a certain amount for the trees that are harvested (stumpage). Other tenure obligations may include a requirement to conduct a forest management planning process, operate a mill, harvest a certain minimum amount of wood per year in order to provide predictable flows of fibre, or reforest an area once it has been harvested. Benefits that the licensee is entitled to can also vary greatly. Major tenure attributes that determine benefits include: duration (how long do licensees have the right to harvest), exclusivity (do they share forest resources with other forestry companies, or do they overlap with the operations of another industry), and comprehensiveness (e.g. are licensees entitled to resources other than timber).

Where forestry occurs on private land, the decision to pursue certification remains squarely in the hands of the owner and/or the forestry company in question, which must weigh the costs (including potential reductions in their harvest levels) against the potential benefits of achieving certification (such as access to markets, a market premium, or better stakeholder relations). Where forestry occurs on public land, the decision to pursue certification becomes more complicated. Licensees’ forest management decision-making is constricted according to the tenure obligations, including decisions related to meeting forest certification standards.
FSC certification is supportive of government policy in that it requires and verifies that forest operations comply with all existing laws and regulations of the jurisdiction within which they are operating (in fact, this forms the core of FSC’s Principle 1, Compliance with Laws and FSC Principles). It can therefore complement existing government efforts to monitor forest management practices and compliance with government rules. However, the assessment of forest management under FSC goes well beyond verification of legality, and includes a detailed assessment of ecological, economic and social attributes of the forest management in question, against standards that are often more stringent than those of government, and may result in higher costs, lower harvest levels, and thus lower stumpage revenues for government.

In fact, through the application of FSC standards, it has come to light that there could be situations where meeting FSC requirements may conflict with meeting laws and regulations, and may necessarily require breaking regulations associated with that tenure. For example, under forest tenures that require maintaining a certain level of harvest annually, reducing a company’s AAC in response to FSC standards may mean contravening their tenure obligations, and even losing their harvesting rights, or facing a penalty.

Thus for government, having an international private authority exert influence within its jurisdiction, capable of altering the intended flow of benefits, poses a potential threat to its sovereignty. Meanwhile, for the FSC, certifying companies operating within forest tenures that are limited in duration and/or exclusivity also poses serious reputational risks, as actions by government or non-FSC certified companies operating on the same land base may undermine the ability of the FSC-certified operation to meet the standards. In the
same way, FSC-certified tenures that are limited in duration may be subsequently taken over by a company that has no interest in meeting FSC standards.

2.4 The Canadian Forestry Context

2.4.1 Division of Powers
In Canada, jurisdiction over forest management on public lands lies primarily with the provincial governments. The vast majority of Canada’s forests are owned by the public (also known as “Crown Land”), with the exception of the Maritime provinces and the southern regions of Ontario and Quebec (Howlett, 2001). The management of these forests is delegated by each of the provincial governments to the private sector by means of long-term licensing and leasing arrangements, which assign rights to harvest forest resources in return for some type of payment and the assumption of varying degrees of responsibility for forest management. These agreements are known as “Crown forest tenures”, and remain the cornerstone of provincial forest policies.

Thus, this research is primarily focused on the role of provincial governments in forest certification, and this will be examined in greater detail in Chapter 5. However, it is worth noting the role that the federal government has played within international forest policy to date.

2.4.2 The Canadian Government and International Forest Policy
The Canadian Council of Forest Ministers (CCFM) was created in 1985 in order to provide a forum for the federal, provincial and territorial governments to work cooperatively on major areas of common interest regarding forests (CCFM, 2004). In December 1996, CCFM formed a Working Group to support the establishment of an

---

7 This topic will be addressed in greater detail in Chapter 3.
international forest convention. Specifically, the group was mandated to: consider a range of legally and non-legally binding approaches for strengthening the international forest regime; identify provincial and territorial interests related to potential elements of a forest convention; and strategize how to broaden international support for a forest convention (CCFM 2007). Canada has pursued the development of a convention through various UN fora, including the International Panel on Forests, the International Forum on Forests, and the United Nations Forum on Forests. In 2005, when it became clear that a legally binding agreement was not going to occur through UN channels, Canada initiated its own process with a smaller group of countries (by invitation), to work towards a forest convention.

The CCFM has been a key player in the development of the Montreal Process for Criteria and Indicators, internalized domestically as the CCFM’s Criteria and Indicators. These, in turn, have been influential in determining the content of the CSA’s forest certification system, viewed by some as a “competitor system” that was designed to reduce the uptake of FSC certification. The Canadian Pulp and Paper Association (CPPA, later to become the Forest Products Association of Canada) lobbied to get the CCFM and the provincial governments to endorse the CSA’s certification system when it was first developed, but they declined, as their official position at the time was that certification is “a private sector activity between buyers and sellers at arm's length from government” (CCFM, 2007).

At the international level, the Canadian government has pushed for certification schemes to be included within the WTO’s Technical Barriers to Trade (TBT) Agreement (Gulbrandsen and Humphries, 2006: 49), which would allow governments to have greater
control over the FSC, despite it being a voluntary labeling system. This position is reflected in the Report of the Standing Committee on Natural Resources and Government Operations (NRCAN, 2000):

> Regarding other possible non–tariff trade barriers such as that posed by forest certification, it is again necessary for the government to monitor international regulations. The clearest example of this would be to monitor possible infractions of WTO rules and to participate actively in the setting of these rules as they are formed. (Natural Resources Canada, 2000)

In response to the report, the government recommended that:

> …the federal government, in cooperation with the provinces and territories, take all necessary proactive measures to ensure that no certification system, or similar process, has the effect of superseding or usurping the policy-making and/or regulatory functions of any level of government in matters relating to forest management or international trade. (Natural Resources Canada, 2001)

### 2.4.3 The Forest Products Association of Canada

In 2001, the Canadian Pulp and Paper Association (CPPA) changed its name to the Forest Products Association of Canada (FPAC). In 2004, FPAC made a bold commitment to have all of its members certified by one of the three major systems (FSC, CSA, SFI), prior to the end of 2007 (FPAC, 2007). While some viewed this as a very progressive commitment, many FSC supporters were suspicious of this tactic, as the CPPA played a major role in the development of CSA, one of FSC’s competitors. Among FSC supporters, it was feared that FPAC’s requirement would prompt companies to chose CSA or SFI, as the path of least resistance, and that this would result in a large number of non-FSC certifications and volume of certified products coming available in a very short time. There were further fears that this would flood the market and potentially drown out the relatively small number of FSC certifications that had occurred in Canada to date.
CSA and SFI certifications did rise quickly, to 73.4 and 31.4 million hectares respectively. However, the number of FSC certifications also rose dramatically, to a point where Canada accounted for nearly 25% of all FSC certified forests worldwide (19.6 million hectares), by area (Abusow, 2006).

2.5 Conclusion

This chapter presented the complex circumstances surrounding this research, and described how forest management has evolved from being a purely domestic issue into one that figures prominently within international relations. Governmental efforts at the international level have been perceived to have failed in their attempts to halt deforestation. The power and transnational nature of the world’s largest forestry companies, and the markets into which they sell their products, have not been matched by the strength of international governance structures. This perceived “governance void” has given rise to forest certification, as a non-governmental alternative designed to use the market to direct purchasing power towards sustainable sources. Although this was originally designed to reduce tropical deforestation, it has largely been implemented in Northern countries.

I have also provided an overview of the origins, governance structure, and standards of the FSC, as well as the competing certification systems that have been developed in response. It is clear that developing regional FSC standards is a resource-intense and time-consuming process, that allows FSC to be adapted to local conditions and to reflect local stakeholder’s expectations. However, it is apparent that FSC certification does not guarantee that all critics will be satisfied, especially in the context of old-growth logging.
Finally, this chapter has provided an overview of the complex forest policy context into which forest certification was introduced in Canada, including the provincial/provincial division of powers, and the elaborate system of public land tenures that differs province to province.

Building upon this understanding of the global and domestic policy context and the origins of forest certification, the next chapter will construct a conceptual framework with which to evaluate the changes that it has required of Canadian companies, and the role that government has played in its implementation.
3 Literature Review

3.1 Introduction

Forest certification has been examined through a number of lenses, each of which has contributed to our understanding of how it functions, and how it relates to more traditional policy mechanisms. This chapter examines several of these, with a view to locating certification within the larger framework of global environmental governance, and framing how this research contributes to what is known about forest certification, its impacts, and its relationship with government.

3.2 Certification as Non-State Market-Driven Governance

One of the most comprehensive attempts to depict the dynamics of forest certification has been developed by Cashore, Auld and Newsom (2004), focusing on how the various certification systems compete to gain support. They identify four conditions which define “non-state market-driven” governance systems, namely:

(a) the state does not use its authority to directly require adherence to rules (i.e. it is voluntary in nature);

(b) products being regulated are demanded by purchasers within the market;

(c) stakeholders and civil society grant authority through an internal evaluative process; and

(d) compliance with rules is verified and enforced (Cashore et al, 2004: 20).
Within this framework, the role of government is as one of many stakeholders, and as a landowner, to the extent that the country’s forests are located on public land.

The research by Cashore et al also examines reasons why forest companies support one or more of the competing certification systems, and uses an analytical framework to explain the strategies that these systems use to attain the “legitimacy” required to win rule making authority. These strategies include converting (using leverage such as market campaigns or moral suasion to gain support); conforming (adapting the system to appeal to a wider audience); and informing (making new audiences aware that the system exists, on the assumption that once aware, they will grant support).

They then draw upon Cashore’s earlier work\(^8\) (2002) to describe three types of legitimacy that can be attained:

- **Pragmatic legitimacy**: systems are supported out of self interest of the entities pursuing certification (e.g. market share, market premium);

- **Moral legitimacy**: support is gained because managing according to this system’s standards is seen as “the right thing to do”;

- **Cognitive legitimacy**: companies are so convinced by the legitimacy of the certification system and associated standards that they believe it would be “unthinkable” to do otherwise (even if market signals do not indicate it is in their self-interest to do so).

---

\(^8\) These types of legitimacy were adapted from Suchman’s (1995) article on strategic and institutional approaches to legitimacy.
The study links these various strategies with the “durability” of the resulting legitimacy. Decisions to pursue a particular certification system based on pragmatic legitimacy are often short lived in the absence of economic incentives, while decisions based on moral and cognitive legitimacy are upheld even in the absence of such incentives.

The authors then apply this analytical framework to British Columbia, the US, the UK, Germany, and Sweden. Of interest to my own research is the importance that they place on land ownership type in the selection of case studies. They tested various hypotheses that might account for the varying degrees of support for FSC.

Their research is based on qualitative methodological techniques which are relevant to this dissertation, including those used for evaluating intangibles such as “pragmatic support.” Also relevant is the manner in which the authors formulate hypotheses to explore the various factors that may increase or decrease support for FSC, and factors that enable FSC to “convert” others to adopt their policies and positions, instead of having to “conform” to those of others (i.e. “who influences whom and why?”).

The research also provides a convincing rationale for the selection of case studies, both in the type and quantity. It stresses the importance of balancing depth and breadth-- while more cases allow for greater generalization of the findings, this increases the risk that contextually-specific explanations could be glossed over. This methodology also draws upon King, Keohane and Verba’s (1994) concept of “process tracing”, whereby one assesses the extent to which the historical account supports one’s hypothesis.
3.3 Assessing the Impacts of Certification

3.3.1 Evaluating Operation-Level Changes

There are very few studies of the on-the-ground impact of certification. However, a study by Newsom, Bahn and Cashore (2006) makes an important contribution in attempting to quantify and categorize the changes that have been made at the operations level in response to FSC. They evaluated 80 Smartwood assessments across the United States, and tried to determine whether certain types of forestry operations are more likely to be required to make changes to their forest practices (large versus small operations, FSC region, mandatory Best Management Practices). They identify several challenges associated with this type of work, including:

The wide range of forest certification standards and systems: In addition to FSC, SFI and CSA are both active in Canada, representing fundamentally different approaches to the concept of certification, with very different standards. Even within the FSC, there is a great degree of variability within the national and regional standards. Further complicating this is that these standards change over time, incorporating new information and accommodating stakeholder input.

Selection bias: They assert that “everything else being equal, the most progressive firms are most likely the first to pursue certification”, citing a study by Hayward and Vertinsky (1999). Based on this, they hypothesize that impacts of certification will be much greater in the future, as the less progressive firms will have to change more to meet the same standard (if they choose to go for FSC).
They note that preconditions and conditions are reserved for serious infractions that if not corrected will result in suspension or termination of the certification. The former are “major fundamental weaknesses documented in the operation”, whereas conditions are “significant shortcomings in an operation”.

Their methods involved categorizing the corrective action requests (CARs) into 34 forestry “thematic areas”, which were further grouped into four categories (Forest Management Activities, Forest Ecology Elements, Social and Economic Elements, System Elements). A “change” was reported for a given theme, if one or more conditions or preconditions were issued that applied to it. From here, they tested 3 explanatory factors to see if particular firm attributes (operation size; location with respect to FSC region; presence/absence of mandatory Best Management Practices) were associated with particular binary outcomes (presence/absence of change required).

This work further supports my leading proposition that there are both indirect and direct impacts of certification, and highlights the importance of differentiating between these (procedural changes versus changes to actual forestry practices). It also identifies the need to better understand how certification intersects with existing regulatory structures, a theme which figures prominently in my own research.

Newsom, Bahn and Cashore’s work does not comment much on the role of government within certification, although their findings indicate that operations located in jurisdictions with mandatory “Best Management Practices” (BMPs) were less likely to receive CARs than those where such requirements are not mandatory. It is difficult to say whether the presence/absence of mandatory BMPs has affected the type or number of
operations that decided to pursue FSC (as opposed to pursuing another system, or not at all).

### 3.4 Certification and the Role of Government

Rametsteiner (2002) pointed out that there are two approaches to studying the role of governments in a given situation: observing what the government *actually* does, or analyzing what the government *should* do. To date, the study of certification and the role of government has been almost exclusively focused on the latter. Using this normative approach, various researchers have produced lists of ways in which government *could* possibly be involved in this emerging non-governmental initiative, and have then made recommendations as to what actions government *should* take.

My research aims to assess how governments have responded to certification, both in general (as an emerging policy issue) and in during specific certification attempts. However, it is useful to take stock of existing normative research that has identified ways in which government *could* and *should* be involved, to inform my conceptual framework and direct the research towards where one might look for government involvement.

Rametsteiner also points out that certification is essentially a form of standardization, and that in examining the role of governments, it is important to distinguish between “regulative” and “coordinative” standardization. Coordinative standards are designed to safeguard compatibility of technical components in the larger context of a system (for example, to ensure the international compatibility of electrical components) and are in the best interest of those who are regulated by it, as this standardization reduces costs associated with uncertainty and economic transactions. In contrast, regulatory standards...
seek to prevent negative externalities that would otherwise occur, and in this sense are in the interest of the public, but not in the interest of those regulated by it.

Forest management standards clearly qualify as regulative standards. Governments, particularly in Canada, have had a longstanding (and essentially exclusive) role in developing and enforcing regulative forest management standards. Thus, the introduction of voluntary, non-governmental forest certification standards operating within a government’s jurisdiction poses numerous issues, and the relationship between governmental and voluntary forest standards has thus far been uncertain and often contested.

In the following sections, I will first examine research linked to “why” government should be involved, followed by a look at the limited amount of research that has examined “how” government has been involved in practice.

### 3.4.1 Why Should Government Be Involved in a Non-Governmental Initiative?

Forest certification, and particularly the Forest Stewardship Council system, was designed as a non-governmental tool to promote sustainability within the forest sector. However, researchers have identified a range of ways in which governments can and should be involved. Rametsteiner (2002) argues that the normative grounds for political–economic interventions of the state are usually either justified on historical–political grounds (i.e., it has always been done this way), or on reasoning related to welfare enhancement (government is acting in the best interest of its citizens).

First, Rametsteiner indicates that certification is limited in its ability to ensure the quality of forest management, and that thus it can only be regarded as “an accompanying
instrument in a broader package of instruments” (p. 166). He then breaks down government’s possible role into two categories: supporting existing certification systems, and creating new ones. He argues that governments have three main responsibilities regarding existing certification programs: 1) to ensure that they are compatible with laws and international obligations; 2) to ensure that they are implemented efficiently; and 3) to ensure fair play regarding competition amongst the systems and claims made by each. Most significant to this dissertation, he also notes that in cases where governments are owners of forests, they also have to consider the certification of their forests by private institutions. As forestry on public land is largely done by licensees, this means that government is in a position to either encourage or discourage pursuit of one or more of the competing certification systems.

Rametsteiner indicates that the first responsibility is easily fulfilled, as most certification systems require adherence to state laws and regulations as a pre-requisite for certification. However, he does not mention the possibility that these could conflict with meeting certification requirements. Further, he notes that certification standards are unlikely to conflict with international rules, such as those of the WTO, so long as they remain voluntary. However, it is unclear what will happen if certification becomes so widely accepted as a “minimum” requirement that its voluntary status gets called into question.

### 3.4.2 Possible Government Roles in Forest Certification

While the above literature that provides a rationale for why government has the potential to play a role in forest certification, there has been relatively little research performed to date which has identified how, in terms of identifying the possible roles that government
could play. However, a UN forum, convened in 2005, discussed this topic and identified a number of ways in which governments can potentially facilitate or impede the adoption of forest certification, either within or outside of their jurisdiction (UNECE/FAO 2005). This list focused on indirect roles that government could play within certification (i.e. independent of any one particular certification attempt). Roles identified by the UNECE/FAO report are summarized and reviewed below, along with examples of government actions that could either facilitate or impede certification efforts.

**Institutional capacity and standards development:** A lack of institutional capacity is currently seen as a major limiting factor in the implementation of certification, particularly in developing countries. The process by which a national or regional certification standard is set up can often be lengthy and costly, particularly in the early stages, and government may encourage the process by providing funding, in kind support and/or acting as a process facilitator. Alternatively, they could withhold these resources, and at the extreme end of the spectrum, forbid the formation of a standards setting committee.

**Data and technical expertise:** Certification is an information-intensive undertaking, and governments often have the best access to forest data required for activities such as monitoring, reporting and establishing historical benchmarks. Government can play a facilitating role by providing existing data, or lending their technical expertise in obtaining additional data requirements demanded by certification bodies. Alternatively, they could impede the process by withholding data or making access difficult.
**Trade rules**: The international trade regime, including the General Agreement on Trade and Tariffs (GATT) and subsequently the World Trade Organization (WTO), is based on the principles of (a) eliminating barriers to trade, and (b) non-discrimination of “like” goods, particularly on the basis of how production and processing methods (except as defined by Article XX of the GATT). In contrast, the main purpose of certification is to allow consumers to distinguish between forest products on the basis of how they are produced. Thus far, forest certification has been considered by many to be outside the reach of GATT/WTO rules, insofar as it is a voluntary instrument. However this has yet to be tested within the WTO (Gulbrandsen and Humphries, 2006: 49).

**Promotion of “Fair Play”**: Governments can act to promote comparability and equivalence of certification systems and associated standards. This may include ensuring that standards within their jurisdiction are not more onerous than those of other jurisdictions, to “level the playing field”. They may also promote the idea that certification should not result in discrimination against a particular type of forest ownership, such as small scale forest or community-based forest management.

**Procurement**: Governments are major purchasers of forest products, and can potentially influence the market for certified products and provide exposure for the label. However, making certification a *mandatory* requirement may remove certification’s “cloak of invisibility” in the eyes of trade laws, particularly those under the WTO’s non-tariff barriers to trade agreement (Tarasofsky et al, 2005: 8).

**Domestic policy settings**: All certification standards stipulate that domestic laws and regulations must be complied with as a minimum requirement. However, certification
standards may also be more onerous, posing a challenge to operations that only meet governmental minimum requirements. Governments can play a role in facilitating certification by, *inter alia*: harmonizing their policies and regulations (eliminating conflicts with certification standards, harmonizing reporting requirements, restructuring tenure, etc); by providing a guide indicating how meeting governmental requirements can be counted towards meeting certification standards; or by facilitating certification auditing.

**Government as forest owner**: Governments may choose to pursue certification over public lands within their control directly, or encourage tenured companies operating on their land to do so. Certification could be made a requirement for holding forest tenure, or financial incentives could be provided. Alternatively, governments may forbid forest certification activities on their land.

Importantly, any one of the actions mentioned above can be used to inhibit or facilitate the uptake of any one particular certification system, as opposed to certification in general. For example, a government could amend its forest laws to be congruent with the requirements of one system, or enact a procurement policy that specified that only paper and wood products certified by a particular system could be used in government operations.

### 3.5 Provincial Forest Tenure Systems

A key premise of this dissertation is that forest tenure system attributes will have a direct bearing on the degree of government involvement that can be expected in forest certification. The assumption is that where tenure is more exclusive and comprehensive
(i.e. the tenure holder has greater control over the forest resources) and longer in duration, tenure holders will be better positioned to meet forest certification requirements on their own, and government will be less involved. Thus, this section will discuss literature which has evaluated the major types of forest tenure systems in each province in question, and discuss the exclusivity, comprehensiveness and duration of each.

Haley, Luckert, and Hoberg (2009) have identified a number of different attributes which define each forest tenure, including how the tenure is assigned, the benefits that the tenure holder is entitled to, and the obligations and responsibilities that they must fulfill. This dissertation is most concerned with attributes that relate to the control a tenure holder has over forest management decision making (allotment, comprehensiveness and exclusivity), and for how long (duration and renewability). These attributes are also the most fundamental to the ability of a tenure holder to meet FSC’s Principle 2 (Tenure and Use Rights and Responsibilities), which stipulates that “long-term tenure and use rights to the land and forest resources shall be clearly defined, documented and legally established” (FSC International, 2001). The fundamental question is whether the actions of other tenure holders active on the same land base could potentially undermine the certification applicant’s forest management plans and practices, and whether the applicant can ensure that the forest will be managed according to FSC standards in the long-term. For example, if a commercially valuable stand of trees is set aside by the certification applicant as a high conservation area, what assurance can be provided that another company will not harvest these, either in the near term (in the case of overlapping tenures), or after the applicant’s tenure has expired?
Table 3.1: Variables associated with strength of forest tenures in Canada

<table>
<thead>
<tr>
<th>Attribute</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comprehensiveness</td>
<td>Tenures are usually issued for timber harvesting, but can also include non-timber forest products. Timber harvesting rights may be assigned for all or just for one or more specific species.</td>
</tr>
<tr>
<td>Exclusivity</td>
<td>The ability of a tenure holder to exclude others from gaining access to the benefit stream that the assigned rights provide. Harvesting rights can be assigned to one company (high exclusivity) or multiple firms (low exclusivity).</td>
</tr>
<tr>
<td>Allotment Type</td>
<td>Harvesting rights can be assigned for a given area (“area-based tenure”) or for a specific volume of wood (“volume-based tenure”)</td>
</tr>
<tr>
<td>Duration and Renewability</td>
<td>This determines how long the tenure is for, and if it can be renewed, and what conditions are attached to its renewal.</td>
</tr>
</tbody>
</table>

Source: Adapted with permission from Haley et al (2009).

Haley et al also note that while there are nearly 40 different types of forest tenures in Canada, for most provinces, the bulk of forest harvesting is captured by just one or two major types (in terms of provincial AAC). This holds true for the four provinces examined in this dissertation (see Table 3.2), and thus this chapter will focus on the analysis of the top tenure systems for each province in question.

As we can see in Table 3.2, each province has at least one major volume-based form of tenure, and for Quebec this accounts for more than 95 percent of the AAC. BC has the greatest number of forest tenure types, but the majority of its AAC comes from those that are volume-based. Area-based tenures dominate in Ontario and Alberta.

Regarding comprehensiveness, all of the seven major tenure systems examined in Table 3.2 grant rights to harvest timber resources only, and do not extend to non-timber or botanical products. Alberta and Quebec’s major tenure systems have taken a species-specific approach to assigning tenure rights (e.g. coniferous versus deciduous), whereas those in BC and Ontario are generally for all timber species. Species-specific operations
frequently harvest in mixed stands, and will often exchange logs or chips from non-target species with other tenure holders to better suit the needs of their processing facilities. While this is practical, it may complicate matters regarding forest certification and chain of custody.

As mentioned before, exclusivity is defined here as “the ability of a tenure holder to exclude others from gaining access to the benefit stream that the assigned rights provide” (Haley et al, 2009). BC’s Tree Farm Licenses issue “virtually exclusive” rights to harvest timber and manage forests in a specified area (BC Forest Service, 2006: 8), and the same could be said regarding Ontario’s Sustainable Forest Licenses. In both these tenure types, a tenure holder has the sole management responsibility over a defined area of forest, and their management actions are not at risk of being interfered by other land users. By contrast, the volume-based and species-specific tenures may have more than one company operating within a defined area, making it difficult to ensure that other non-certified companies operate to the same standards that the certification applicant is upholding.

This issue is more complicated in Alberta, where industrial oil and gas exploration and exploitation overlaps with forest management tenures. The amount of timber harvested as a by-product of these activities is greater than that harvested by the forest industry, and this is often directed to mills (Schneider, 2002). In addition, although Forest Management Agreements are area-based, and one company is responsible for executing the management plan, there may be multiple additional Timber Quota holders operating within this area, but

---

9 It should be noted that in Ontario, third-party licenses may be issued to cut under-utilized material. If the company cannot negotiate a contract, the Minister may impose a settlement and grant a third-party license.
harvesting other species. Thus, this form of tenure is low in both exclusivity and comprehensiveness.

Aside from Ontario’s Forest Resource Licenses, all of the major forest tenure types listed are long term (15-25 years), and are renewable subject to certain performance requirements. For example, Ontario also has an Independent Forest Audit program in place, as required by the Crown Forest Sustainability Act, to review forest planning and operations.

Table 3.2: Major tenure systems in four Canadian provinces

<table>
<thead>
<tr>
<th>Tenure type</th>
<th>British Columbia</th>
<th>Alberta</th>
<th>Ontario</th>
<th>Quebec</th>
</tr>
</thead>
<tbody>
<tr>
<td>% of AAC</td>
<td>47</td>
<td>17</td>
<td>68</td>
<td>26</td>
</tr>
<tr>
<td>Allotment type</td>
<td>Volume Based</td>
<td>Area-based</td>
<td>Area-based by species</td>
<td>Area-based</td>
</tr>
<tr>
<td>Duration and Renewability</td>
<td>15 years, renewable every 10 years</td>
<td>20-25 years, Renewable every 5-10 years (25 years planning horizon)</td>
<td>20 years, Renewable every 10 years (200 years planning horizon)</td>
<td>20 years, Renewable every 5 years (20 years planning horizon)</td>
</tr>
<tr>
<td>Comprehensiveness (Forest resources)</td>
<td>Timber resources, not species-specific</td>
<td>Timber resources, not species-specific</td>
<td>Shared with quota holders, AP harvests hardwood species, some softwood (traded for chips)</td>
<td>Timber resources, species-specific</td>
</tr>
<tr>
<td>Exclusivity (other industries/land uses?)</td>
<td>Non-exclusive.</td>
<td>“Visually exclusive”; no other major competing land uses</td>
<td>Non-exclusive: shared with quota holders, overlaps with major oil and gas activities</td>
<td>Non-exclusive: overlaps FMA and shared with other quota holders; overlaps with major oil and gas activities</td>
</tr>
</tbody>
</table>
3.6 Conceptual Framework
Forest certification has thus been situated within the larger international forest policy realm as a non-state market-based instrument, which is introduced into a particular jurisdiction with existing governmental rules and regulations (see Figure 3.1 below). At a bare minimum, FSC standards require that governmental laws are met, but may also require additional measures across a broad variety of subject areas (environmental, socioeconomic, aboriginal). These changes can be required either before or after the certification has been awarded (see Figure 3.1).

The working hypothesis for this dissertation is that where tenure over the forest being certified is strong (defined here as a function of both duration and exclusivity), the company will be better able to respond to the changes required by FSC, and will be less likely to require the commitment of government, and more likely where tenure is weak (either less exclusive or shorter in duration) (see Figure 3.2).

What I am seeking to determine is:

1) How have provincial governments responded to the introduction of certification, as a new issue? (Chapter 5)

2) What changes have companies made in order to get certified? (Chapter 6)

3) How was government involved in these specific certification attempts, and does the strength of a licensee’s forest tenure have any bearing on its ability to get certified? (Chapter 7)
Figure 3.1: FSC: A conceptual framework

Company X may be an FSC member, capable of influencing FSC’s governance at the national and international level and/or the development of regional standards that it will have to meet.
3.7 Discussion

In this section I have reviewed relevant research and drawn upon it to present the
central framework with which I will assess forest certification. I have situated where
this instrument fits within the larger context of global environmental governance, and
reviewed methods that have been used to assess the impacts of certification. I have
presented existing research accomplished to date, and indicated how my own work adds
to this, namely by: providing a comparison of how provincial policy responses to
certification have changed over time in Canada; comparing how “first movers” within
each province have had to change in order to get certified; and determining how forest
tenure attributes affect the role that government has played in individual certifications.

Finally, I have presented an initial overview of various roles that government could
possibly play in forest certification. Moreover, I have identified where government
should play a role, particularly in the context of publicly owned forests. This provides a starting point for identifying what types of roles, both direct and indirect, provincial governments have played with regard to certification in Canada.
4 Methodology

In this chapter I describe the methodology employed in this dissertation, including the research design, and how it adapts methodologies employed in earlier research to study both the changes required by certification of individual companies, and the role of government in this regard.

4.1 Multiple Case Study Analysis

This research employs a multiple case study approach, well suited to research based on a small sample size containing a large number of variables (Gerring, 2001). The case study approach has also been identified as the preferred method when: the type of research question posed is of the “how” or “why” variety; the investigator has little control over events; and when the phenomenon being investigated is of a contemporary (as opposed to historical) nature (Yin, 2003). This research meets all three of these conditions. Case study theorists place an emphasis on the importance of the careful case selection, to ensure that the cases are inter alia, relevant, comparable, and contain sufficient variation in the variables being examined (Gerring, 2001). Below I will discuss the rationale and criteria used for selecting the cases included within this study.
4.2 Research Design

4.2.1 Study Area

This research took place in the provinces of British Columbia, Alberta, Ontario and Quebec. One case study, involving a major forestry operation pursuing FSC certification, was selected within each jurisdiction.

4.2.1.1 Selection of Provinces

The intention of this research was to examine forest certification, as part of a larger group of international institutions potentially affecting forest management, and assess its implementation in Canada. Although forest certification, including FSC certification, has occurred on private lands in Canada\textsuperscript{10}; (both one owner and group certification) for the following reasons, it was decided from the outset, that the focus would be on public or “Crown” lands, as opposed to private lands:

- to control the number of major variables (forestry on private land is subject to different rules than forestry on public land);

- to include the most economically significant type of forest management (90% of logging in Canada is conducted on public lands, and produces 78% of Canadian forest products) (NRCAN, 2007);

\textsuperscript{10} It should be noted that private forest ownership is much higher in the Maritimes region (from 51% in New Brunswick, 69% in Nova Scotia, and 92% in Prince Edward Island)(NRCAN, 2008). For discussion of certification on private lands, see Teeter, Cashore, and Zhang, 2002. For discussion of forest certification on private lands, see Teeter, Cashore and Zhang, 2002. For discussion of forest certification in the Maritimes, see Cashore, Auld, Lawson and Newsom in Brownsey and Howlett, 2008: 218.
• to provide the greatest insight into the relationship between government and forest certification.

Similarly, it was immediately apparent that individual provinces would be the most appropriate unit of analysis, as opposed to looking at Canada as a whole, as the provinces have the major jurisdictional role over natural resource management, and forests in particular. Subsequently, BC, Alberta, Ontario and Quebec were selected as provincial case studies. This was for a number of reasons, including the fact that these were the four highest-ranked provinces in terms of the volume of forest products originating from public lands.

Other reasons which led to this selection were of a practical nature; at the time of research initiation, FSC standards had only recently been developed (or were in the course of development) for each applicable region, and only one large operation in each province was actively seeking, or had recently achieved FSC certification.

4.2.1.2 Selection of Forest Operations Case Studies

Impacts were assessed at the operation level, as this is the level at which FSC certification evaluations are carried out, and forms the unit of analysis for each case study. The case studies were selected as those involved in the first large-scale FSC certification audits to be conducted on public land in each of the four provinces. In each case, as “first movers” towards FSC certification in their province, important lessons were learned concerning how certification would function in the context of each jurisdiction, and how government would need to be involved.
Case studies were selected on the basis of being large, public tenure-based operations. One operation was selected from each of the four provinces, to allow for jurisdictional comparison. As it turned out, there was only one possible candidate from each province available at the time of the study’s initiation as the process of certification was in its nascent stages. This allowed for the consistent observation of the first major tenure holder in each of the four provinces to obtain certification, and their experience in this regard, and government’s involvement.

The four case studies selected for examination were:

1. BC: Tembec Cranbrook TFL-14
2. Alberta: Alberta-Pacific Industries (Al-Pac)
3. Ontario: Tembec – Gordon Cosens Forest
4. Quebec: Tembec -La Sarre (Forest Management Units 85-51 and 85-62) 11

Chapter 6 will provide a detailed summary of each of these case studies.

Another significant factor was that in all four cases studies the companies generously expressed a willingness to share information and make personnel available for interviews.

11 Initially, Tembec-Davidson was selected as the Quebec case study, as it was the first major licensee to pursue FSC in that province. However, this operation went bankrupt and was sold during the course of the research, and never received its certification audit results. Therefore, the La Sarre operation was selected as the case study, as the first major licensee to get FSC in Quebec. The Davidson case did however reveal important dynamics between FSC and the Quebec government in the early stages of implementation, which will be discussed in Chapter 5.
and site visits. In the case of the Al-Pac, I was able to participate in the certification audit as an observer.

4.2.2 Research Scope

There are several different stages when forest certification can have an effect on a given operation. First of all, there are impacts associated with changes made by a company prior to certification (see Figure 4.1). These may occur in anticipation of pursuing certification, or in response to a “scoping” audit that has been commissioned by the company. This allows for companies to make the necessary changes before a precondition or condition is formally (and publicly) issued. This may be a desirable strategy to minimize the amount of corrective action requests that are publicly disclosed, and allows for the company to walk away from the whole process if the certification looks too difficult to obtain, without risking the perception of failure. Assessing changes at this stage is largely dependent on self-reporting— that is, asking what the company did prior to the audit in order to prepare for it.

The second opportunity for certification to cause change occurs in reaction to meeting preconditions issued during the first full assessment (but prior to receiving certification). In issuing a precondition, the certifying body has made it clear that unless this corrective action is made, no certificate will be issued. Finally, the third opportunity for change occurs after the certificate has been granted, as the company addresses conditions issued by the certifying body that must be met within a particular timeframe, ranging from a year to the end of the term of the certificate (five years). Changes may also occur in response to non-binding recommendations and observations made during the audit, but this is very difficult to verify, as these are not audited and do not appear in the annual
assessment report. Thus, the scope of this research is limited to evaluating the impacts associated with meeting the preconditions and conditions, collectively known as Corrective Action Requests (CARs).
Figure 4.1: The Process of FSC Forest Certification

Company X hires a CB to conduct a certification scoping report

Does Company X make the changes recommended by the scoping report?

Company X initiates a full certification assessment. CB conducts the assessment and issues report containing pre-conditions and conditions. Company X allowed time to respond.

Does Company X make the changes required to meet pre-conditions?

Certification awarded and public summary of assessment report released. Company works toward meeting conditions issued by CB by given time intervals (e.g. by the end of 1 year), and this is verified through annual audits by CB.

Does Company X make the changes required to meet conditions?

Company X maintains its certification.

Does Company X renew at the end of 5 year term?

Discontinuation of certification process
4.2.3 Research Questions

This research seeks to address the following questions:

(a) How have Canadian provincial governments responded to the introduction of forest certification within their jurisdiction?

(b) How has forest certification changed forest management by major public forest tenure holders in Canada?

(c) How does the strength of a company’s forest tenure influence the level and type of involvement required of government during the certification process?

4.2.4 Broad Themes and Leading Propositions

This research has three reasonably distinct components to it. These are: first, an analysis of how governments have responded to forest certification as a policy issue in each province; second, an analysis of the changes specific operations were required to undertake in order to obtain and maintain FSC certification; and finally, identification of how and where governments were involved in each of the four specific certifications. These components are accompanied by a number of assumptions and leading propositions that were instrumental in finding answers to the research questions.

4.2.4.1 Identifying changes to forest management

The first component of the research involved identifying where the operators (licensees) had to change their forest management practices in pursuit of FSC certification.
Specifically, the analysis presented in this dissertation sought to compare the changes that were required by four large operators in four different provinces.

PROPOSITION 1: Where a licensee’s forest management practices do not comply with forest certification standards, the licensee will have to make changes to these practices in order to get certified. These changes will occur both prior to certification being granted, in response to pre-conditions and after, in response to conditions to be met over the course of the certificate.

4.2.4.2 Government’s role in forest certification

The second component of the research involved analyzing the role that government played in forest certification.

PROPOSITION 2: Despite forest certification being created as a voluntary and non-governmental instrument, government has a major role to play in its implementation, both indirectly (through policy at the provincial level) and directly (within specific certification attempts).

PROPOSITION 3: Where companies are operating on tenured public land, there may be requirements imposed by certification that the company alone may be unable to address, either because they have less than exclusive control over the land, or because the length of the tenure is too short. The amount of government involvement required will increase as the strength of the associated tenure decreases (where strength is a function of duration and exclusivity).
PROPOSITION 4: Where government and FSC requirements conflict, one or both of these parties will need to modify their requirements in order for the certification to occur.

4.3 Data Collection

This research has drawn upon a variety of sources of information, including: in-depth interviews with a range of participants and content analysis of primary and secondary documents. Below, I will describe the nature of these methods and the extent to which they contributed to the research.

4.3.1 Interviews

A total of 42 interviews were conducted between September 2002 and March 2008 with individuals involved in forest certification, and were documented using detailed field notes and transcribed audio recordings. As can be seen in the sectoral breakdown presented in Figure 4.2 below, these interviews included government officials, the companies pursuing certification (“Private Sector”) and a variety of other forest policy actors. A complete list of interviews, including date and location, is located in Appendix E).

Two different questionnaires (located in Appendix A) were used in interviews with (a) government officials and (b) forest operations managers. These interviews were conducted in a semi-structured format, in that they were based on a set list of questions, but allowed for elaboration by the respondents (as per Leech, 2002). This approach was pivotal in identifying changes that were required or roles played by government that were not previously foreseen.
4.3.1.1 Interviews with forest operation managers

For each of the four case studies involved, operations managers were interviewed. In most cases, this included: a preliminary telephone interview; an in-depth, semi-structured face-to-face interview; and a follow-up telephone interview. The questionnaire used was designed to discover the changes that forest operations were required to make in response to forest certification, the ecological and socioeconomic context within which these certifications occurred, and details surrounding the process of certification.
4.3.1.2 Interviews with government personnel

Interviews were conducted with relevant staff within each applicable provincial
government. In the case of BC this was done face-to-face, and by telephone for the other
provinces. Additional interviews with appropriate federal government representatives
were also conducted by telephone. The questionnaire employed was designed to discover
the specific actions that governments had taken in response to forest certification since
it’s emergence in the early 1990s (when, why, and by what agencies).

4.3.1.3 Interviews with other key informants

Additional interviews were conducted in the course of the research, including a range of
actors involved in the development and implementation of certification. Interviews were
conducted with members of FSC regional bodies (BC, Boreal, GLSL, Maritimes), FSC
Canada in Toronto, and FSC International (in Oaxaca, Mexico and later in Bonn,
Germany). In addition, a representative from each of the certifying body teams that were
involved in each case study was interviewed. Also interviewed were representatives of
the NGO and First Nations communities.

These interviews were adapted according to the role the individual played within
certification (NGO, certification body, private sector, etc). The responses achieved
provided diverse perspectives on the role that forest certification has played in Canadian
forest policy and its relationship with governmental forest policy and regulatory
framework. Information obtained from these interviews also helped identify specific
issues to be brought up during interviews with government officials and operations
managers, and to understand the stakeholder context within which the companies operate. Interviews with NGO and First Nations representatives in particular helped in constructing an understanding regarding what these actors were expecting to achieve through support of FSC forest certification. Although the interviews were not subjected to a systematic analysis, quotations captured from within the transcripts helped to illustrate key points.

4.3.2 Documents

Primary sources

A key part of this research involved gaining an understanding of FSC policies and governance structures, as well as the governmental regulations and requirements in each of the four provinces. This involved reviewing hundreds of documents, mostly coming from primary sources (i.e. policy documents, legislation, forest practices/codes, standards). Secondly, the public summaries of the certification assessments were assessed according to the Corrective Action Requests that were issued (see 4.4.2).

Secondary and academic sources

There is a vast and growing body of work that describes the impact of international environmental instruments, both governmental (public governance) and non-governmental (private governance). As forest policy has been pushed into the international realm, there has been an increase in the interest in comparing forest policies between jurisdictions (see Cashore and McDermott, 2004).
Similarly, as forest policy has been pushed into the “private” realm, there has been a heightened interest in comparing forest certification standards. This has come both in the form of comparisons between systems (advocates of one system trying to establish that their standards are more credible than another system’s), and comparisons of different national/regional interpretations of FSC standards (e.g. Wood, 2000; Tan, 2004).

**Public relations and media**

Forest certification is often used as a communication tool, and it has spawned an enormous amount of public relations material, issued by governments, non-governmental organizations, and the forestry companies. All of this material has been valuable in understanding various attempts at positioning and influencing other actors.

**4.4 Data Analysis**

**4.4.1 Analysis of Interviews**

Interviews were first transcribed from field notes and audio recordings. They were reviewed for observations that were linked to either the impact of certification or the role that government has played in the certification. The findings were then summarized in tables to allow facilitate comparison.

**4.4.2 Analysis of Certification Body Assessment Reports**

The second major component of this research was the analysis of corrective action requests (CARs) issued by the certification body (in all four cases this was Smartwood). The CARs were analyzed according to (a) the themes and elements that the CAR addressed and (b) the role, if any, that government played in enabling the company to meet the CAR.
**4.4.2.1 Analysis of the CARs: themes and elements**

First, each of the CARs documented in the four certification assessment summaries were categorized in order to facilitate analysis. This was done on several levels, using spreadsheet software (Microsoft Excel), with each line representing one CAR, and each column representing a possible attribute of that CAR (see Appendix F). Then, each CAR was categorized according to which of the FSC’s Principles and Criteria applied, differentiating between CARs issued as preconditions and those issued as conditions to be met within the five year term of the certification. Next, CARs were analyzed using a modified version of Newsom and Hewitt’s Themes and Elements (described in Chapter 3, and summarized in Table 4.1 below). This framework allows for the delineation of changes into the following thematic categories: environmental, social, economic/legal, forest management and systems. For the purposes of this research, this framework was augmented with a separate category for Indigenous Peoples, in order to disaggregate findings that would have otherwise been grouped under the “Social” category.\(^\text{12}\)

For each condition, I determined which of 27 elements under the six thematic areas applied, allowing for more than one to apply to each CAR. For example, a CAR requiring a licensee to prepare a map of high conservation value forests that will be set aside as reserves within the management plan would be classified under three elements: high conservation value forests, landscape level considerations, and management planning. Each CAR was also given a brief description and three-letter code for quick reference.

---
\(^{12}\) Indigenous Peoples have played a prominent role within the development of FSC in Canada, and have thus been allotted their own fourth “Chamber” (as described in Chapter 2).
Table 4.1: Themes and elements used in the assessment of CARs

<table>
<thead>
<tr>
<th>Environmental</th>
<th>Social</th>
<th>First Nations</th>
<th>Economic and Legal Issues</th>
<th>Forest Management</th>
<th>Forest Systems</th>
</tr>
</thead>
<tbody>
<tr>
<td>RIP Aquatic and riparian areas</td>
<td>CON Communication and conflict resolution with stakeholders, neighbors and communities</td>
<td>BEN Benefit sharing</td>
<td>PRF Profitability of operation</td>
<td>ROD Roads and skid trails</td>
<td>FMP Management</td>
</tr>
<tr>
<td>HCV Sensitive sites and high conservation value forests</td>
<td>TRN Training</td>
<td></td>
<td>LAW Compliance with state, federal and international laws</td>
<td>REF Regeneration and reforestation</td>
<td>MON Monitoring</td>
</tr>
<tr>
<td>TES Threatened and endangered species</td>
<td>SAF Worker safety</td>
<td></td>
<td>ILL Illegal activities and trespassing</td>
<td>CHM Chemical use and disposal</td>
<td>INV Inventory</td>
</tr>
<tr>
<td>LLC Landscape-level considerations</td>
<td>NTP Non-timber forest products</td>
<td></td>
<td>TEN Long term tenure</td>
<td>EXO Exotic species and pests</td>
<td>COC Chain of custody</td>
</tr>
<tr>
<td>STR Structural retention: woody debris, snags and legacy trees</td>
<td>WRK Worker wages and living conditions</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SOL Soil and erosion</td>
<td>CLT Special cultural sites</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Source: Adapted from Newsom and Hewitt, 2005.

Third, CARs were categorized as to the type of change required. Newsom and Hewitt note the importance of differentiating between “procedural” versus “substantive” changes, indicating that a strong focus on observable “on the ground” change is what FSC supporters claim sets FSC apart from its competitors. They observed that subtle
changes in the wording of a CAR can have different repercussions. For example, a
c Condition requiring a licensee to set aside a specific high conservation value area as a
reserve, and one that requires the licensee to perform an assessment of high conservation
value forests that should be considered for reserve status, both address the same issues,
but may lead to very different outcomes. In this case, the latter, “procedural” condition,
may but is not guaranteed to result in an “on the ground” change.

4.4.2.2 Analysis of the CARs: government involvement
In the next stage of analyzing the assessment reports, I noted where government or
government policies were mentioned within each CAR issued, either before or after
certification was granted. Each case study was examined in terms of government
involvement at two stages of the forest certification process.

The pre-certification stage is defined here as the period before the certification decision
is issued, and government’s role at this stage might include helping a company prepare
for, or respond to, the scoping report, such as provision of data, or making changes in
government policy in anticipation that they would be required in order to meet FSC
requirements. It also considers any assistance or direct incentive provided for pursuing
certification. The post-certification stage is defined as that which occurs after the
certification is issued.

The methodology used for assessing the role of each provincial government in forest
certification drew upon existing literature (described in Chapter 3) that has identified
roles that government has played, both in Canada and elsewhere, and possible roles that
government could play. Pattern matching was employed to categorize the various
possible ways that government could be directly involved in certification. This started
with a list based on initial observations of the first certification assessment, and then
refined and added to with successive case studies. This allowed for the discovery of new
roles and responses that may have yet to be observed.

This work relied primarily upon a review of the publicly available Smartwood
certification reports and the Corrective Action Requests (CARs) that were issued.
However, interviews with key actors (such as managers, government officials,
Smartwood assessors) were also drawn upon.

4.4.3 Government Involvement and Tenure
Proposition 4, addressed in Chapter 7, states that the strength of a licensee’s forest tenure
(a function of both duration and exclusivity, as shown in Figure 3.2), will determine the
extent to which government will need to be involved in a given forest certification effort,
with weaker tenure requiring greater involvement. In order to determine whether this is
so, I will first assess the strength of the forest tenures held by each of the four licensee
case studies, using criteria developed by Haley et al (2009). Then, for each case study, I
will look at the number of CARs that required government involvement, the type of
involvement that was required, and determine whether this was affected by the strength
of tenure held by the licensee in question. This data will be supplemented by the results
of the interviews with operations managers, certifying bodies, and government officials.
Proposition 2 of this dissertation states that:

Despite forest certification being created as a voluntary and non-governmental instrument, government has a major role to play in its implementation, both indirectly (through policy at the provincial level) and directly (within specific certification attempts).

This chapter examines the indirect roles that provincial governments have played in BC, Alberta, Ontario and Quebec, while Chapter 7 examines the direct roles that emerged in response to the specific certification attempts, which are described in Chapter 6. This section also examines if provincial policies concerning forest certification have changed over time, and how this has affected their role. This section draws upon the results of semi-structured interviews with government officials responsible for forest certification within their province\textsuperscript{13}, and a review of key policy documents related to the subject\textsuperscript{14}.

The term “indirect roles” here refers to actions and policies that are not undertaken in response to any one particular certification attempt.

5.1 British Columbia

5.1.1 Initial Response to Certification

In the early days of forest certification’s development, the BC government took a pro-active role, and dedicated a specific unit\textsuperscript{15} within the Ministry of Forests (BCMOF) to

\textsuperscript{13} The questionnaire used for this aspect of the research is contained in Appendix C.
\textsuperscript{14} See Appendix B for the original text of the provincial governments’ policy statements on forest certification.
\textsuperscript{15} The Trade and Sustainable Development Group was a joint effort between the Policy and Economics Division of the Ministry of Forests and the Ministry of Employment and Investment.
address this issue. This was very likely a result of the international attention that had been directed at BC leading up to the Clayoquot Sound conflict in 1993. BCMOF officials met with forest industry representatives on an ongoing basis, including members of the Council of Forest Industries (COFI), to brief them on developments regarding certification. Several of these companies took steps towards certification prior to the establishment of BC’s regional standards, including the initiation of FSC scoping audits to determine where they stood with regard to this emerging system. Several major licensees conducted assessments of high conservation value forests within their tenures, and participated in the standards development process.

In 2000, FSC-BC commissioned a legal memorandum on how FSC’s Principle 3 (concerning Indigenous Peoples) should be interpreted in the BC context (Stevenson and Peeling, 2000). The resulting report was unambiguous in stating that FSC sets a higher standard for aboriginal consultation than Canadian domestic law, and provides strong guidance to certifying bodies to not assume that the existence of governmental treaty processes and consultation guidelines will satisfy Principle 3. Further, it requires that “indigenous control of their lands and territories be through formal co-management agreements that are not merely elaborate consultation guidelines” and that instructs certifiers to “be vigilant in ensuring the “informed consent” is actually acquired” (Collier, Parfitt and Woollard: 101). These findings were used in drafting indicators and verifiers for this Principle during the development of the FSC-BC standards. The BC government responded by drafting a confidential internal memo that reviewed Stevenson’s findings, but did not respond publicly.
BCMOF participated in the development of the FSC BC Regional Standards as an *ex-officio* member, with a “voice but not a vote”. Meanwhile, they tested various certification systems, including FSC, for use with the Small Business Forest Enterprise Program (SBFEP) in various forest districts (BCMOF 2000). They appointed a provincial Certification Implementation Coordinator to assist in responding to applicant and certifier information needs, and developed resource materials and an education program designed to inform regional and district staff.

In 2000, a small forestry company (Timfor Contractors Ltd.) decided to pursue certification of its 6,000 hectare operation. Although other FSC certifications had taken place on small woodlots in BC, this certification posed a significant test for FSC because of: 1) the particularly limited tenure (five year, non-exclusive and non-renewable); 2) the location (the mid coast region of BC which at the time was becoming more widely known as the “Great Bear Rainforest”; and 3) the presence of indigenous groups with claims to this forested area. Because of the limited tenure, Smartwood decided to certify Timfor as a “Resource Manager” (as opposed to certifying the forest itself, which is the norm for FSC), and required that the BC government write a letter of commitment to uphold FSC principles in the long term as the owner of the land that Timfor was managing. The government complied, and the certification was granted in July 2000. This may have satisfied Smartwood and FSC, but many environmental and indigenous groups disagreed strongly with this certification and were concerned that it would set a precedent (e.g. Rainforest Foundation, 2002).

---

16 The FSC-BC standards were not yet finalized, and thus the certifying body that was hired (Smartwood) used their own interim standard.
In 2000, BCMOF commissioned a report that examined possible options available regarding government involvement in certification in BC (Brown and Greer, 2001). The report notes at the outset that the largely public ownership of forests may create “the need for greater government involvement in Canada in certification than may be the case in some other countries…” (Brown and Greer, 2001: p. 12). The consultants identified four possible scenario options that government could take with regard to certification (see Table 5.1).

Based on public consultation and the outcome of a multi-stakeholder workshop, the consultants concluded that a “co-operative” approach was the preferable option (Scenario 2), based on stakeholder support and feasibility of implementation in the short term. This essentially maintained the government’s position of supporting certification to the extent that it is consistent with the existing legal and regulatory framework, but not making any fundamental changes. This can be contrasted with Scenario 3, which would involve more fundamental tenure reform, converting to area-based management units which the consultants stated “would make certification potentially easier because licensees meet basic expectations of long-term management commitment for a defined forest area” (Brown and Greer, 2001: 20).
Table 5.1: Possible options for government involvement in certification identified by the Brown and Greer Report.

<table>
<thead>
<tr>
<th>Scenario</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Reactive</td>
<td>Similar to its current approach, government supports certification in principle but does not actively promote it, and responds to requests for assistance from licensees and applicants to the extent that resources are available.</td>
</tr>
<tr>
<td>2. Cooperative</td>
<td>Government acknowledges the importance of certification for market access and of a facilitating role for government, and adjusts programs, policies and practices within the existing regulatory framework. It cooperates with industry, certifiers and other stakeholders to address tenure constraints and facilitate certification.</td>
</tr>
<tr>
<td>3. Independence</td>
<td>Recognizing certification as a key tool for achieving SFM and creating socioeconomic benefits, government creates an enabling regulatory framework that gives forest licensees maximum freedom to pursue certification at their own discretion and timing, independent of government.</td>
</tr>
<tr>
<td>4. Enhanced SFM</td>
<td>Government acknowledges that its current policy, balancing long-term ecological and economic sustainability against short-term socioeconomic needs, may jeopardize access to markets if incompatible with certification system standards. Government gradually adjusts its regulatory framework to enable a more rapid approach to SFM.</td>
</tr>
</tbody>
</table>


Throughout these early stages of certification’s development, the BC government played a key role in the CCFM and particularly the Advisory Council on Certification. It was active in determining the principles of how government was to relate to certification, including that certification should be voluntary and at arm’s length. This was in response to CSA pressuring CCFM to endorse their certification system. Support for the CSA process became stronger after the first draft of the FSC standards was released, and looked comparatively difficult for major licensees to meet (Cashore et al, 2007: 77).
5.1.2 FSC Progress Stalls
A second phase for forest certification in BC roughly coincided with a change in provincial leadership from the New Democratic Party to the BC Liberals (April 2001). The Ministry of Forests staff was cut by approximately one-third\(^{17}\) and shortly thereafter, the number of BCMOF personnel overseeing forest certification was drastically cut.

The importance of certification and other non-governmental initiatives may have been heightened because of the nearly non-existent official opposition within the provincial legislature\(^{18}\). Emphasis on certification as a tool to influence forest management became more important amongst environmental groups when the Forest Practices Code was replaced by the “Results Based Code”, which was perceived by many environmental groups as giving too much discretion to the forest industry regarding forest practices and the safeguarding of biodiversity (e.g. Clogg, Gage, and Haddock, 2002). Environmental groups looked towards certification and FSC in particular to fill the void created by declining forestry enforcement capacity. In March 2003, the Forestry Revitalization Act introduced a number of measures that gave major licensees more control, including the ability to consolidate and subdivide forest tenures, the relaxation of cut control requirements, and the cancelation of mill appurtenancy requirements (BCMOF, 2003).

Similarly, First Nations’ interest in FSC increased when their relationship with the new Liberal government got off to an antagonistic start. The Liberals decided to hold a

---

\(^{17}\) Early in 2002, BCMOF: closed three regional and 29 district offices; cut the budget for compliance and enforcement by 14\%; reduced spending on resource management and environmental programs by 40\%; and laid off 30\% of its staff. This drastically reduced the capacity to monitor tenures (Marchak and Allen, 2003: 16)

\(^{18}\) The Liberals won 77 out of 79 seats, with 57.6\% of the popular vote (Elections BC, 2001. Available at: http://www.elections.bc.ca/elections/sov01/polpart.htm)
referendum on eight proposed "principles" to be used in resolving the issue of aboriginal treaties, including a ban on expropriating land for treaty purposes and the removal of aboriginal tax exemptions. This was met with opposition from aboriginal groups as well as a diverse range of BC citizens, who viewed the referendum as a malicious attempt by government to derail the treaty process in BC and undermine Aboriginal peoples’ constitutionally guaranteed rights. Many called for a boycott of the referendum and burned their ballots publicly. Despite the extremely low response the government declared that it had a mandate to negotiate based on the eight principles\textsuperscript{19}.

First Nations pursued certification of their own operations as well. In 2000, Iisaak Forest Resources received certification for its operations based on Vancouver Island, notably in the same area of Clayoqout Sound where protesters had essentially shut logging down in 1993 (Iisaak Forest Resources. 2000). In 2004, the Squamish District of the BC Ministry of Forests provided financial assistance to the Tsleil-Waututh First Nation to enable the certification of its forest lands in the Indian River Valley, north of Vancouver (Tsleil-Waututh First Nation, 2004).

BC’s major licensees essentially abandoned FSC following the release of the third draft of the FSC-BC regional standards, which they claimed were overly onerous and costly to meet. The exception was Tembec, which had made a commitment at the corporate level

\textsuperscript{19} Approximately 80\% of the valid ballots returned voted in favor of the principles. However, only a third of the ballots were submitted, with many of them intentionally spoiled (Rossiter and Wood 2005).
to get all its operations across Canada FSC-certified. In October 2004, Tembec’s TFL-14 became the first major operation to receive certification.\textsuperscript{20}

Since then, Tembec has also been able to get two further certifications on volume-based Forest License tenures in June, 2006 (within the Invermere and Cranbrook/Kootenay Lake timber supply areas, or TSAs). In order to facilitate these certifications, the BC Ministry of Forests identified a geographically defined operating “chart area” for Tembec within the TSA, and this appears to have satisfied Smartwood and FSC. During the audit, Smartwood received stakeholder input questioning whether Tembec was in conformance with Principle 2, since the “chart area” is not a legally defined management unit. Smartwood’s response was that while not technically legal, the “chart area” was confirmed through “a complex internal government process related to Bill 28\textsuperscript{21}”.

Smartwood did concede that if a “legally” defined land area were required, this type of tenure could not be certified, and the public audit summary lists the TSA tenure arrangements as one of the weaknesses under Criteria 2.1 (Use Rights & Responsibilities). It also expresses concern that the defined forest area “depends on administrative decisions of government” and that there is a “lack of government commitment that it will not impose constraints on Tembec’s ability to meet the management measures described in its Sustainable Forest Management Plan” (Smartwood 2006).

\textsuperscript{20} This is the BC case study used in this research. Please refer to Section 6.3.
\textsuperscript{21} Bill 28, the Forestry Revitalization Act, made major changes to forest policy, and imposed a 20% take-back on all major replaceable licenses in 2003, for which compensation was provided (Marchak and Allen, 2003: 30).
Nevertheless, Smartwood only imposed a condition (as opposed to a pre condition), to be met within a year of the certification:

“Condition 2.1: By the end of Year 1 of certification, Tembec shall demonstrate efforts to secure a continuing commitment by the government of BC to support (and not constrain) Tembec’s continuing ability to meet the requirements of the FSC BC standard” (Smartwood 2006: 16).

In this way, Smartwood demonstrated that FSC certification would be able to proceed on volume-based tenures, while sending a signal to government that this was not unconditional.

5.1.3 Present Status and Outlook
The amount of land FSC has certified in BC has remained stagnant for some time, and it currently stands at 577,295 hectares. However, the two most recent Tembec certifications may send a signal to other companies that obtaining FSC certification for volume-based tenures is not nearly as difficult as previously thought. Since volume-base tenures represent over 70% of the provincial harvest, this could pave the way for much greater volumes of FSC certified wood originating from BC.

In addition, FSC may figure prominently within a high-profile agreement between environmental groups (Greenpeace, the Sierra Club and ForestEthics) and forest companies regarding the fate of the Great Bear Rainforest. Under the “Joint Solutions Project,” logging in one million hectares of the north-central coast will be temporarily deferred while eco-friendly logging practices will be introduced in the remainder. This is in addition to 2.1 million hectares set aside for parks and protected areas, leaving 3.3 million hectares available for forest management. For their part, the environmental
groups have agreed to assist in marketing products from the region, and FSC may form a component of this (Hamilton, 2008).

5.2 Alberta

5.2.1 Initial Response to Certification
In 1993, the Alberta Forest Care program was developed by the Alberta Forest Products Association (AFPA), and included Guiding Principles and a Code of Practice which members are to follow. However, it is not a certification program, per se. Carpenter and Kessler (1999) evaluated this program and its contribution to attaining SFM in Alberta, and found that progress observed was more a result of corporate policies and committed personnel rather than the Forest Care program itself. They also found that the audit process was less rigorous than the internal audit performed by the company, and that the government audit was “the least rigorous, and lacked incentives and mechanisms to stimulate improvement” (p. 818). Most pertinent to my own research is Carpenter and Kessler’s conclusion that “the need for credible and effective certification schemes is increasing as governments reduce field staff and activities in response to tightening budgets.”

Alberta first became involved in forest certification in the early 1990’s, and took part in the CCFM roundtable discussions, as well as the development of the CSA standards, with Alberta Sustainable Resource Development (ASRD) taking the lead on this issue (personal communication, Robert Jones, ASRD, March 26, 2008). While the Alberta government’s official position on this issue was similar to that of other provincial governments-- that they support all certification systems equally, to the extent that they are supportive of government policy objectives—many FSC supporters from a diverse
range of backgrounds reported that the ministry responsible (Alberta Sustainable Resource Development (ASRD)) has been less than supportive of FSC. It was reported that ASRD had “significant misgivings” regarding this system, and viewed many of the requirements as potentially inconsistent with the government’s system of land use planning, particularly with regard to imposing major constraints on oil and gas development (personal communication: Simon Dyer, Al-Pac, October 14, 2004; Helene Walsh, Canadian Parks and Wilderness Society, October 31, 2004).

Throughout the early days of FSC’s introduction in Canada, Alberta-Pacific Forest Industries Inc. (Al-Pac)\(^\text{22}\), a major pulp company with a large tenure in Northern Alberta, was engaged with the system and took part in the development and field testing of the FSC National Boreal Standards. Al-Pac became a member of FSC, and was active in trying to convince government to be amenable to FSC. However, the fact that this system is supported by several environmental groups which have traditionally been at odds with the government over other land-use issues, has made this a difficult task (personal communication, Simon Dyer, Al-Pac, October 14, 2004).

5.2.2 Al-Pac: One Giant Leap for FSC?

In 2004, Al-Pac received the largest FSC certification in the world, by area. At 5.4 million hectares it dwarfed the size of other individual certifications in Canada, which were already known as some of the largest within the FSC system. As will be described in Chapter 6, this certification faced numerous challenges related to proving Al-Pac’s ability to uphold FSC principles and criteria across their forest management area, as they

\(^{22}\) This is the Alberta case study to be examined in this dissertation. For more detail, please see section 6.3.2.
shared tenure with numerous other forest companies and the oil and gas industry.

Government took part as an observer on the Smartwood audit, but was unwilling to agree to enforce FSC’s requirements across all tenure holders in the area.

During this time, the Alberta government has been very supportive of the CSA, and in fact has adopted the CSA’s Z809 forestry standards as a minimum requirement for SFM planning, and has written these into provincial regulations (ASRD, 2006a). They chose the CSA over other certification systems because it was a Canadian standard, recognized internationally, worked well with the existing regulatory framework, and had certified several companies operating in Alberta (personal communication, Robert Jones, ASRD, March 26, 2008).

5.2.3 Present Status and Outlook

Currently, CSA is dominating in terms of certified forest area within Alberta, with seven companies totaling 9,573,542 hectares. While Al-Pac’s sizeable certification has boosted the amount of FSC certified forest to 5.4 million hectares, Al-Pac (a member of FPAC but not AFPA), is alone in its support of FSC within this province, and it is unlikely that additional FSC certifications will occur in Alberta in the near term. Given that the CSA’s requirements are now written into the government’s own, it is possible that they will facilitate further certifications under this system. Ironically, the Alberta Ministry of Environment later established a procurement policy that gives preference to printing companies that use FSC materials (FSC, 2008).

5.3 Ontario

5.3.1 Initial Response to Certification

When it first emerged in the early 1990’s, certification was not given serious consideration as a policy issue by the Ontario government. However, the Ontario Ministry of Natural Resources (OMNR) took some interest and monitored developments, as it had recently developed the Crown Forest Sustainability Act (1995) and was in the process of developing its own forest management auditing protocol. As the principal OMNR staff person responsible for certification stated:

“We wanted to ensure that [government] did not pose a problem, but we did not intend to take the lead on certification…from a government’s perspective, [certification] was a good thing- it didn’t cost us anything, it brought stakeholders together and developed consensus…the only concern we had was that we had to hold on to our own processes and rules, because in the end it is government that is accountable…the Crown Forest Sustainability Act is binding on the Crown …and that means that the Crown is legally responsible for forest sustainability, and no one else is. We did not want to be bound by something we did not have control over” (personal communication, Celia Graham, OMNR, April 14, 2005).

When FSC International’s inaugural event was held in Toronto in 1993, a representative from OMNR expressed interest in attending. Permission was refused however, as founding members wanted to emphasize the non-governmental aspect of FSC. Later, when work commenced on developing FSC standards for the Ontario Boreal and Great Lakes St. Lawrence regions, OMNR foresters were allowed “observer status” on the technical advisory team. They were well respected by the group, and in the end the standards drew heavily upon OMNR technical documents. By the time the National

---

24 It should be noted, however, that governments were among FSC’s biggest financial supporters, including Austria and the Netherlands (FSC, 2001).

25 This was originally the Ontario Boreal Standard, and later evolved into the National Boreal standard. See Chapter 2 for more details.
Boreal Standard was being developed, the attitude toward government had shifted somewhat, and OMNR was in fact actively recruited to participate and contribute in a more formal, but still non-voting, role (personal communication, Celia Graham, OMNR, April 14, 2005). In 1998, Haliburton Forest and Wildlife Reserve, a small, private Ontario operation, received the first FSC certification in Canada, and OMNR participated as an observer (Smartwood, 1998).

In December 1993, OMNR supported the development of CSA’s forest certification system, and was given voting membership on the technical committee and standards writing team. Through these roles, they were able to ensure that this system would work in Ontario:

“The design of the CSA system, including the concept of the Defined Forest Management Area, is very compatible with Ontario’s regulatory system and forest management planning…this was not by accident, [OMNR ] made sure of this during the CSA’s development” (personal communication, Celia Graham, OMNR, April 14, 2005).

In November 2002, OMNR entered into a MOU with the Standards Council of Canada (SCC), as the overseeing body of the CSA, to look at ways in which redundancies could be eliminated and efficiencies achieved between OMNR and CSA audits. OMNR was concerned that Ontario companies were going to be “over-audited”, and the ultimate goal was to achieve “cooperative audits”.

“The ministry is interested in facilitating third-party registration or certification for those forest managers and specific forest areas that are complying with the province's regulatory framework for sustainable forestry. For its part, SCC wishes to have the groups and standards that it accredits utilized in arriving at such registration or certification. The Memorandum of Understanding between MNR and SCC allows each to recognize the other's requirements and, through a commitment to co-operate, arrive at more efficient processes leading to registration or
certification”
(OMNR Press Release, November 7 2002).

5.3.2 The “Ontario Surprise”
On March 23, 2001 Ontario’s Minister of Natural Resources, John Snobelen, announced that the province had reached an agreement with FSC that would make Ontario the first government to receive FSC certification of all of its public forests, based on the recognition of its domestic forest policies and regulations. This took many FSC supporters off guard, leading to the event being dubbed the “Ontario Surprise” (Rainforest Foundation UK, 2002: 110). Many that had participated in the lengthy deliberations over FSC standards for the Boreal and Great Lakes St. Lawrence (GLSL) region expressed resentment that this was a “top-down” initiative forced upon stakeholders by the FSC International Secretariat, by-passing the National initiative.

The Minister’s office issued a press release which included claims that the Minister had, along with the Executive Director of the FSC Secretariat in Oaxaca, “initiated a bilateral process that will result in FSC certification of all Crown-owned forests managed in compliance with Ontario law and the products derived from those forests” (OMNR, 2001). This announcement was ill-received by FSC supporters both within Ontario and around the world, who feared that this could set a precedent whereby status quo forest practices would be accepted as certified by FSC. A massive protest campaign was launched by ENGOs, First Nations and other FSC supporters across Canada.

“Continued pursuit by the FSC Secretariat or Ontario of either mutual recognition or of blanket certification based on Ontario’s legislation would be seen by both NGOs and First Nations as a subversion of FSC’s stakeholder-driven approach to one that instead serves big government and big industry. This could permanently sink the FSC effort in Canada, and it could send the wrong message to other governments and FSC processes internationally” (Rainforest Foundation, 2002: 114).
A month later, FSC announced that FSC and OMNR would conduct a joint review of Ontario’s forest audit processes and forest regulations against the FSC Principles and Criteria and regional FSC standards (in draft form at that time). The results of this “gap analysis” were to result in a report that would lead to an agreement whereby Ontario’s forests could be eligible for FSC Certification.

FSC Canada and OMNR agreed to three separate reviews of the gap analysis (FSC press release, 2002). In the end, the “Ontario Surprise” did not result in the wholesale certification of Ontario’s Crown forests. However, the gap analysis did show that much of Ontario forestry was closer to meeting FSC standards than many had previously imagined. In the fall of 2002 the Ontario Forest Industry Association commissioned reports that would compare FSC, SFI and CSA standards across select “hot button” issues to existing Ontario requirements (Burkhardt, 2003), and another which compared how these issues were addressed across the major forested provinces in Canada (Wood, 2003).

In the following years, FSC certification in Ontario underwent a strong surge, particularly with regard to Tembec, and later Domtar.

In 2004, OMNR made another major announcement, that by the end of 2007, all Sustainable Forest License tenure holders would be required to be certified by one of the three major certification systems (FSC, CSA or SFI). At the time, 23 of the total 40 SFL holders had already attained certification, but it still surprised many industry actors. As one manager said in an interview “making [certification] mandatory took all the fun out of it” (personal communication, Chris McDonnell, Tembec, April 4, 2005). This came on

---

26 These three reviews were to be conducted by: a Special Advisory Committee established under the aegis of FSC-Canada; Tom Clark, a consulting biologist; and Dr. David Balsillie, Faculty of Forestry, University of Toronto.
the heels of FPAC’s announcement that it would require all its members to be certified by 2007, a goal which was ultimately met.

In 2006, FSC Canada and OMNR released a Collaborative Action Plan that would “collaboratively and separately explore ways to improve access to FSC certification on public lands in Ontario”. This included reducing redundancies in audit requirements; reviewing existing FSC certifications to identify governmental barriers to certification, and to work collaboratively in removing these barriers (OMNR, 2006). This may have built upon the previous “gap analysis” work that had been initiated at the time of the first major FSC/OMNR announcement in 2001, but did not encounter the same level of opposition as it was not an attempt to unilaterally certify all of OMNRs public forests.

As the same Tembec representative said in a subsequent interview, “OMNR went from being wary of FSC treading on their policy turf to being very supportive, collaborating and contributing data”, citing OMNR’s contribution to reviewing a protected area gap analysis in support of the Tembec’s Gordon Cosens certification, a task which would have previously fallen to Tembec (personal communication, Chris McDonnell, Tembec, August 31, 2007).

5.3.3 Present Status and Outlook
Currently, FSC has certified over 10 million hectares in Ontario, of a total of nearly 24 million certified hectares (Abusow, 2007). In September 2007, the government announced that it would only purchase FSC-certified forest products (ForestEthics, 2007). This angered the Ontario Forest Industries Association, who would have preferred that the procurement policy include the CSA and SFI systems as well (OFIA, 2007).
Ontario initiated a review of the Forest Audit Process and Protocol and examined potential efficiencies that could be gained by drawing upon forest certification audits in assessing compliance with OMNR rules (personal communication, Betty van Kerkhof, OMNR, September 27, 2007). Subsequently, independent forest auditors were authorized to utilize some of the certification audit findings to reduce their own level of effort.

5.4 Quebec

5.4.1 Initial Response to Certification
The Government of Quebec has been involved in the development of CSA’s certification system since its inception and has also participated in the CCFM federal-provincial working group on forest certification, approximately 3 to 8 times per year. Quebec’s Ministère des Ressources Naturelles et de la Faune (QMRNF) has been involved with FSC since approximately 1999, and collaborated in the development of the FSC-GLSL standards. Specific staff have been assigned to this file since 2002 (personal communication, Jean Legris, QMRNF, March 4, 2008).

At the outset, the government’s official position was that:

…certification is a voluntary commercial measure and a tool to improve forest management, but does not replace governmental forest policies, objectives, and programs developed to respond to the aspirations and needs of their populations and assure the sustainability of their forests…government does not express favor for one system over another, but will collaborate with firms that wish to pursue any particular system. (QMNRF, 2002).

However, this position was to change following initial attempts at certification and a substantial overhaul of the province’s forest policy, described below.
5.4.2 Tembec-Davidson: Overlapping Tenure, Failed Certification

In October 2003, Tembec attempted to get its Davidson mill and associated harvesting operations in the Outaouais valley certified by FSC. The audit stalled when Tembec was unable to meet a number of pre-conditions, many a result of the non-exclusive nature of their forest tenure, and the inflexibility of government rules. At the time that the operation went bankrupt and was shut down (2005), it was still having difficulty meeting FSC requirements regarding the demonstration of “clear and long-term control” over any particular area. A number of important insights into the relationship between FSC, the Quebec government and its forest tenure system can be gleaned from what transpired during the course of this audit.

Tembec-Davidson operated in three public tenures (“Aires Communes”), with forest management performed by a local contractor (CLC-Camint). Tembec shared these tenures with several other companies, none of which was interested in pursuing certification at the time. Regulations applicable to this overlapping tenure system make all tenure holders equally (and legally) responsible for environmental aspects of the general plan and its application. Companies operating on the same land base are obliged to harmonize operations with each other and exchange volumes of harvested species that are suitable to their respective operations.

---

27 Originally, this operation was to be used as the Quebec case study, as it was the first major tenure holder to pursue FSC certification in this province. Although it was never completed, and thus has no corresponding public summary to review, it provides valuable insight into the problems associated with volume based tenure. It also provides a reference point which can be used to gauge the change in the Quebec government’s positions regarding certification.

28 This account is based on personal observations made during the October 2003 audit and interviews with key people involved, listed in Appendix D.
Tembec hired Smartwood to audit its operations, and the assessment took place between October, 2003 and January, 2004. Two officials from the Quebec government (QMNRF) acted as observers during the audit, and met with Smartwood separately at the QMNRF office. According to one CLC-Camint manager, QMNRF was unwilling to change government policies that had been identified as barriers to certification during the audit, and these later emerged as pre-conditions (personal communication, Alain Gingras, CLC-Camint, August 16, 2004). Specific “sticking points” which prevented Tembec-Davidson from achieving certification included: allowable annual cut (AAC) determination and modeling; protection of high conservation value forests; retention of cavity and nest trees; and regeneration. Another Tembec manager lamented that QMNRF had been overly rigid and that it was “stuck in a culture of command-and-control forestry.” (personal communication, Chris McDonnell, Tembec, April 4, 2005).

5.4.3 The Coulombe Commission and the First FSC Certifications
In 2003, the Quebec government initiated a commission for the study of public forest management in Quebec, chaired by Guy Coulombe, (the Coulombe Commission). This was prompted by a number of factors, including the public opposition (both within and outside of Quebec) to Quebec’s forest policies that was triggered by the documentary Forest Alert (“L’Erreur Boréale”, 1999), and a scathing report regarding the sustainability of Quebec’s forest industry issued by the Quebec’s Auditor General in 2001.

The resulting Coulombe Report recommended, *inter alia*: reducing allowable cutting levels by 20%; establishing the position of Chief Forester; adopting ecosystem-based forest management; increasing protected areas to 12%; requiring all public forest
management tenures to be certified or engaged in a certification process “to an internationally recognized standard” by 2007; and supporting certification efforts by eliminating overlapping tenure and giving responsibility for planning and management to one single company.

The government announced that it would adopt all the report’s recommendations. Several environmental groups claim that although some progress has been made, many recommendations contained in the Coulombe report have yet to be enacted in laws or regulations (CPAWS Quebec, 2004; Greenpeace Canada, 2006). These groups have also expressed concern that the Commission did not adequately consider all of Quebec’s regulatory obstacles to forest certification (WWF Canada, 2004). However, it is clear that this development signaled a major shift in attitude in comparison to what was observed in the Tembec-Davidson audit. Following the release of the report, a number of changes occurred, including new legislation and specific QMNRF personnel being assigned to certification.

Bill 39\(^{29}\), adopted in December 2007 by the National Assembly, simplified certain administrative processes and standards, and initiated a review of the forestry planning process and the granting of management permits. It also enabled the creation of biological refuges within forest management units in which forestry activities are prohibited. These will eventually be protected under new legislative provisions. The bill granted the Minister the power to require that agreement holders obtain forest certification from an independent agency with SFM standards applicable to Quebec’s

\(^{29}\)Bill 39: An Act to Amend the Forest Act and Other Legislative Provisions (Quebec National Assembly, 2007).
forests (Law 39, Article 34. QMNRF 2008: p. 62). The Minister is also empowered to establish programs aimed at facilitating and supporting certification.

Article 25.3 of Law 39 now includes, *inter alia*, an administrative procedure to deviate from the regulations. As will be discussed in Chapter 7, this enabled QMNRF to collaborate with Tembec when it pursued certification of its La Sarre tenure, and modified certain forestry regulations to adapt to FSC requirements. Furthermore, the Quebec government will now include SFM certification by an independent third party as one of the accounting mechanisms used in forest auditing (QMNRF 2008, p. 40). It also states that certification bodies should be engaged to assist in developing new products (p. 50).

The government’s original position statement on certification was amended to include these additional components: “the Ministry facilitates and supports applicants in their certification attempts, and collaborates in the development of certification standards by taking into account the Quebec context. The Ministry will facilitate, as much as possible, compatibility between its legislation and the various standards of certification.” (QMRNF, 2008).

The QMRNF took part in the field testing of the National Boreal Standard. In fact, Quebec’s was the only government to have had a representative on a FSC regional steering committee (Jean Legris, QMRNF). Quebec has provided financial support to the development of standards of various systems, and for the development of certification capacity in the Bas St. Laurent Model Forest (CertificAction, 2007).
Quebec has recently issued the policy document “Forests: Building a Future for Quebec” (QMNRF, 2008), which “proposes a new model for forest management in the wake of the Coulombe Commission’s work” (p. 9). A new concept of relevance to this dissertation, which figures prominently in this policy document, is the concept of “ecoconditionality”:

“Ecoconditionality consists in making compliance with environmental rules, standards and legislation a condition for assistance and allocations. Widespread application of ecoconditionality and social responsibility in public assistance programs is a central objective of Québec’s proposed Sustainable Development Strategy (2008-2013). It was also one of the underlying reasons for the legislative amendments adopted in the fall of 2007, by which the Minister of Natural Resources and Wildlife may require that organizations applying for timber allocations and forest management responsibilities must obtain forestry certification. Independent certification, based on sustainable forest management standards applicable in Quebec, could also become a condition for access to government programs”. (QMNRF, 2008, p.70)

Through this statement, one can clearly see that Quebec’s approach to certification and emphasis on maintaining sovereignty over its forest policies has completely changed since it first emerged as a policy issue. Not only does the above statement support making environmental standards a pre condition to harvesting on public lands, it supports the delegation of authority to private governance, as represented by forest certification.

It is unclear whether Tembec-Davidson’s experience influenced the findings of the Coulombe Commission or the adoption of its recommendations, but it is more likely that this certification audit would result in a positive outcome if it were to happen today.

5.4.4 Present Status and Outlook
Certification has become a top priority file since 2007, and the Minister hopes to have all public forests of Quebec certified within 5 years (February, 2013) (personal communication, Jean Legris, QMNRF, March 4, 2008). As of June, 2007, Quebec had
nearly 15.5 million hectares of certified forests (10 million with CSA, 3 million FSC, 2.5 million SFI). The fact that six operations from two companies (Tembec and Domtar) were certified by FSC since the Coulombe commission indicates that barriers to this type of certification that Tembec-Davidson encountered have now been removed.

5.5 Discussion: Comparing Provincial Responses to Forest Certification
I will now compare the overall policy approaches that the provincial governments in question have taken with regard to certification, and examine how this has changed over time. I will also compare the roles that the governments have played with those identified in the literature review.

5.5.1 Evolving Approaches to Certification
In each of the four provinces, it is clear that forest certification has evolved as a policy issue over the course of time, generally following a pattern of emergence, maturation, and then widespread acceptance. It has proven that it is not just a passing fad but that it has entered the policy mainstream and is “here to stay”. A common element during the initial phase was support for certification systems that allowed greater governmental control, and/or are less likely to come into conflict with each government’s own policies. Similarly, all four governments tended to view FSC from a defensive position, concerned that if this were to be the only system accepted by the markets, they would lose control over forest management. Alberta and Quebec were initially the most resistant to FSC in this regard. In Alberta, this resistance came in the form of interaction observed with Al-Pac during the scoping report, while in Quebec it was witnessed in Tembec-Davidson’s 2003 attempt at getting certified on non-exclusive tenure. However, while Quebec’s position changed dramatically over time, Alberta’s did not. In BC the government
remained open to FSC in the initial development stages, but became more skeptical with the completion of the final regional standard, which ministerial officials and many major licensees believed had been overly influenced by environmental and First Nations’ interests, and would be unduly onerous for BC companies to meet.

The provinces differed in the magnitude of the first FSC attempt “test case”: for BC and Ontario, this was a fairly small operation (<10,000 hectares). In the case of Alberta and Quebec, this started with very large-scale operations (>1 million hectares). For all four provinces, governments became more comfortable with FSC following the first major FSC certification in their province. This demonstrated that FSC certification was indeed possible, and allayed “fears of the unknown”. For BC, this included the fear that the First Nations situation (i.e. unresolved land claims), combined with what they felt was a prescriptive FSC standard, would preclude certification. For Alberta, this included the fear that longstanding critics of government policy (who were also FSC supporters) would prevent certification of forests overlapping with the tenures of oil and gas operations and quota holders. In Ontario, the government was pleasantly surprised that their SFL tenure system and the provincial regulatory regime were conducive to FSC certification. With the first FSC certification in Quebec, government was reassured that the changes made since the Coulombe Commission were sufficient, and that the tenure system would not preclude certification.

5.5.2 Thinking Big: Certification-government Agreements
As forest certification became increasingly accepted as a “mainstream” policy option, each of the four provincial governments took steps to ramp up the amount of certified

---

30 This corresponds to the four cases studied in Chapter 6.
area. Government attempts to secure a “wholesale deal” to certify public land were first initiated in Ontario. Although their initial announcement made with FSC International in 2001 was met with a backlash from FSC supporters, this eventually evolved into the memorandum of understanding that took shape in 2005. This has paved the way for existing government requirements to be given recognition as meeting major aspects of FSC’s requirements. It is reinforced by government’s requirement that all SFL holders must be certified to one of the three major certification systems.

Alberta’s announcement came next, with the adoption of the CSA requirements within their new forest planning document. This surprised some observers, as it clearly demonstrated a preference for and facilitation of one system over another, contrary to their original position. This policy maneuver also can be seen to have turned certification on its head: it is usually certification systems that require adherence to governmental rules and regulations as a minimum, but in Alberta’s case it is government that is upholding certification requirements as a bare minimum. This has facilitated the certification of a large number of companies to the CSA standard, and it could be argued that companies wishing to pursue FSC instead would face greater challenges.

Of all the provinces, Quebec has made the most significant changes in policy and law regarding certification, and the Coulombe Commission was clearly a turning point in this regard. Similar to Ontario, Quebec will now require all licensees to become certified by one of the three systems by 2013.

BC, on the other hand, has yet to attempt any similar overarching commitment to require certification for its licensees. One could say that despite having invested the greatest
effort and at the earliest stage of the game, BC has the least amount of FSC certified area, while Alberta is the opposite. Overall, there has been much greater acceptance by industry early on in Ontario, much greater resistance in BC and Alberta (outside of Tembec and Al-Pac); and growing interest in Quebec now that barriers are being removed. It is also clear that FPAC and its commitment to certification has had a major effect on the number of groups that pursued certification.

5.5.3 Types of Government Involvement Observed in Provincial Case Studies
In section 3.4.2, various possible roles that government can play within certification were presented, based on a review of existing research which has been conducted. Here I will compare these roles with results obtained from the case studies used in my own research.

**Institutional capacity and standards development:** All four of the provinces examined reported that specific personnel had been assigned to address the issue of forest certification at some point. In some cases, personnel had been called upon to coordinate government input regarding specific certification attempts. In the case of Alberta, an employee from Al-Pac was seconded to work within the Alberta government on this issue (as well as develop a strategy coordinating SFM with oil and gas activities). In BC, there was an internal programme to educate district forest managers on how to respond to requests for information coming from certifying bodies.

With regards to standards development, all four provinces have been extensively involved in the development of both the CSA and FSC systems, and provided comments on various drafts. However, their role within the FSC system was limited to an *ex officio* capacity.
**Data and technical expertise:** Representatives from each provincial government provided their technical expertise, for example in the field testing of various standards. All of the four Canadian regional standards make reference to government policies, guidebooks, and data sets (such as biogeoclimatic classification systems, species’ status reports, etc).

**Trade rules:** This role is not particularly relevant to the provincial level, as setting trade rules is exclusively a federal issue. However, observed in section 2.4.2, the Canadian government has pressed for certification schemes to be included within the WTO TBT Agreement. It is unclear if any of the provinces lobbied the federal government to take this position.

**Promotion of “Fair Play”:** All four governments were observed to have promoted a “level playing field” between regional standards within FSC. Most notably, the BC government commissioned a report that compared how BC’s FSC standard compared to that of competitor jurisdictions and other certification systems. All four governments have supported mutual recognition between the various systems, with the goal of reducing consumer confusion among various labeling systems.

**Procurement:** Ontario and Alberta have both put in place procurement policies that give preference to FSC products (but not those certified by CSA or SFI). This was surprising, given Alberta’s integration of the CSA system into provincial policy, and Ontario’s memorandum of understanding signed with the Standards Council of Canada (parent body of CSA). Neither Quebec or BC have put such a policy in place.

**Domestic policy settings:** Ontario took the lead in this area, making efforts to get government policies and regulations recognized by both CSA and FSC systems as far back
as 2001. Alberta was next, with the integration of the CSA standards into their own forest policies in 2006. Quebec followed in 2007, passing a law that demonstrated a strong commitment to forest certification in general. BC has not made any large-scale commitments to certification system, or changed its policies.

**Government as forest owner:** Ontario was the first of the four provincial governments examined here to require that major tenure holders obtain forest certification (2005), and Quebec followed suit in 2007. BC and Alberta have not made any such requirement.

**Compliance monitoring:** Ontario is the only province that has made attempts to synchronize compliance and monitoring requirements with those of certification programs. While BC’s Forest Practices Board considered the issue, it was ultimately concluded that “certification cannot adequately address issues of independence, credibility, accountability and most importantly, stewardship of the broad forest resource owned by the public of British Columbia” (Cafferata et al, 2003).

Table 5.2 below summarizes the various roles played by the four provincial governments in the jurisdictions where the case studies were located.

**Table 5.2: Government Roles in Provincial Case Studies**

<table>
<thead>
<tr>
<th>Type of Role Government can Play in Certification</th>
<th>BC</th>
<th>Alberta</th>
<th>Ontario</th>
<th>Quebec</th>
</tr>
</thead>
<tbody>
<tr>
<td>Institutional capacity development</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Data/ technical expertise</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Trade rules</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Promotion of “Fair Play”</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Procurement</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Domestic policy settings</td>
<td>-</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Government as forest owner</td>
<td>-</td>
<td>-</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>
Compliance monitoring

Key: Dash: no evidence of this role being played; check mark: evidence of role being played.

5.6 Conclusion
The findings in this Chapter support Proposition 2, in that all four provincial governments played a major role in the implementation of forest certification within their jurisdiction.

We have seen how provincial governments’ attitudes towards certification have become increasingly supportive over time, which has had direct consequences for forest policy. This, in turn, has caused the level of interest in forest certification to rise.

Although this chapter focuses on “indirect” government roles (influence exerted through province-wide policy), as opposed to “direct” roles played in response to specific certification attempts, the results show that linkages exist between these two levels. In several instances, the “first movers” within each province (represented by the four case studies) encountered policy barriers, and through their efforts, worked with government to make certification possible (most notably, in the case of Quebec). In the case of Alberta, where government was not willing to make changes to the tenure structure, it was FSC (through its certifying body, Smartwood) that adapted, allowing the certification of forest that the company did have strong tenure and management control over, while excluding that which it did not.

The lessons learned and barriers broken during the course of these early certification should make the path to certification more easy to follow for subsequent companies who follow in their footsteps.
6 Changes Made in Response to Forest Certification

6.1 Introduction

Proposition 1 of this dissertation states that:

Where a licensee’s forest management practices do not comply with forest certification standards, the licensee will have to make changes to these practices in order to get certified. These changes will occur both prior to certification being granted, in response to pre conditions and after, in response to conditions to be met over the course of the certificate.

This Chapter draws upon the four case studies carried out in BC, Alberta, Ontario and Quebec to assess the types of changes that were required in order to obtain FSC certification. This chapter proceeds in three parts. First, I provide a brief comparison of the environmental and socioeconomic contexts within which each of the four forestry operations examined is situated, and how the decision to pursue certification was made. Next, I present the findings for each case, highlighting changes made in response to Corrective Action Requests issued as a result of the audit. Finally, I compare and contrast the findings from each case.

The four case studies selected for examination were

1. BC: Tembec Cranbrook TFL-14

2. Alberta: Alberta-Pacific Industries (Al-Pac)

3. Ontario: Tembec – Gordon Cosens Forest

4. Quebec: Tembec -La Sarre (Forest Management Units 85-51 and 85-62)
Semi-structured interviews were conducted with operations managers from each of the four case studies, in order to understand the context within which the forestry operations are located, including: the major relevant stakeholder groups, the physical and socioeconomic aspects of the area, and the applicable tenure attributes. Additional questions addressed how the decision to pursue certification was made, how long the process took, and how the certifying body was chosen.

6.2 Case Study Context

Each case study described in this chapter represents a different forestry operation set in a unique context, defined by physical and socioeconomic conditions, as well as tenure arrangements, markets, and stakeholders. However, there are some attributes common to all case studies, including the certification system in question (FSC), and the certification body employed (Smartwood). Three out of the four operations are owned by Tembec. Similarly, three out of four are located in the boreal region of Canada, with the BC case located in the interior temperate forest.

Appendix C contains a detailed profile of each of the four case studies, including tenure attributes and the environmental, socioeconomic and indigenous peoples context of the operations. This section will summarize key similarities and differences observed.

6.2.1 The Certification Process

A summary of each operations’ experience with the certification process, based on interviews with managers, is provided in Table 6.1. For the Tembec case studies, the

---

31 Information for this background material has been drawn from the Smartwood assessment for each case study, interviews with operations managers and stakeholders, and personal observation during certification audits.
decision to pursue certification was not made by the individual operations, but through a commitment made at the corporate level to get all operations certified. Al-Pac committed to getting their one operation certified slightly later, once the NBS was finalized. Both Tembec and Al-Pac had participated extensively within the development of FSC in Canada as Economic Chamber members.

For all except the Quebec case, a scoping audit was conducted which allowed the managers to perform a gap analysis regarding what it would take to get certified. The Tembec TFL-14 was evaluated against the FSC-BC regional standard, while the other three were evaluated against FSC’s National Boreal Standard. All four chose Smartwood as their certifying body, and cited its strong reputation as the most important factor in making this decision. The operations all underwent field assessments and stakeholder interviews, and were allowed the chance to respond to a draft report prior to the decision being made public. Pre-conditions were issued in all except the Quebec operation, and once these were addressed, the certificate was awarded. For most the process took between 3 or 4 years, except for the Quebec operation, which only took one year.
Table 6.1: Results of interviews with operations managers from each case study

<table>
<thead>
<tr>
<th>Who initiated this decision, when, and at what level of management?</th>
<th>BC: Tembec TFL-14</th>
<th>Alberta: Al-Pac</th>
<th>Ontario: Tembec Gordon Cosens</th>
<th>Quebec: Tembec La Sarre</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>When were the annual audits performed</strong></td>
<td>December 2005; March 2007</td>
<td>December 2006; n/a</td>
<td>January 2004; Oct 2005</td>
<td>November 2006; n/a</td>
</tr>
<tr>
<td><strong>What factors did you consider in selecting a certifying body?</strong></td>
<td>Reputation</td>
<td>Reputation; Tembec's positive experience; competitive cost; high quality reports.</td>
<td>Reputation</td>
<td>Reputation</td>
</tr>
</tbody>
</table>

6.2.2 Tenure
Attributes related to the tenures of the four case studies are summarized in Table 6.2.

Although all four case studies can be considered as large industrial operations, clearly Al-Pac is much larger than the others, while TFL-14 was much smaller. This is reflected in the total volume of forest products eligible for certification.
All four case studies operate almost exclusively on public lands. Their tenures are very similar in terms of duration, ranging from 5 to 10 years, with the possibility of renewal. However, they differ significantly in terms of exclusivity and comprehensiveness. TFL-14 in BC is the most exclusive, in that there are no other operators with harvesting rights on the land base, and the only other industrial activity (mining) does not affect forest management activities significantly. Although there are other companies harvesting within Tembec-Gordon Cosens and Tembec-La Sarre’s forest area, in both of these cases Tembec has been empowered with exclusive management planning, and it oversees compliance within each tenure. In addition, there are no significant industrial activities on either land base.

Al-Pac has the least exclusive and comprehensive tenure of the four, with quota holders having significant rights that pre-date the designation of the FMA to coniferous species within the FMA. Although Al-Pac is responsible for drafting the forest management plan, ultimately the quota holders must sign off on this plan for it to take effect. Furthermore, the oil and gas industry holds sub-surface rights throughout the FMA and is actively exploring for and exploiting these resources. The oil and gas industry has a significant impact on forest management in this region, and is responsible for cutting a larger amount of forested area as a result of their activities than the forest companies within this FMA.

All are required to submit similar strategic forest management plans with long term planning horizons. Alberta’s 200 year horizon is exceptionally longer than that of the other three, at around 20-25 years each. They are all also required to submit annual
operational plans. For all but the BC case, the type of forest tenure in question represents the dominant tenure type for the province within which it is located.

Table 6.2: A comparison of case study forest tenures

<table>
<thead>
<tr>
<th>Tenure type</th>
<th>BC – Tembec TFL-14</th>
<th>AB– Al-Pac</th>
<th>ON – Tembec Gordon Cosens</th>
<th>QB – Tembec La Sarre</th>
</tr>
</thead>
<tbody>
<tr>
<td>% AAC in this tenure type</td>
<td>17%</td>
<td>68%</td>
<td>65%</td>
<td>&gt;95%</td>
</tr>
<tr>
<td>Allotment type (Area based or volume based)</td>
<td>Area-based</td>
<td>Area-based (by species)</td>
<td>Area-based</td>
<td>Volume-based</td>
</tr>
<tr>
<td>Size (hectares)</td>
<td>150,431</td>
<td>5,490,000</td>
<td>2,016,301</td>
<td>1,179,022</td>
</tr>
<tr>
<td>AAC TOTAL in certified area (m3)</td>
<td>170,900</td>
<td>4,393,163</td>
<td>1,680,000</td>
<td>790,976</td>
</tr>
<tr>
<td>AAC harvested by licensee</td>
<td>170,900</td>
<td>3,027,202</td>
<td>1,158,777</td>
<td>645,039</td>
</tr>
<tr>
<td>Duration, Renewability</td>
<td>25 years, renewable every 5-10 years</td>
<td>20 years, renewable every 10 years</td>
<td>20 years, renewable every 5 years</td>
<td>25 years, renewable every 5 years</td>
</tr>
<tr>
<td>Comprehensiveness (To all forest resources, or shared? To all resources?)</td>
<td>All forest resources</td>
<td>Shared with quota holders. AP harvests hardwood species, some softwood (traded for chips)</td>
<td>Shared with other smaller wood supply agreement holders. Tembec is the sole SFL holder, writes the FMP and supervises compliance</td>
<td>Controls harvest of softwood species, but hardwood rights owned by other firm</td>
</tr>
<tr>
<td>Exclusiveness (other industries/land uses?)</td>
<td>No other major competing land uses</td>
<td>Overlaps with major oil and gas activities</td>
<td>No other major competing land uses</td>
<td>No other major competing land uses</td>
</tr>
</tbody>
</table>

6.2.3 Environment
All except the BC case study are located in the Boreal region, characterized by flat expanses of remote forest, dominated by black spruce and aspen. All of them are home to a wide variety of flora and fauna that are sensitive to habitat fragmentation, including the threatened woodland caribou (in the case of BC, the sub-species mountain caribou).
6.2.4 Socioeconomic
Each of the communities located close to the case study in question has a long history of logging, and is still largely resource dependent in terms of employment. The Alberta case stands out in that the oil and gas sector is the major employer, and presents the forest industry with serious competition for skilled labour. All four management units are also dependent upon the forest for recreational purposes, as well as for commercial trapping and outfitting.

6.2.5 Indigenous Peoples
All four case studies have First Nations communities whose traditional territories overlap the forest management unit. Although these communities are not all living within the forest management unit (FMU), they are all still very much connected to the land, and depend on it for hunting, fishing, trapping, and various other non-timber uses. There are unresolved land claims issues on all four FMUs, but this has not impeded harvesting operations on any of them. Treaties exist for some but not all affected First Nations.

6.3 Results
In this section I present the results obtained from the four case studies pertaining to changes that each operation had to make in order to obtain certification, in the case of preconditions, and changes that were required in order to maintain certification, in the case of conditions (collectively known as “Corrective Action Requests” or CARs). Results from each case study will first be presented individually, categorizing the CARs according to the five categories described in the methodology (see Table 4.1: Themes and elements used in the assessment of CARs).
6.3.1 BC: Tembec – Tree Farm License 14

6.3.1.1 Corrective Actions Required

Tembec was issued 2 preconditions and 22 conditions.

6.3.1.1.1 Environmental Issues

One precondition and seven conditions were issued related to environmental issues, almost entirely concerned with high conservation value forests and landscape level concerns. The precondition required Tembec to provide a status report regarding the identification and management of high conservation value forests (HCVF’s) in TFL-14, and to improve communication with relevant First Nations and stakeholders regarding this aspect of their management. They also had to commit in writing to defer harvesting in two areas until “more definitive conservation strategies” were in place. Finally, they had to provide written assurance that any interventions in other candidate HCVF areas would at least be consistent with existing strategies to maintain these values.

In meeting this precondition, Tembec issued an HCVF Status Report in July 2004 and in August issued a list of candidate HCVF areas and associated draft management strategies. Subsequently, this precondition was downgraded to the status of “condition”, requiring that during the period of the certification (5 years), Tembec would have to design management strategies for each of the identified areas, consistent with the precautionary approach, and monitored to ensure effectiveness.
Other related conditions required Tembec to designate and map HCVF’s to be reserved from cutting, and to develop strategies for maintaining the high conservation values associated with each designated area.

In relation to “landscape level concerns”, Tembec was required to determine the “range of natural variability” assumptions used for management planning and operations, and to increase the percentage of ecosystem representation of a particular Biogeoclimatic Zone (Interior Cedar Hemlock) within the TFL.

One condition was issued related to aquatic and riparian issues, requiring Tembec to develop a procedure for reporting on riparian protection widths and retention levels.

6.3.1.1.2 Social Issues

There were four conditions issued related to social issues, with three of these directed at improving communications with local stakeholders. This included providing greater opportunities for the public to view and make comments on the Forest Stewardship Management Plan (FSMP) required by BCMOF. In a sense, FSC as “private governance” took an existing element of “public governance” and required that it be made more transparent. Another condition was issued that required Tembec to develop a system to track and report on employment (including remuneration) and purchases of local goods.

It is worth noting that the Tembec Manager of Aboriginal and Environmental Relations cited improved communications with local environmental groups as the biggest improvement brought about by the TFL-14 FSC certification (personal communication, Chris McDonnell, Tembec, August 31, 2007).
6.3.1.1.3 Indigenous Peoples’ Issues

There were one precondition and five conditions issued to Tembec related to indigenous peoples, all concerned with consultation. The precondition stipulated that Tembec had to establish a Protocol Agreement with the Ktunaxa First Nation in compliance with the BC standard, setting a timeframe for consultation and accommodation, and signed by both parties. This was satisfied in July, 2004 with the signing of a “Working Protocol”. A follow-up condition required Tembec to embed this protocol into the FSMP.

The remainder of the conditions required Tembec to, *inter alia*, provide First Nations with opportunities to comment on the management plan, and to solicit their input for the HCVF assessment.

6.3.1.1.4 Economic and Legal Issues

There were only two conditions related to economic and legal issues. However, one of them has the potential to affect forest management, as it requires the development of a framework for evaluating “the internal and external economic, social and environmental costs and benefits” of Tembec’s decision making. Tembec must demonstrate that major corporate decisions are based on “the full range of considerations”, which may lead to the adoption of alternative management options.

Second, Tembec was required to consolidate information related to other tenures and use rights to the land into a “resource atlas”.

6.3.1.1.5 Forest Management Issues
There were only two conditions that fell under the category of “forest management issues” and both were related to chemical use. In fact, the conditions were not aimed at Tembec but at the suppliers which provide them with seedlings. The conditions require that Tembec “work with” their suppliers to reduce the use of chemicals, and to improve the disposal of related waste tainted with chemical residues.

6.3.1.6 Forest Systems Issues

In BC, Tembec was required to meet eight conditions that involved forest systems issues. Most notably, eight of these were related to forest management planning, mostly requiring Tembec to incorporate some of the changes made under other conditions into their Forest Stewardship Management Plan (FSMP). Also, they were required to update the Timber Supply Analysis to reflect new FSC requirements, incorporate range of natural variation (RONV) considerations into the next planning cycle.

6.3.2 Alberta: Alberta Pacific Industries

6.3.2.1 Corrective Actions Required

Al-Pac was issued one precondition and 22 conditions.

6.3.2.1.1 Environmental Issues

Ten of the conditions concerned environmental issues. Four of these relate to landscape level considerations that Al-Pac either has little or incomplete control over due to their limited tenure (achieving ecosystem representation, establishing protected areas, reducing the cumulative impact of oil and gas). Because of this, most of the conditions are actually
geared towards other land users and government, and require Al-Pac to “work with” (i.e. lobby) them to make the necessary changes to meet FSC standards.

Sensitive sites and high conservation value forests also figured prominently within the environmental changes required. Al-Pac was required to complete their HCVF assessment, implement strategies to protect forests deemed to have high conservation value, and collaborate with ASRD and other interested parties in monitoring the effectiveness of these strategies. Two of the conditions were targeted at increasing the retention of woody debris, snags and legacy trees. One of these was aimed at ensuring that green retention was maintained at 10-50% of standing trees by area, as per the National Boreal Standard. The other required that Al-Pac ensure that levels of slash and coarse woody debris resemble undisturbed forest conditions.

Finally, there was one condition directly concerning threatened and endangered species, requiring Al-Pac to develop and implement specific and measurable management strategies for woodland caribou, emphasizing that these should take a precautionary approach. It could be argued that many of the conditions related to landscape level and high conservation value forest issues would also have repercussions for this issue. There were no conditions issued pertaining to the issues of aquatic and riparian areas or soil and erosion.

6.3.2.1.2 Social Issues

There were four conditions related to social issues. Three of these were related to improving communication and conflict resolution with stakeholders, neighbors and communities. Most significantly, Al-Pac was asked to either reform its Forest
Management Task Force or create an entirely new process altogether, and document the input provided regarding the FMP and the timber supply analysis. Other conditions were mainly concerned with making information available and completing the assessment of HCVFs with input from the public. Al-Pac was also required to do an assessment of the socioeconomic impact of their activities. There were no conditions related to worker training and safety, non-timber forest products, worker wages and living conditions, or special cultural sites.

6.3.2.1.3 Indigenous Peoples

There were six conditions issued to Al-Pac related to indigenous peoples, all to be verified during the second annual audit. All of these had some type of communications and consultation component to them, but they were also clearly aimed at increasing the profile of First Nations within the FMA. For example, they required Al-Pac to support traditional land use studies and mapping, minimizing the impact of forest management on First Nations’ traplines, and reaching management agreements with interested aboriginal communities within or adjacent to the FMA.32

6.3.2.1.4 Economic and Legal Issues

Smartwood issued only one precondition that falls under the category of “economic and legal issues”, specifically the issue of tenure, but this had serious implications for the certification. Al-Pac was required to map the areas of oil sand mine developments and

32 The report is vague concerning the nature of these “agreements”, but says that Al-Pac must “document efforts to include forest management planning” within them, and that they are “not intended to abrogate or derogate from their Aboriginal and Treaty Rights” (Smartwood, 2005: 25).
exclude these from the certificate. Further, it was required to identify the volume and species of the forest resources which it has “a legal right to utilize, and management control over operational planning, consultation and the forest practices associated with producing those resources”. This was clearly leveled at excluding volume originating from the quota holders’ operations, which were beyond the control of Al-Pac and not necessarily abiding by FSC requirements.

Al-Pac agreed to remove 292,030 hectares of oil sand mine developments in the Northeast portion of their FMA from the area eligible to be certified, leaving the actual certified area at 5,489,473 hectares. The total AAC expected from this area is 4,393,163 cubic metres. However, Al-Pac only has the legal rights and operational control over 68.9% of this, and thus this was the amount that was eligible for certification. Al-Pac produced a spreadsheet of the forested areas and volumes that it wished to certify, along with details concerning tenure and management control.

There were also six additional conditions related to tenure, that also reflected the fact that Al-Pac possesses less than complete control over activities occurring within its FMA. These included a number of requirements clearly aimed at creating changes amongst government, the energy sector and quota holders, and could not be met by Al-Pac alone. For instance, they require Al-Pac to develop a strategy to increase the participation of government and oil and gas companies in an integrated land management program, and to reduce the cumulative impacts of oil and gas exploration and exploitation. Some conditions had nothing to do with the quality of Al-Pac’s management, but were designed to spread the acceptance of FSC, requiring Al-Pac, for example, to “seek the participation
and support of government, energy companies, and quota holders, to increase the amount of the FMA that is certified.

There were no conditions related to the issues of: profitability of the operation; compliance with provincial, federal and international laws, or illegal activities and trespassing.

6.3.2.1.5 Forest Management Issues

There were only two conditions that fell under the category of “forest management issues” issued to Al-Pac. In fact, the conditions were not related to Al-Pac’s practices, but to the activities of other tenure holders. One, concerning chemical use and disposal, required Al-Pac to monitor and report on the quantities and varieties of chemicals used by quota holders in weed control programs, to establish targets for reduction and to initiate programs with quota holders to reduce the use of chemicals over the life of the certificate. This became a “major corrective action” when Al-Pac failed to demonstrate progress on this condition prior to the first annual audit. Although they had made written requests to the quota holders to send them information regarding their chemical use, they did not receive any responses. Subsequently, Al-Pac met with the quota holders and ASRD, and developed alternative regeneration methods that decreased their dependency on chemicals. They also lobbied oil and gas operators to limit pesticide use.

The other forest management related condition, concerning reforestation, required that Al-Pac assess opportunities to restore land affected by oil and gas developments.
Although there were no conditions specifically addressing roads or conversion to non-forest uses, it could be argued that several of the conditions related to minimizing the cumulative impacts of oil and gas activities would also apply to these issues.

### 6.3.2.1.6 Forest Systems Issues

There were six conditions given to Al-Pac related to forest systems issues. Four of these were related to monitoring, including conditions requiring them to monitor the effectiveness of other changes they were required to make, such as developing a management strategy for woodland caribou, and developing a program for monitoring the effectiveness of their high conservation value forest strategy. Another required them to complete a report on the pre-industrial condition (PIC) of the forest and make it available for peer and public review. There were two conditions that fell under the category of “management planning”, but these were mostly related to incorporating changes made in other areas (e.g. species at risk, high conservation value forests) into the FMP.

### 6.3.3 Ontario: Tembec - Gordon Cosens

#### 6.3.3.1 Corrective Actions Required

Tembec was issued two preconditions that had to be met prior to certification being granted, and 19 conditions to be met within the term of the certificate.

##### 6.3.3.1.1 Environmental Issues

One precondition and eight conditions that were issued related to environmental issues. The retention of woody debris, snags and legacy trees figured prominently in the changes required, including one precondition and two conditions. These basically required
Tembec to establish a method to quantify residual stand structure, set targets to achieve, and to improve implementation over time. Two conditions were directed at landscape-level considerations, requiring Tembec to increase the amount of suitable “core” forest habitat achieved in the next Forest Management Plan, and to defer harvesting in areas identified as candidates for new protected areas, based on a gap analysis (between current levels of protected areas and that which is expected by the NBS). Another two conditions were related to aquatic and riparian areas, requiring Tembec to give greater consideration to a sturgeon spawning area, and to move to partial harvesting in riparian zones where they currently cut to shore.

Tembec was only issued one condition related to sensitive sites and high conservation value forests, but this could have major management implications. Tembec was required to complete the evaluation of HCVF attributes, and describe in the next FMP how these would be maintained. Tembec was also required to develop a system to reduce the impact of rutting caused by machinery on sensitive sites.

There were no conditions related to threatened and endangered species.

\textbf{6.3.3.1.2 Social Issues}

There was only one social condition issued, and it was related to communication and conflict resolution with stakeholders, neighbors and communities. However, this condition spoke to one of the most controversial aspects of forestry in the boreal, the maximum allowable size of clearcuts. Tembec was asked to engage the Local Citizens Committee (LCC), First Nations and the public (including NGOs) to “establish a balance
between ecological pattern emulation at the landscape scale and a socially acceptable cutblock size”. This was to occur within the next FMP cycle.

**6.3.3.1.3 Indigenous Peoples’ Issues**

There was one precondition and seven conditions issued regarding indigenous peoples. The precondition required that Tembec develop a strategy to “jointly establish, with interested and affected First Nations, avenues for participation in the forest management planning process”, with clear timelines and milestones to be achieved (Smartwood 2003: 39). Tembec met this precondition by writing a paper titled “Tembec’s First Nations Strategy 2003: Towards Achievement of a Forest Management Planning Process Established Jointly with Interested and Affected Aboriginal Communities”. A condition was added to ensure the implementation of the strategy, as well as one requiring First Nations’ involvement in identifying candidates for new protected areas.

Tembec-Gordon Cosens also received three conditions related to benefit sharing, requiring them to “demonstrate continuous improvement in the delivery of long-term benefits to interested and affected First Nations”, to monitor the impacts of forest management on First Nations, and to demonstrate progress towards joint forest management where there is an interest. The two other conditions related to improving the use of traditional ecological knowledge in forest management planning.

According to Chris McDonnell, Tembec’s Manager of Aboriginal and Environmental Relations, the improvement of Tembec’s relationship with First Nations represents “the single biggest impact” that FSC has had on the management of the Gordon Cosens tenure (personal communication, August 31 2007).
6.3.3.1.4 Economic and Legal Issues

There were no conditions issued related to economic or legal issues.

6.3.3.1.5 Forest Management Issues

There were no conditions issued related to forest management issues.

6.3.3.1.6 Forest Systems Issues

One precondition and five conditions related to the category of forest systems issues. The precondition related to monitoring the implementation of a strategy to retain greater structure (both standing trees and coarse woody debris).

One condition required the monitoring of forest management impacts on First Nations.

Two of the conditions related to forest management planning. The most important of these was the requirement to put in place a new spatially explicit modeling system for forecasting timber supply, capable of taking into consideration non-timber values and the location of future old growth forest. This is above and beyond what is required in OMNR’s FMP manual.

One condition was related to inventory, requiring Tembec to report on the pre-industrial forest condition, identifying forest units that are significantly underrepresented and preparing plans for restoration. Finally, one condition was linked to improving chain of custody tracking and documentation.
6.3.4 Quebec: Tembec – La Sarre

6.3.4.1 Corrective Actions Required

Smartwood issued 22 conditions, all to be met by either the first or second annual audit.

6.3.4.1.1 Environmental Issues

Just over half of all the conditions issued were related to environmental issues. The greatest number of conditions (five) were related to the theme of “sensitive sites and high conservation value forests”, particularly related to the identification of HCVFs. There was a high degree of overlap with Social and Indigenous Peoples issues here, as four of these conditions involved consultation with the public and First Nations in identifying high conservation value forests. The fifth HCVF-related condition was a general requirement that Tembec develop a precautionary approach to implementing the HCVF strategy, and that it provide a report on this.

Landscape level considerations included a condition that Tembec put in place an adaptive environmental impact assessment and monitoring methodology at the landscape level, including consideration for the impact of other activities on the land. The other condition required Tembec to document their discussions with First Nations over the establishment of protected areas.

Two of these discussions concerned aquatic and riparian areas, including the improvement of their watercourse classification system and developing standard operating procedures for sensitive harvesting in these areas.
Although there was only one condition related to the retention of structure (woody debris, snags and legacy trees), it could be a significant one, as it requires Tembec to develop a strategy to retain between 10 and 50% of all trees. There were no CARs related to the protection of threatened and endangered species. There was one condition related to soil and erosion, requiring Tembec to introduce, develop and apply standard operating procedures to avoid soil compaction and nutrient loss.

6.3.4.1.2 Social Issues

There were five conditions linked to Social issues, and almost all of these were concerned with consultation of the public in developing a strategy to identify High Conservation Value Forests. There was one condition related to worker wages and living conditions, in that Tembec was required to demonstrate that cost-saving measures and workforce structure did not have negative consequences on the quality of operations and worker remuneration. There were no conditions related to worker training, safety, non-timber forest products, or special cultural sites.

6.3.4.1.3 Indigenous Peoples’ Issues

There were three conditions issued relating to indigenous peoples, and these overlapped significantly with Social issues. They were primarily geared towards identifying and clarifying the interests of various affected First Nations through consultation, and developing a strategy to incorporate these interests into the general forest management plan.

6.3.4.1.4 Economic/Legal Issues
There were few conditions linked to economic or legal concerns. Tembec was required to demonstrate that its cost reduction measures and workforce strategies were not having negative consequences for the quality of operations and worker remuneration. Another required them to take steps to integrate a precautionary approach to the AAC calculation.

While overlapping volume-based tenure was listed as a potential “weakness”, there was no condition associated with it. The following were listed as positive factors that reduced the risk associated with certifying volume-based tenure:

- Tembec is the management representative and is responsible for the general forest management plan;
- Tembec has sole responsibility for roads and water crossings;
- Both the certification seeker and other tenure holder in the La Sarre case hired the same contractors (and forbid sub-contracting); and
- “Tembec is ready to guarantee that Norbord sites are FSC-compliant, and is ready to put its certificate at stake on this matter” (Smartwood, 2005, p 13)

6.3.4.1.5 Forest Management Issues

There were only three conditions issued related to forest management issues. These included improving forest road management, establishing an exotic species monitoring program, and assessing the impact of silvicultural strategies on species diversity. There

---

33 This was in response to the use of hybrid plantations and bank stabilization seed mixes. The condition required that monitoring be implemented in order to determine the invasive character of these species.
were no conditions linked to the issues of chemical use and disposal or conversion of the forest to non-forest uses.

6.3.4.1.6 Forest systems issues

There were eight conditions that were related to management issues. Half of these were related to management planning, and two more to monitoring. These were often linked with meeting other conditions; once a change has been made, it must be incorporated into the management plan, or it must be monitored for implementation and effectiveness.

Two other conditions were related to inventory, and involved acquiring additional data upon which to base the assessment of environmental impacts. One of these, the requirement to perform an assessment of the pre-industrial condition (PIC) of the forest is a major component of the National Boreal Standard, and one that figured prominently in its development. The idea is that in order to maintain forest management within the range of natural variation, one has to establish a benchmark with which to compare. In this case, Tembec was required to complete a PIC report and get it independently reviewed.

There were no conditions issued related to chain of custody, although the report does indicate where the non-exclusive tenure does pose implications for chain of custody, and one of the “observations “ suggests that Tembec work with Norbord to help them get certified as well.

6.4 Discussion: Case Study Assessments and Impacts

I will now analyze and compare the results obtained from the four case studies, and revisit the original research question that was to guide this chapter: how has FSC
certification changed the forest management practices of large operations on public land in Canada? First, I provide an overview of where the CARs were issued according to the FSC’s Principles and Criteria. Next, I compare the CARs according to thematic categories and examine the basic attributes of the corrective actions that were issued to the four operations.34.

6.4.1 CARs Assigned, by FSC Principles and Criteria

Table 6.3 below summarizes the more detailed spreadsheet contained in Appendix F, which lists the number of corrective action requests per Principle and Criteria for each case study.

Table 6.3: Corrective action requests issued in each case study, by FSC Principle

<table>
<thead>
<tr>
<th>PRINCIPLE</th>
<th>BC – TFL-14</th>
<th>AB – Al-Pac</th>
<th>ON – Tembec Gordon Cosens</th>
<th>QB – Tembec La Sarre</th>
<th>Total</th>
<th>% of Total CARs</th>
</tr>
</thead>
<tbody>
<tr>
<td>1: Compliance with laws and FSC Principles</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2: Tenure and use rights and responsibilities</td>
<td>0</td>
<td>4</td>
<td>0</td>
<td>0</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>3: Indigenous peoples’ rights</td>
<td>3</td>
<td>4</td>
<td>7</td>
<td>3</td>
<td>17</td>
<td>19</td>
</tr>
<tr>
<td>4: Community relations and worker's rights</td>
<td>2</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>5: Benefits from the forest</td>
<td>2</td>
<td>2</td>
<td>1</td>
<td>2</td>
<td>7</td>
<td>8</td>
</tr>
<tr>
<td>6 Environmental impact</td>
<td>6</td>
<td>8</td>
<td>11</td>
<td>12</td>
<td>37</td>
<td>41</td>
</tr>
<tr>
<td>7: Management plan</td>
<td>6</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>7</td>
<td>8</td>
</tr>
<tr>
<td>8: Monitoring and assessment</td>
<td>2</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>9: Maintenance of high conservation value forests</td>
<td>3</td>
<td>3</td>
<td>1</td>
<td>5</td>
<td>12</td>
<td>13</td>
</tr>
<tr>
<td>10: Plantations</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>TOTAL</td>
<td>24</td>
<td>24</td>
<td>21</td>
<td>22</td>
<td>91</td>
<td>100</td>
</tr>
</tbody>
</table>

34 One of the four case studies, Tembec-Gordon Cosens, was included in Newsom and Hewitt’s research.
While the small sample size precludes any detailed statistical analysis or regional comparison of the results, several general observations can be made. Most readily apparent is the complete absence of CARs for the bulk of FSC’s criteria—only 24 out of 57 were implicated in the preconditions and conditions. In fact, out of the five preconditions issued in total, all were linked to either: consultation of aboriginal people (2); tenure/ legal rights to the land (1); maintenance of ecological function (1); or management of High Conservation Value forests (1).

While it is not surprising that there were no CARs under Principle 10, which concerns plantations (deemed largely to not be applicable in the context of these operations), it is interesting that there were none issued under Principle 1 (including conflicts between laws, regulations and FSC standards), which was foreseen as a potential area of friction during the standards development process. Principle 1 also requires the demonstration of a long term commitment to FSC, which some viewed as being potentially problematic for operations with time-limited tenure.

There are a large proportion of CARs linked to indigenous people’s rights (17, or 19% of total), mostly surrounding Criterion 3.1, “indigenous peoples shall control forest management on their lands and territories unless they delegate control with free and informed consent to other agencies”. However, the largest proportion of the conditions were linked to Principle 6, concerned with Environmental Impact (37 CARs/ 41% of total). The bulk of these originated from the maintenance of ecological function (Criterion 6.3). This contrasts with Newsom and Hewitt’s finding that “issues that operations were required to address were not focused disproportionately in any one area” (Newsom and Hewitt, 2005: 13). This comment had been made with reference to the fact
that some of FSC’s critics believe that the system is overly concerned about environmental factors, and less concerned with socioeconomic aspects of forest management.

Another notable finding is that each of the four operations was issued roughly the same amount of CARs (between 0-2 preconditions, and just over 20 conditions each). This is higher than the developed country average of 14 (preconditions and conditions combined) for Smartwood certifications (Newsom and Hewitt, 2005: 13).

6.4.2 CARs Assigned, by Thematic Issue

6.4.2.1 Environmental Issues

In this study, by far the most CARs fell under the category of “Environmental Impacts” (43), with 17 of these related to the issue of sensitive sites and high conservation value forests (at least one CAR issued to each case study). Most often, conditions related to HCVFs involved the identification of HCVF attributes and areas, and the development of a strategy to maintain these attributes. Many of these conditions also coincided with consultation CARs (falling under both “Social” and “First Nations” issues).

Next were landscape level considerations, most notably those related to the creation of forest reserves, set asides and ecosystem representation (8 out of 43, including all four operations). About half of these were targeted at increasing ecosystem representation. This was closely followed by changes related to the retention of woody debris, snags, live legacy trees (6 out of 43, all but TFL-14 in BC).
Next was aquatic and riparian areas, at 5 of 43 (this was an issue for all operations except Al-Pac). This was followed by soil and erosion (2 of 43, only in Ontario and Quebec). Although all four case studies were operating within areas that contained species at risk, this was the category with the least number of CARs (1 of 43, issued to Al-Pac).

The finding that the most frequently required changes were environment-related is consistent with Newsom and Hewitt’s findings for developed countries. They also reference research (Ros-Tonen, 2004) that indicates that forest certification standards in the Northern hemisphere place a greater priority on ecological issues, whereas those in the Southern hemisphere places a greater emphasis on socioeconomic issues.

6.4.2.2 Social Issues

There were a total of 14 conditions issued related to social issues (only one in Gordon Cosens, and 4 or 5 in each of the others). The bulk of these were related to the need for consultation (11/14), and often required increasing opportunities for public input into forest management, increasing transparency, and requesting public input in identifying HCVFs.

The only other type of condition to be noted was that of worker wages and living conditions (one in each case study except for Gordon Cosens ). These typically required assessing and reporting on how each company’s activities and decision-making affected the workers and the local community.

Newsom and Hewitt also found that consultation was by far the most important change within the “social” category that occurred as a result of FSC (56% of operations in developed countries were issued a condition linked to this), mostly linked to establishing
a system of consultation, or dealing with outstanding disputes. However, in contrast, none of the 190 operations had conditions related to worker wages and living conditions, yet significant numbers of them had conditions related to worker safety, training, special cultural sites, and non-timber forest products (which did not appear in any of the four Canadian case studies).

6.4.2.3 Indigenous Peoples’ Issues

There were 28 conditions issued under the category “Indigenous Peoples”, spread evenly among the four cases. The results from all four case studies indicate that the “status quo” approach to First Nations consultation is insufficient to meet FSC standards, and most (82%) of the conditions concerning Indigenous Peoples Issues were directed at this sub-category.

Compared to the conditions related to the consultation of non-indigenous people, the assessors were less likely to defer to existing government-initiated processes (or to suggest ways to improve these). Most often, conditions addressing First Nations consultation required that the company initiate a new and separate process, or establish a protocol agreement. In several instances, the assessments indicated First Nations did not really differentiate between one forestry operation and another, or even FSC versus other consultation processes. Although not present in the conditions, the comments indicated that consultation could not be considered meaningful unless training and resources were invested in building the capacity to respond to forest management plans.

The second and third most common conditions related to indigenous peoples were “benefits from forestry” (3 conditions) and “traditional ecological knowledge” (2
conditions). In fact, these were only mentioned in the case of Gordon Cosens. However, it could be that additional changes related to this category may result from the consultation processes that were initiated.

Interestingly, there were many CARs related to indigenous peoples that fell outside of Principle 3 (the FSC principle specifically addressing this issue). In fact, 9 of the 23 conditions resulted from other criteria, mostly related to the designation of high conservation value forests and protected areas, and inclusion of consultation outcomes into the forest management plan.

Another unexpected outcome was that indigenous peoples’ issues figured as prominently for Ontario (and other provinces) as for BC. This is despite expectations that the BC standard was more onerous than the boreal standard with regard to Principle 3, and that historically, First Nations’ issues in general were more contentious in BC than in the rest of Canada, due to the relative absence of treaties.

The Newsom and Hewitt study did not mention indigenous issues explicitly, so no direct comparisons are possible.

6.4.2.4 Economic and Legal Issues

There were 10 conditions issued related to economic and legal issues. However, almost all of these were issued to Al-Pac and were related to tenure, and this had serious consequences: a large portion of their land and volume was deemed “uncertifiable”. The other forest operations had hardly any trouble in this category. In the case of TFL-14 in BC, this was clearly because they have stronger, more exclusive tenure, as there are no other major industrial operators (forestry or otherwise) on their land. However, in the
case of Gordon Cosens and La Sarre, there were other forestry companies operating on the same land base.

As important as it is to examine how non-exclusive tenure and management authority result in CARs being issued, it is also important to take a look at what worked, and the positive aspects of tenure and management that were influential in avoiding CARs. As demonstrated by the La Sarre case study, there are factors that can reduce the perception of risk associated with certifying volume-based tenure, primarily related to concentrating management responsibility and thus increasing accountability. Lessons learned in this case study could be helpful for future certification applicants who share tenure with other forest companies and/or other industries.

One thing that is common to all four certifications is that the limited duration of their tenures (all around 5 years, although in practice often 20-25 years) was not an issue—there are no additional requirements that seem to be linked to the fact that technically, the tenure holder does not hold a long-term right to the resource. This either shows that the assessment team has a high degree of trust in the renewability of the tenures, or it could be that this is just not that significant a factor for them. There were only two other conditions issued within this category that were not tenure related, and these were connected to profitability.

In contrast to these findings, results from Newsom and Hewitt’s study shows “compliance with laws” as the biggest issue within this category for developed countries, followed by profitability, then illegal activities. Long term tenure was a very minor issue (only 4% of all operations, and none issued in less developed countries).
6.4.2.5 Forest Management Issues

While most of the conditions assigned in these four case studies relate to forest management in general, very few touched upon the six specific issues defined by Newsom and Hewitt (see Table 4.1). Three of these had to do with chemicals, but they were mainly aimed at getting other companies to stop using them (quota holders in the case of Al-Pac, and seedling providers in the case of Tembec TFL-14). Of the two conditions related to reforestation, one was directed at improving the oil and gas companies’ cumulative impacts, while the other was aimed at assessing the impact of various silvicultural activities (La Sarre). Conditions related to the use of exotic species and road and skid trails received one condition each.

In contrast, “roads and skid trails” was the forest management issue linked to the most significant changes required among operations in developed countries, according to Newsom and Hewitt, most often related to minimizing the impact of roads on water quality. This was followed by: regeneration and reforestation, chemical use and disposal, exotic species and pests, and conversion to non-forest uses.

6.4.2.6 Forest Systems Issues

There were 33 conditions related to the category “forest systems issues”, second only to “environmental issues” in terms of number assigned per category. These were fairly well distributed amongst the four case studies, with BC having the most (11) and Ontario the least (6). Almost half of these were directed at changes to the forest management plan, which is not surprising given that many of the changes required in the other categories would have to be implemented via the FMP. Similarly, the number of conditions related
to monitoring mostly reflects the fact that other conditions require follow-up in the form of surveillance and assessment.

There were only six conditions related to “inventory”. Three of these related to completing a PIC report (report on the pre-industrial condition of the forest). Chain of Custody only came up as an issue in the Gordon Cosens audit, and this only encouraged improving COC documentation and tracking.

Findings from Newsom and Hewitt’s study are similar, showing that operations are highly likely to require at least one condition related to both forest management plans and monitoring, and roughly a third of all operations had to make changes related to inventory. In contrast, however, chain of custody was a major issue, affecting 64% of all FSC certified operations in developed countries that were sampled.

6.4.3 Substantive versus Procedural Changes

Newsom and Hewitt stressed the importance of differentiating between “Procedural” and “Substantive” changes. Procedural changes are those processes or procedures that may or may not result in on-the-ground impacts. For example, this designation would apply to a CAR requiring a licensee to identify High Conservation Value Forests within the management unit. By contrast, if the CAR directed the licensee to not harvest (or modify harvesting methods) within HCVF, this would be considered a substantive change. In their study, they found that “a majority of conditions contain language that requires a substantive, on-the-ground change” adding that this is particularly the case for environmental and forest management issues.
The results of the four Canadian case studies examined in this research exhibited the exact opposite: only nine of the conditions were directly linked to an “on-the-ground” change, and the vast majority were process-oriented. Having said that, there were many situations where it was highly likely that the process that was mandated by the condition would result in a change. For example, all the conditions related to establishing the Pre-Industrial Condition of the forest were classified as procedural. Yet, this is likely to have effects on the actual volume and location of the annual harvest of trees if future decision making uses this information as a baseline for establishing ecosystem representation targets. Conversely, a condition requiring suppliers of seedlings to be more careful about disposing waste may result in immediate change, but has no major lasting implications for forest management. Thus, I conclude that making such a stark distinction between “substantive” versus “procedural” change based on the wording of conditions issued likely underestimates the total impact that forest certification will have on an operation over the course of the certification period.

6.4.4 Preconditions versus Conditions

It is clear that the vast majority of the CARs come in the form of conditions to be met over the course of the certificate, and not as preconditions to be met before certification is issued. This may reflect that Smartwood (and FSC) is putting a major emphasis on encouraging incremental change, over time, relying on the fear of losing the certificate to provide the “compliance pull”. The competition with other certification systems to get established as a major player within the market may also play a role in this emphasis on incremental change.
This is most notably the case of Al-Pac where tenure was the furthest from being exclusive, and would therefore require collaboration with other land users and government in order to meet the CAR, none of whom necessarily have an interest in helping the certification candidate achieve its goal. This could be a strategic move on the part of FSC and Smartwood- to allow Al-Pac to get a “foot in the door” (and its significant certified area and volume on the market), while leaving the issues of working with quota holders and the oil and gas companies to be addressed over time, with conditions requiring Al-Pac to lobby these other tenure holders, as well as government.

However, the issuance of five preconditions indicates clearly that there are bigger issues that are “non-negotiable” and cannot be left to incremental change. This could be because of a fear that the certificate will be met with a backlash from FSC supporters if it is left to be solved during the course of the certificate. This “non-negotiable” varied with each case study, but included: establishing an agreement with First Nations regarding consultation (BC), excluding lands subject to oil and gas exploration (Alberta), and developing a plan to quantify “green” retention of trees within clearcut cutblocks and improve this over time (Ontario).

### 6.5 Conclusion

The findings from this research support Proposition 1, in that all four operations were required to make substantial changes in a number of different areas, both before and after the certification was awarded. However, these were associated with only a small subset of the FSC Principles and Criteria, heavily weighted towards environmental issues. Although the changes required were largely procedural in nature, the language used in
issuing the requirements suggests that these will eventually lead to substantive “on the ground” changes. For example, once changes are made to the management plan they become legally binding, and have a strong likelihood of creating substantive changes in the next management cycle. Related to this is that the certification assessments are heavily weighted towards requiring changes after the certification has been issued, and seem to place an emphasis on encouraging incremental changes over time. An unexpected finding is that in several cases, the companies reported that they viewed the corrective actions required as a benefit of certification (as opposed to a cost associated with achieving it), as this provided input from independent experts and improved stakeholder relations.

The comparison has also shown the diversity of possible forest contexts within which a certification might occur, and the importance of variables associated with tenure in determining how certification intersects and interacts with Canadian forest operations. The case studies here represent only four of Canada’s provinces, and only four of the many different types of tenure systems. However, they are four of the most important provinces in terms of forestry, and each of the tenure systems involved is responsible for a large proportion of the provincial harvest. Further research is required to understand how certification is affecting operations on private land, most notably in the Maritimes.

Reflecting on the methodology used to evaluate these changes, there may be limitations associated with having only four case studies, but there are also benefits of achieving greater depth, such as understanding nuances associated with meeting CARs, and the additional information attained by observing how operations met conditions over time. Regarding the ability to attribute change to FSC, while there may be other factors at play,
there is a high degree of certainty that the changes made are related to the CARs issued. However, it should be noted that external factors may make meeting the CARs easier or harder in some cases and not in others (for example, variable market prices for a company’s products, or a change in government and/or government policy).
7  Forest Tenure and the Role of Government in FSC Certification

7.1 Introduction

One of the distinguishing features of forest certification, especially FSC certification, is that it is a non-governmental system. However, a quick survey reveals that government has been involved in many ways. Why is this so? What aspects of meeting FSC requirements are particularly demanding of government? What type of government involvement is being required?

Furthermore, most stakeholders involved in the development of FSC standards in Canada anticipated that due to the nature of land ownership (mostly publicly owned, and under time-limited and often non-exclusive tenures), getting certified would be difficult, if not impossible, without the commitment of the “true landowner” (i.e. government). In practice, what has happened? How have governments and FSC circumvented what looked like a problematic issue?

This chapter seeks to shed light on how the relationship between certification, as an emerging non-state “private” form of governance, has interacted with the traditional regulatory role of “public” governance in the course of actual certifications. Whereas Chapter 5 presents the “bigger picture” of how each provincial government has responded to certification over time as a policy issue, here I examine the specific ways in which government was directly involved in each certification attempt presented in Chapter 6, and determine how these responses varied between provinces.
This chapter addresses Propositions 2, 3 and 4 of this dissertation (as described in the Methodology on page 70). Specifically, it:

(a) Determines whether government has played a major role within specific certification attempts in Canada;

(b) Determines whether the strength of a company’s forest tenure affects the level of government involvement within the certification process; and

(c) Identifies instances where government and FSC requirements have conflicted, and determines if and how the conflict was resolved.

### 7.2 Results

The following results were obtained from semi-structured interviews with forest operations managers, government representatives, and certifying body assessment team members (summarized in Table 7.2), as well as a review of the Smartwood certification assessment reports issued to each of the four operations (summarized in Table 7.3). For each case study, involvement will be examined at both the pre and post-certification stages, as well as how this related to the tenure of the operation.

#### 7.2.1 BC

**7.2.1.1 Governmental Involvement Pre-Certification**

A representative from the BC Ministry of Water, Land, and Air Protection participated as an observer during the Tembec TFL-14 audit, and several other government officials provided additional supporting information to the auditors upon request. The Director
General of the Canadian Forest Service made a written submission in support of Tembec’s forest management efforts. Certain aspects which related to government policy were mentioned in the audit report as factors that contributed to Tembec’s certification efforts, including the establishment of the Kootenay Boundary Land Use Plan, and government documentation regarding legal compliance.

7.2.1.2 Government Involvement Post-Certification
After being granted certification, five of the 21 conditions issued to Tembec were related to government in some way. Two of these made reference to or relied upon existing government programs, most notably the use of its Biogeoclimatic Ecosystem Classification (BEC) system, and the Old Growth Management Area (OGMA) designation. The BEC system was used to establish the range of natural variability (RONV) used for management planning, and to determine ecosystem representation. The fact that the operation was situated adjacent to a large government-established protected area led Smartwood to reduce the area of forest that Tembec was expected to place in reserves from 24 to 17%. However, Tembec declined this offer and opted to reserve the higher amount within the TFL. The government’s Old Growth Management Area strategy was referred to in order to determine strategies for maintaining high conservation value forests. In the end “endangered forests” were removed from the timber harvesting land base, but this was linked to an agreement established with NGOs (ForestEthics, WWF and others).

One of the conditions, related to improving communication with local stakeholders, required providing greater opportunities to view and make comments on the Forest Stewardship Management Plan, which licensees must develop and submit to government
for approval. In effect, this condition takes an existing government requirement and uses it to increase transparency.

Only one condition (5.6) may have possibly posed a challenge to government, in that it called for the timber supply analysis to be updated in order to reflect the changes in management practices that have occurred in order to be consistent with FSC principles and criteria. The Smartwood assessment notes that the current AAC was determined without explicitly considering FSC requirements, including those pertaining to the establishment of reserves and the recognition of HCVFs. However, it also states that the impact on the AAC forecasted by earlier field testing of the standards was overestimated, and that it may be that Tembec will not have to deviate from the government-sanctioned AAC in order to meet FSC requirements. Regardless, a condition was imposed, to be met within three years, requiring Tembec to evaluate its timber supply analysis to ensure that any AAC impacts associated with meeting FSC standards are accounted for. If this were to require a reduction in AAC, it would presumably have to receive the approval of the Chief Forester.

7.2.1.3 Tenure
The nature of Tembec’s TFL-14 tenure arrangement was listed as a significant advantage in fulfilling the requirement of demonstrating “clear long term tenure”, and there were no other tenure holders to consider. Perhaps as a result, no additional commitments were required from government in order to fulfill certification requirements.

It is notable that government involvement was not required in meeting either of the two preconditions issued by the certifying body, as both appear to be issues which normally
have been the domain of government-First Nations consultation and accommodation, and protection of forests with high conservation value.

With regard to the former, Smartwood noted that meeting the government’s standards for First Nations consultation is insufficient proof of meeting FSC requirements, as both the affected First Nations have long expressed dissatisfaction and concern over this process. The agreed solution was to develop a protocol agreement that goes far beyond the existing government minimum requirements for consultation and accommodation. This protocol has been described as: “a progressive agreement in which the parties are mutually defining what recognition and respect of rights looks like, and how consent is given” (Smartwood, 2004). The exact legal status of such a “protocol” is unclear, but the FSC-BC standards note that it is “without prejudice to treaty, land claim settlements, or agreements which the First Nations may reach with the government” (FSC-Canada 2005: 14).

This protocol agreement was enough to lift the precondition, and although it concerns Crown land, it required no government involvement or commitment. It is likely that if the tenure had been any weaker, either in duration or exclusivity, the audit may have required additional commitment or involvement by government on one or both of these issues.

With regard to the second precondition concerning the identification and protection of HCVFs, it is apparent that meeting (and even exceeding) government requirements pertaining to this matter was insufficient to meet FSC-BC requirements. Despite having commissioned a study which identified HCVF’s, additional work was required in order to meet FSC standards, which require the identification of “intact” and “endangered”
forests. This was done through an advisory group composed of ENGO’s, scientists and Tembec staff, but without government involvement. Smartwood mentions the lack of consultation of regulatory agencies as a shortcoming, noting that these are listed amongst “directly affected persons and relevant interests” under the relevant criterion within the FSC-BC standard (Smartwood 2004: 51). However, there is no mention of requiring government involvement in order to accomplish this, either in identifying areas for protection, or reducing the AAC in order to reflect the removal of a particular area from the harvestable land base.

7.2.2 Alberta

7.2.2.1 Government Involvement Pre- Certification
The Alberta government participated as an observer on the Al-Pac audit, and provided additional information to the auditors upon request. Al-Pac met with representatives from several ministries, including Alberta Sustainable Resource Development (ASRD), Alberta Environmental Protection, and the Ministry of Energy (who hold the greatest power with regard to land management).

At the regional level, ASRD representatives were also involved in the actual audit, including meetings with Smartwood and FMA foresters. Government involvement was depicted as neutral, neither facilitating nor impeding the certification process (personal communication, Brent Rabik, Al-Pac, October 6, 2004). ASRD officials participated as observers on the audit, but did not have much involvement in the standards development process, and did not provide comments on either.
7.2.2.2 Government Involvement Post-Certification
Out of the 20 conditions that Al-Pac was to meet within the term of the certificate, eight appeared to require some involvement on the part of the provincial government in order to be fulfilled (see Table 7.1 for a brief summary of each). Many of these also required the involvement of other forest tenure holders as well as the energy sector.

7.2.2.3 Tenure
Al-Pac’s limited tenure and the presence of overlapping activity related to timber quota holders and oil and gas operations emerged as an issue early on in the certification process. During the audit, the government observer commented that they acknowledge that tenure poses a problem for FSC certification in Alberta, and that they are working on a way to solve this (personal communication, Andre Savaria, ASRD, November 1, 2004). Five of the conditions were a direct result of Al-Pac having insufficient tenure and thus unable to address them on its own. This was more a function of the lack of exclusiveness and comprehensiveness than the limited duration. Almost all of these requirements involved Al-Pac lobbying the government (with no requirement to obtain a change in policy). Table 7.1 provides some examples of this, as well as the response achieved and how the condition was met.

Al-Pac was also required to seek support from government and other quota holders to get areas within their tenure (but deemed to be outside of their complete control, according to Smartwood) certified. This resulted in one of the quota holders achieving chain of custody and expanding the area eligible for certification. However, one NGO interviewee complained that the Al-Pac certification was weak with regards to the creation of protected areas, and that the two that had been established were only approved by
government due to their low importance for oil and gas industry (personal communication, Helene Walsh, Albertans for a Wild Chinchaga, February 18, 2008).

**Table 7.1: Conditions issued to Al-Pac that involved government**

<table>
<thead>
<tr>
<th>Condition</th>
<th>Outcome/ Government Involvement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Al-Pac required to lobby oil and gas sector and the government to adopt integrated land management principles</td>
<td>Al-Pac met with government; a 2 year secondment from Al-Pac to ASRD was arranged</td>
</tr>
<tr>
<td>Al-Pac to seek support of other tenure holders and government to increase the certified area;</td>
<td>Government received a presentation on FSC from Al-Pac. One of the quota holders achieved chain of custody and thus increased FSC certified volume</td>
</tr>
<tr>
<td>Al-Pac required to monitor the harvest levels of other quota holders</td>
<td>ASRD provided info on quota holders' harvest</td>
</tr>
<tr>
<td>Al-Pac to develop management strategy for species at risk (most importantly caribou) with the support of other tenure holders and government</td>
<td>Al-Pac lobbied government and energy sector to legislate PAs within FMA; collaborated with AB Caribou Committee + Recovery team</td>
</tr>
<tr>
<td>Al-Pac to lobby government for legal establishment of new protected areas</td>
<td>Al-Pac lobbied government, but did not receive any new PAs</td>
</tr>
<tr>
<td>Based on consultation with other tenure holders and government, Al-Pac to develop strategy to achieve greater ecosystem representation</td>
<td>Al-Pac met with government to discuss strategy, but there is no indication that government has changed anything in response.</td>
</tr>
<tr>
<td>Al-Pac to obtain information on quota holder chemical use</td>
<td>This CAR was not met so was upgraded to a Major CAR. A meeting was then held with quota holders and ASRD, alt. regen. methods developed; lobbied oil and gas to reduce pesticide use. There was a conflict with ASRD legislation (re: free-to-grow req's); Resulted in ASRD changing legislation to accommodate</td>
</tr>
<tr>
<td>Major CAR issued: monitor other tenure holders and government, reduce their use of chemicals, provide report</td>
<td></td>
</tr>
<tr>
<td>Al-Pac required to “collaborate with” ASRD and other land users to implement a monitoring program to assess management effectiveness of HCVFs</td>
<td>&quot;Collaboration&quot; will likely involve some persuasion to become involved in such an effort, as it goes above what government requires regarding HCVFs</td>
</tr>
</tbody>
</table>
One of the conditions required that Al-Pac lobby to have parts of their FMA legally established as new protected areas. This clearly can only be designated by government, and the areas in question had been put forward by conservation groups in the past, but had not been chosen for protection (personal communication, Helene Walsh, Albertans for a Wild Chinchaga, October 31, 2004). Al-Pac was also to “work with” other tenure holders to lobby for greater ecosystem representation within the FMA.

Other conditions, though appearing at the outset to be relatively benign, proved to be more difficult. For instance, Al-Pac was required to obtain information from ASRD on the total amount of the timber quota holders’ harvest levels, and the amount of pesticides that they used, and this was not easily achieved. The requirement related to chemicals was not met by the first annual audit, and so this was upgraded to a “Major Corrective Action” (meaning that it had to be met within 6 months or the certificate would be suspended). Al-Pac held a meeting with the quota holders and ASRD, and discussed alternative regeneration methods that would require fewer pesticides. However, the problem emerged that this would conflict with ASRD legislation and “free-to-grow” requirements. In the end, ASRD changed this legislation in order to be compatible with the alternative regeneration methods.

However, there were no conditions that were issued whereby the lack of participation by government would have precluded certification. In describing how Al-Pac fulfilled the conditions, the certifying body appeared satisfied that Al-Pac made an attempt to convince the other entity (be it government, oil and gas sector, or quota holders), and

---

35 This refers to the obligation that companies have to tend the planted trees until they are able to grow on their own without having to eliminate competition from other plant growth or from herbaceous predation.
Smartwood did not judge them on the actual outcome of the lobbying efforts. It is difficult to say whether this lobbying has had any direct effect on government and other land users. One tangible outcome is that this resulted in an employee of Al-Pac being seconded to work for government on this issue for two years.

With minimal preconditions, entirely related to the firm, and many conditions (to be met within a year or two of the certification being issued, and many involving government and other tenure holders), the assessment report appeared to be geared towards getting Al-Pac “on board”, despite shortcomings regarding overlapping tenure. FSC may be able to use this certification as a wedge to promote greater change. Actions taken to meet the remainder of the conditions will be indicative of whether this strategy will pay off.

7.2.3 Ontario

7.2.3.1 Government Involvement Pre-Certification
The provincial government (Ministry of Natural Resources) participated as an observer on the Tembec-Gordon Cosens audit and provided additional information to the auditors upon request. It does not appear that government was implicated in addressing the preconditions imposed by Smartwood, despite the fact that one of these concerned First Nations consultation, an issue in which government has traditionally played a central role.

7.2.3.2 Government Involvement Post-Certification
Many of the conditions imposed required amendments to Tembec’s Forest Management Plan for the next 5-year cycle, which will have to be approved by the government. One of
the conditions mentions the use of voluntary government guidelines to establish residual stand structure targets.

7.2.3.3 Tenure
Although Tembec shares this tenure with other users, they were able to demonstrate to the certifying body that they had enough control over the management plan and the actions of other users, and could thus provide assurance that the forest being considered for certification would be managed according to FSC standards. For this reason, they were not required to excise certain areas where other tenure holders were active, as was the case with Al-Pac. The duration and exclusivity of the tenure arrangement appears to be similar to BC’s TFL arrangement, and conducive to certification, and required little government involvement and commitment.

7.2.4 Quebec

7.2.4.1 Government Involvement Pre-Certification
The provincial government (Ministère des Ressources Naturelles et de la Faune) participated as an observer on the Tembec-La Sarre audit and provided additional information to the auditors upon request. In contrast to the other three case studies, there were no preconditions issued.

7.2.4.2 Government Involvement Post-Certification
There were only two conditions issued which involved government, both related to criterion 6.5. The first, to be met within 2 years, refers to upholding an agreement made

---

36 FSC Criterion 6.5: Written guidelines shall be prepared and implemented to: control erosion; minimize forest damage during harvesting, road construction, and all other mechanical disturbances; and protect water resources (FSC Principles and Criteria, 2001).
with QMRNF to put delimming sites back into production. The second requires Tembec to enact mitigating measures where government environmental standards are not being met. In both these cases, the conditions issued appear to play a complementary or supporting role to government.

7.2.4.3 Tenure
Tenure was not raised as a significant issue for the La Sarre certification. This can be contrasted with the experience of Tembec-Davidson in 2003 (described in section 5.4.2). In this earlier certification attempt, Tembec was unable to meet several conditions due to the non-exclusive nature of the tenure, and because of several government policies which conflicted with meeting FSC requirements. It is clear that attributes of the La Sarre tenure, including exclusive rights to the forest resources, and control over management planning, were more conducive to certification.

7.2.5 Types of Government Involvement Observed

During the process of the research and analysis of the data, it became possible to identify re-occurring patterns regarding the possible ways in which government could be implicated in certification, and the possible responses that could be observed (see Table 7.3).
Table 7.2: Summary of interview responses regarding government involvement in forest certification case studies

<table>
<thead>
<tr>
<th>What role did the provincial government play during this certification?</th>
<th>British Columbia</th>
<th>Alberta</th>
<th>Ontario</th>
<th>Quebec</th>
</tr>
</thead>
<tbody>
<tr>
<td>Observer during audit; several other government officials provided additional supporting information to the auditors upon request.</td>
<td>Observer during audit; officials interviewed by SW.</td>
<td>Observer during audit, and district staff were interviewed during audit.</td>
<td>Observer during audit, and provided additional information to the auditors upon request.</td>
<td></td>
</tr>
<tr>
<td>Which agencies were involved or consulted?</td>
<td>Min. of Forests (Operations, District, Revenue, Field Ops, Compliance and Enforcement); Forest Practices Board; Ministry of Water Land Air Protection; Workers Compensation Board.</td>
<td>Al-Pac met with members of ASRD, Min. Environment (land planning and monitoring) and Energy, up to Deputy Minister level.</td>
<td>Mainly MNR and district staff.</td>
<td>Ministère des Ressources naturelles et de la Faune de Québec (MRNFQ), Ministère de l’Environnement du Québec (MENVQ), and Faune et Parcs Québec (FAPAQ).</td>
</tr>
<tr>
<td>Did any government policies or regulations pertaining to the tenure conflict with meeting the certification requirements?</td>
<td>No, although conditions related to reducing AAC in future management plans may require government approval.</td>
<td>Yes. Areas that overlapped with oil and gas/mineral surface rights exempted from area eligible for certification.</td>
<td>No. Tembec addressed moved forward on major issues before being required to meet FSC (e.g. wildlife tree retention).</td>
<td>Yes. Minor changes to government requirements were required (silvicultural practices prescribed by forest management regulations).</td>
</tr>
</tbody>
</table>
Table 7.3: Direct governmental involvement in case studies

<table>
<thead>
<tr>
<th>Type of involvement</th>
<th>Description</th>
<th>Number of CARs Associated with Government Involvement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>BC</td>
</tr>
<tr>
<td>REFERENCE</td>
<td>The assessment makes reference to one or more government regulations, documents or processes.</td>
<td>4</td>
</tr>
<tr>
<td>INFORMATION</td>
<td>Provision of supporting information related to the forest in question (such as data related to native species, forest inventory and monitoring data), the company in question (historical compliance with laws, etc), or the activity of other tenure holders.</td>
<td>0</td>
</tr>
<tr>
<td>COLLABORATION</td>
<td>A certification body may request that the company approach government and/or other tenure holders to collaborate in meeting an FSC requirement. This can occur where responsibility is not squarely in the companies hands.</td>
<td>0</td>
</tr>
<tr>
<td>FINANCE</td>
<td>Government assists the company in question in meeting a particular certification requirement by offering financial assistance (e.g. research related to identifying HCVF forests, gathering baseline data)</td>
<td>1</td>
</tr>
<tr>
<td>LOBBY</td>
<td>Government could be lobbied by the operation pursuing certification to change a particular policy or rule that is a barrier to certification. However, certification is not withheld if government’s response is not favorable.</td>
<td>0</td>
</tr>
<tr>
<td>POLICY/REGULATORY CHANGE</td>
<td>The company is required to not only lobby government to change a policy or regulation, but its certification depends upon obtaining a favorable outcome and actual change (either as precondition or as a condition to be met within 5 years)</td>
<td>0</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td>5</td>
</tr>
</tbody>
</table>
7.2.6 Government Involvement By Issue
Of the 91 CARs evaluated in the four case studies, 24 involved some type of involvement from government. In this section I will explore whether particular issues were more or less likely to involve government.

Interestingly, none of these were associated with meeting preconditions, despite the fact that they often dealt with issues considered to be the traditional domain of the state (for example, establishing protocol agreements with aboriginal peoples, or protection of high conservation value forests).

7.2.6.1 Environmental
Only 12 out of the 43 environmental CARs made reference to government in some way. Some of these references were positive (i.e. indicated that government rules or processes contributed to meeting the CAR), but most were neutral (e.g. made reference to existing government requirements), and there was no indication of any “deal breaking” conflict with government regulations (i.e. meeting the government’s rules would preclude meeting FSC’s). In BC, government provided financial assistance for the mapping of HCVFs, in support of meeting a CAR.

The issues which were associated with the most lobbying did come from Alberta (i.e. the weakest tenure) and revolved around landscape level considerations, reserves, and species at risk. Notably, with regard to protection of riparian areas, Smartwood noted that new OMNR rules may in fact be more onerous than FSC’s.

The Smartwood global assessment identified aquatic and riparian areas as the most prominent environmental issue (63% of operations requiring at least one change), and
noted that certification assessors made reference to government guidelines, including voluntary Best Management Practices (Smartwood, 2005 p. 16).

7.2.6.2 First Nations
There were only 3 out of the 28 CARs concerning First Nations that involved government in some way. This is somewhat surprising, given that this is an issue which has conventionally been dealt with by governments. One of the references related to the BC government provided financial assistance to Tembec in order to develop the HCVF map that they were required to have, and this involved consulting First Nations regarding their values for that forest. Another CAR required government to provide information regarding First Nations use of the Gordon Cosens SFL, and also required Tembec to increase the benefits that First Nations received from forestry activities. Another CAR referred to OMNR and Tembec collaborating on a gap analysis regarding the need for new protected areas, with First Nations being consulted in the process.

7.2.6.3 Social
There were only two CARs that were associated with government, both regarding public consultation. In TFL-14, this again was related to the financial assistance provided to Tembec in order to carry out consultation regarding HCVFs. In the case of Gordon Cosens, reference was made to engaging the government-led Local Citizens Committee (LCC), among others, in order to determine an acceptable clearcut size.

7.2.6.4 Economic/Legal
The only category under “economic/ legal” was that related to tenure, and these were all related to Al-Pac, as described in Section 7.2.2.3 above.
7.2.6.5 Forest Management
There was only one CAR related to the category of “forest management” where government was involved, and that was regarding chemical use by timber quota holders within Al-Pac’s forest management area. As noted above, in the end Alberta was required to change its “free-to-grow” requirements in order to be compatible with the alternative regeneration methods.

7.2.6.6 Forest Systems
There were eight CARs related to issues under “forest systems” where government was involved. Four of these were related to monitoring and were all issued to Al-Pac, such as obtaining information from government on the harvest levels of other tenure holders, and collaborating with the government’s Caribou Committee and Recovery team. Another three were related to forest management plans, and these made reference to government regulations or policies in some way. For example, in TFL-14, Tembec was required to obtain government to sign off on a revised Timber Supply Analysis that reflected forest management plans that incorporated FSC Principles and Criteria, and Tembec- La Sarre was required to enact mitigating measures into its forest management plans where government environmental standards are not being met.

7.3 Discussion: Tenure and Government Involvement in Certification Case Studies
In this discussion, I will address the Propositions 3, 4, and 5. Specifically, I will examine (a) how provincial governments were directly involved in the four certification case studies, and how did this involvement vary across the thematic issues; (b) how variables associated with strength of tenure, most notably duration and exclusivity, make a
difference in the certification process and the role of government; and (c) conflicts between FSC and government requirements.

The findings in this chapter clearly support the proposition that governments play an important role within “non-governmental” certification. However, it is not necessarily the role of a “gatekeeper”, whose actions could potentially prevent a certification from happening, but mostly as an “enabler” that can provide assistance to the certification applicant (either passively or actively). Most of the roles identified in which government was involved were supportive: as a provider of information, as a partner in collaborative work, or as a financer of research. In many instances, not only does FSC not conflict with government policy/ regulations, but it often complements it (for example, by requiring greater involvement in government mandated consultation, requiring adherence to government’s voluntary guidelines, etc). This provides real evidence of why less developed countries with weak conventional governance structures and support are at a disadvantage within global forest certification and thus under-represented.

Regarding Proposition 4, this research has presented a great deal of evidence that tenure attributes do have an effect on the certification process. However, it is clear that the provincial tenure systems examined here do not pose an insurmountable barrier to certification. Each case represents a distinctly different set of tenure conditions, each of which contributes to a company’s ability to demonstrate to FSC certifying bodies their “clear, long term” right to manage the forest in question, as per Criterion 2.1.

The BC and Ontario cases indicate that 20-year, renewable, and spatially-explicit tenures meet and exceed this criterion. The results of the Alberta case indicate that tenures with
low exclusivity and comprehensiveness values will not preclude certification, but that areas which the firm is not able to demonstrate control over will be excluded from consideration. It is clear that Quebec’s Common Area tenure system poses significant challenges to FSC certification. Although we may never know how the audit would have turned out for Davidson, other FSC certifications have taken place in Quebec within this tenure system, indicating that it is, in fact, possible.

Most importantly, it appears that the certifying body’s ability to impose conditions, to be met within a defined time period, acts as a flex mechanism that allows a company to become certified in the short term, with the hope of leveraging greater changes from both the company, as well as government and other tenure holders, in the long term. This is most evident with the Alberta case, where there are substantial requirements targeted at changing government policy, to be met within the coming year, that are clearly linked to both low exclusivity and low comprehensiveness. This will be a significant test of the influence that FSC and Al-Pac have over government policy.

Very little support was provided for Proposition 5, in that there were very few instances where meeting government requirements directly conflicted with meeting FSC requirements.

7.4 Conclusion

The working hypothesis for this chapter was that variables associated with forest tenure, particularly exclusivity and duration, will affect the level of government involvement in forest certification. Weak tenure will be associated with greater reliance on government involvement. The results of this research indicate that limited tenure only necessitates
greater government involvement where tenure is non-exclusive and/or non-comprehensive (in this case, species-specific), and is less affected by the limited duration (or, at least, the 15-25 year tenures are sufficient). There appears to be a “threshold of control” beyond which FSC/Smartwood is unwilling to certify, regardless of conditions issued. This is shown in the unwillingness to certify certain areas within the Alberta case study, whose management plan is often trumped by oil and gas activities, or the activities of timber quota holders. This weak tenure is also associated with the most frequent number of CARs which required the applicant to lobby government. Overall, it would appear that given strong comprehensiveness, limited length of tenure does not pose any major obstacle.

There are hardly any examples of where government had to change its policies or regulations in order to allow certification to proceed. This is not surprising, however, given that the majority of CARs did not have to be met prior to certification being issued, but over the five year period of the certification. It could very well be that government will be implicated in meeting these conditions later on.
8 Conclusion

In this final chapter I present a broader discussion of the dissertation’s findings and reflect on whether the original research objectives have been met. I highlight how it contributes to the larger body of knowledge on the topic, present its policy implications, and conclude by reflecting on its limitations and suggesting future avenues of research.

8.1 Contribution and Implications

8.1.1 Evaluating the Impact of Certification

In following the evolution of forest certification over the past decade, this research has shown that this non-state market-based form of governance has become more of the norm rather than the exception within forest management in Canada, making the evaluation of its impacts on environmental, social and economic objectives increasingly important.

One of the central objectives of this dissertation was to quantify and categorize the changes that major public forest tenure holders have had to make in order to become certified. This research has shown that changes have been required across a broad spectrum of forest-related issues, as described in Chapter 6. While this was heavily weighted towards environmental concerns, other major changes were required, such as those regarding the relationship between individual licensees and First Nations within and adjacent to the management unit, including the establishment of protocols and profit-sharing arrangements. A wide variety of other changes pertaining to forest management planning were required, as well as increased monitoring and reporting, beyond and above that required by government.
This research also shows that FSC certification places a heavy emphasis on incremental change and continual improvement, with the vast majority of changes being required after certification is granted. Analysis of the corrective action requests showed that most of these were largely procedural in nature, as opposed to requiring a specific “on the ground” outcome, but are likely to result in measurable changes in the long run.

From a methodological point of view, this research reveals the merits of taking an in-depth qualitative approach to impact evaluation. While quantitative research performed on a large number of certifications allows for a “bigger picture” overview of the number of changes required, the resolution is too coarse to assess the nature and magnitude of specific changes that are occurring, and the mechanisms by which they occur.

This research also demonstrates the importance of taking a longitudinal approach to evaluating change as opposed to taking a quick “snapshot” of changes that are demanded in the course of the initial forest certification audit. Clearly, some of the most important changes required in the case studies were phased in through the course of several years, as licensees introduced measures required to meet conditions (as opposed to pre-conditions). As seen in Chapter 6, this is particularly relevant for licensees where tenure is limited, as many of the conditions are targeted at government and other tenure holders. This should also serve as an indication that the evaluation of change should not be limited to the company pursuing certification alone. The impact of certification may eventually extend to other forest licensees as well as other industries that share the land base.
8.1.2 The Role of Government in Certification

Another main objective of this dissertation was to compare and contrast how certain Canadian provincial governments have responded to the introduction of forest certification within their jurisdiction, both in general, and in response to specific certification attempts. This dissertation shows that although certification was conceived as a non-state instrument, there are a number of roles that government can play in encouraging its implementation, and that these roles can change over time. Although policy change was most dramatic in the Quebec case study, it was also observed in the other provinces as well. Ontario stands out as the province that pursued recognition of its forest management practices by FSC and other certification systems most aggressively. It is hard to say why this is the case—it could be that the Ontario government, having recently updated their policy and regulations through the Crown Forest Sustainability Act at the time certification was just being introduced, felt confident that they could stand up to international scrutiny. In contrast, when the BC government was presented with four different options regarding how to proceed, they chose the one that assigned certification a comparatively minor role.

In Chapter 5, it was observed that all four provinces have been moving increasingly towards a “soft law” approach. In BC, this involved the massive reduction in Ministry of Forests staffing levels and a transition from the Forest Practices Code to the Results-Based Code, while in Alberta, field staff have been reduced in the face of tightening budgets. In Ontario this change involved a transition to the SFL system, increased reliance on voluntary guidelines, and a decreased reliance on third-party audits. Certification on the other hand, often dismissed as non-legally binding, has introduced
standards that are often more prescriptive and more frequently enforced (via annual monitoring).

As is evident in the results of the analysis of the changes made in the four case studies, certification has clearly ventured into policy domains associated with the state, such as the establishment of permanent reserves, and the recognition of aboriginal rights over their traditional territories. These factors, coupled with increasingly strong market demand for FSC-certified wood products, would suggest that traditional governance structures may feel threatened by certification. However, as observed in Chapter 5, several provincial governments have gone from tolerating, to facilitating, and now even requiring it for all companies operating on public land, and this international, third party acknowledgment of the sustainability of domestic forest practices may enhance government’s authority. Moving from a reactive to a proactive policy response, can also be seen as an attempt to regain some rule-making authority. It could be that government is relinquishing its traditional role as “enforcer” in the presence of this new form of private governance, and allowing FSC to take over some of its traditional responsibilities where there is overlap. At a minimum, it appears that both forest certification and government are becoming increasingly interdependent in overseeing forest management on public lands.

This research has also developed a system of classification for the types of roles that government can play in certification (see Table 7.3) that can be used for future work and built upon, as other roles are observed. Government involvement was found to be largely supportive in nature in all four case studies: providing data and technical support; responding to queries from certifying bodies, and even changing government policy to be
amenable to certification requirements. Other roles were more passive, with existing policies, voluntary guidebooks, classification schemes and consultation processes being referred to in the certification assessment.

Incidence of actual conflict between FSC and government was very infrequent, and mainly confined to the Alberta case study. In this case, the interests of the oil and gas tenure holders, as well as the Quota Holders, clearly took precedence over enabling Al-Pac’s certification. The fact that Smartwood and FSC found a way for this certification to proceed (by removing these areas from the area eligible for certification), despite landscape-level concerns regarding connectivity and cumulative effects, speaks to the importance of this large certification to FSC in demonstrating its viability in the boreal region, and the need to demonstrate flexibility.

Finally, the findings have also shown the importance of considering the effects of international systems, not just certification, at the sub-national level, when this is where jurisdiction over forests lies, such as is the case in Canada. Ultimately, it is at this level where the policy and regulatory environment can influence whether forest operations pursue certification.

8.1.3 Forest Tenure and Certification

Finally, this dissertation aimed to determine whether the strength of a licensee’s forest tenure influences the level and type of involvement required of government during the certification process, with the assumption that weaker tenure will necessitate greater involvement on the part of government (with strength of tenure defined as a function of duration and exclusivity).
Given the outcome of the certification case studies, and the large number of certifications that have taken place in Canada overall, clearly Canada’s public forest tenures are not the barrier to FSC certification that they were once thought to be. What emerged in the course of this research is that it is not limited duration, but limited exclusivity, that causes complications for certification. In general, the fact that these tenures are limited in duration (albeit around 20 years, and often renewable), and could be potentially transferred at the end of this period to a company with no interest in upholding certification standards, did not appear to be an issue. However, as demonstrated by the Alberta case study, forest tenure holders whose management plans could be undermined by their inability to exclude other resource users (both within and outside the forestry sector) can receive pre-conditions that are essentially leveled at government (although issued to the licensee) as the true landowner. When change on the part of government or the other resource users is not forthcoming, this can preclude certification for those specific areas. Thus it can be concluded that weak tenure did result in increased pressure being placed on government and a more significant role in meeting many conditions.

An important outcome of the BC, Ontario and Quebec case studies was the determination (by the certifying body, as stated in the Public Summary) that the attributes of these tenures were sufficient to meet FSC’s requirements: common to all three of these cases was that the certification applicant had more or less complete control over management decision-making, even though other tenure holders were operating on the land base. Governments that have an interest in facilitating forest certification within their jurisdiction should consider restructuring public forest tenures in a way that assigns complete control over management responsibilities to one licensee. Volume-based
tenures, or other arrangements where multiple licensees operate simultaneously within a
given area, will require greater coordination amongst licensees, and may preclude
certification where the activities of other licensees interferes with certification applicant’s
ability to meet certification requirements. This is a dominant form of tenure in BC.
However, it appears that the designation of a geographically defined operating “chart
area” is able to satisfy FSC certification requirements in terms of demonstrating
management control within volume-based tenures.

8.2 Limitations and Future Research

This research only represents a small fragment of the total certification activity that has
occurred within Canada and worldwide to date. Further research is needed to see whether
trends observed within this work continue, including both the changes that certification is
requiring, and the relationship that exists between private and public governance. As
mentioned in section 6.2, there are a large number of environmental, socioeconomic and
regulatory variables associated with each forestry operation that create a unique context
and may affect the type and magnitude of changes required to attain certification. This is
compounded by external variables such as market demand (affected by fluctuations in the
value of the Canadian dollar, status of the US economy, the Softwood Lumber
Agreement, etc.), which together limit the inference space associated with this research. It
is hard to predict whether the same outcomes would be observed given a different
operation, or at a different point in time.

With regional standards now approved in all major forested regions of the country, it is
expected that this will bring with it a measure of “fixed goalpost” certainty that will
courage more operations to go for FSC. While operations within exclusive and long-
term tenure may be “low hanging fruit” that will be able to obtain certification fairly easily and without significant government involvement, it is clear that widespread adoption of FSC will require greater engagement with provincial governments.

Since the completion of this work, there have been a large number of successful certifications, including several in Quebec (whereas there were none at the time this study was initiated). While it may be some time before there are enough to do a detailed analysis such as was performed by Newsom et al in the US, it may be useful to apply the methods used here to subsequent certifications: to look at trends in where changes are taking place and the type of operations that are getting certified; the types of changes that are linked to a particular size of operation or location; and whether more recent government legislation, such as was introduced by Quebec in November 2007 (Bill 39) or the alignment of Alberta’s Ground Rules to facilitate CSA certification, are having an impact on the number of successful certifications.

The relationship between government and non-governmental forest certification has been of particular interest in Canada due to the fact that the vast majority of forest management occurs on publicly tenured land. However, Canada is not the only country whose forests are predominantly publicly owned- in fact, 87% of the world’s forests are, and in some regions such as Africa this figure can reach nearly 99% (J.P. Siry et al, 2005). As FSC is an international system, this makes discussion of the relationship between FSC and traditional governance systems extremely relevant beyond the Canadian context, and future research should investigate this further.

This research also highlights the importance of disaggregating analysis of “Canadian” forest policy and a “Canadian” response to the international regime. The sub-national
level of jurisdiction has been overlooked, even though this is where the bulk of responsibility for environment is held. Future research regarding the influence of international regimes on forest policy should give greater consideration to this level of governance.

8.3 Conclusion

Discussion surrounding forest certification in Canada has subsided in recent years in comparison to when it was originally introduced. However, this is not due to waning interest or a decline in importance. On the contrary, since it has proved workable in the context of industrial forestry, certification has become accepted as a part of the broader forest policy landscape, and is no longer considered a niche market for small, low-impact operations. Market demand and consumer awareness are increasing, and governments are increasingly relying on certification in the context of land use decision making, especially when a compromise is required between absolute protection or industrial exploitation.

What has yet to be seen is whether FSC certification in particular will continue to enjoy the support of the grassroots environmental groups and indigenous peoples that looked to this system to create the changes they desired, and who rejected competing certification systems that they believed to be supportive of the status quo, now that it has entered the mainstream.

Regardless, monitoring the environmental, social and economic effects of certification will remain crucial to understanding its importance within the larger forest policy context. Our understanding of this emerging form of private governance and its relationship with traditional governance structures is just beginning to be developed.
BIBLIOGRAPHY


Araújo, M. 2008. Forest Certification in Brazil: Choices and Impacts. Thesis, Master of Science in Forestry, Faculty of Forestry, University of Toronto.


Cashore, B., Gale, F., Meidinger, E., Newsom, D., and May, P. H.. 2006. *Confronting sustainability: Forest certification in developing and transitioning countries*. Yale School of Forestry and Environmental Studies. New Haven, CT.


QMRNF. 2003a. Quebec Ministry of Natural Resources, Wildlife and Parks: Détermination De La Possibilité Annuelle De Coupe) and the Manuel


Appendix A: Research Questionnaires

Questionnaire for Provincial Governments

1. When did forest certification first emerge as an important policy issue for this province, and how did this come to the attention of your Ministry? What was the initial governmental response to forest certification?

2. Has this approach changed substantially over time? Is certification more or less of a priority now?

3. How would you describe the government’s role during the development of the (FSC, CSA) standards?

4. How often do you communicate with the Federal Government and other provinces regarding (a) forest certification; (b) implementing Canada’s forest-related commitments (such as the Montreal Process C+I) made at the international level?

5. With respect to the other provinces and getting volume certified, would you describe it as a collaborative or competitive relationship?

6. What other ministries have been involved in addressing certification, and how is this coordinated?

7. Has the government played an active role in encouraging or facilitating uptake of certification (and if so, how)?

8. Have there been any regulatory or institutional barriers to certification identified? Has government made any changes in response to this? If so, at what level was this decision made?

9. Specifically, in regard to FSC audits, how has MNR been involved, and have any changes in policy or regulations been made to make certification possible?

10. How has certification affected the volume or type of wood harvested?
Questionnaire for Forest Managers

1. General background information:
   • Location of operations:
   • Type of tenure/ Size of management unit (hectares):
   • Species harvested/ Products produced:
   • Main market:
   • Other companies that share management responsibility for this unit:

2. When did your company first consider going for FSC certification? Who initiated this decision, and at what level of management? How long has it taken to get certified (please note any milestones along the way).

3. What factors did you consider in selecting a certifying body?

4. Who are the major stakeholder groups that participated in the public consultation component of the certification audit?

5. What role did the provincial government play during this certification? Which agencies were involved or consulted?

6. Did any government policies or regulations pertaining to the tenure conflict with meeting the certification requirements? How was this dealt with?

7. Reflecting on your overall experience with the certification process, was it what you expected?

8. What specific changes did your company have to make in order to achieve certification …
   • Prior to the audit/ scoping report?
   • In response to the audit/ scoping report?
   • Were the changes that were required linked to requirements specific to the regional standard, or to meeting the FSC International’s Principles and Criteria? What requirements originated directly from the public consultation process initiated by the certifying body?

9. What direct costs were associated with the certification process itself? (e.g. costs entailed in developing internal capacity to answer questions, audit costs, monitoring costs, costs associated with getting additional public input, costs associated with additional information that needs to be provided, reporting)

10. How does your company assess the costs and benefits of meeting these additional requirements?
Appendix B: Government Position Statements on Forest Certification

Federal: Natural Resources Canada

What is the Government’s role in forest certification?

The Government of Canada is committed to the promotion and recognition of Canada's sustainable forest management (SFM) framework (legislation, regulations, policies and practices) by credible certification systems and their proponents. Certification systems should, at a minimum, be related to internationally and nationally recognized processes, provide an independent and arm's-length assessment of SFM, and not be trade distorting. Internationally, Canada continues to encourage intergovernmental dialogue and monitor international trends to ensure international trade rules are respected. The federal government actively addresses market access concerns related to certification and will, as a priority, work with all stakeholders and through appropriate institutions, including the World Trade Organization, to avoid the development of trade distortions and technical barriers to trade that may result from certification.

British Columbia

BC Government Position Statement on Certification

The management of the majority of Canada’s public forests is the constitutional responsibility of provincial governments who are mandated to ensure that public forests are managed sustainably.

As a market instrument, certification operates outside of the regulatory framework established by governments. However, government has a specific interest in certification because it has the inherent potential to affect access to markets, reinforce sustainability requirements for forest management, and support or contradict domestic and international legislative and policy goals.

In British Columbia, government has stated that it supports voluntary certification in the marketplace if certification will support real progress in SFM. Government wants to ensure that certification is based on standards that are equally challenging and meaningful for all jurisdictions, and that certification systems are compatible with definitions, standards, and processes developed domestically and in the international arena. It is the British Columbia government’s position that standards and eco-labelling schemes should not become a means of protectionism or create unfair trade barriers to BC exports.

The British Columbia government has provided technical expertise to the development of the ISO and the CSA-SFM Standards. Although governments cannot be members of the

---

38 From http://www.for.gov.bc.ca/het/certification/overview.htm
Forest Stewardship Council, we continue to be involved in the FSC process for developing BC regional standards. The British Columbia government is encouraging the provincial forest sector to take a strong role in ensuring the development of certification systems that are appropriate for British Columbia and will be effective marketing tools in the international marketplace. While government can and will play an important role in finding a practical solutions for all interests, it cannot be the sole or necessarily even the leading player on this issue. The British Columbia government is committed to working with industry, non-governmental interests, customers, and others to ensure that practical solutions on certification are developed which support and demonstrate BC’s sound sustainable forest management practices and that are accepted in international markets.

**Alberta**

The international community, and especially Canada, began to more formally recognize the importance of Sustainable Forest Management (SFM) at the 1992 UN Conference on the Environment & Development. At the conference, specific forest management principles were developed. Based on these principles, Canada made a commitment to develop a set of criteria and indicators for the sustainable management of its forests. In 1995, the Canadian Council of Forest Ministers (CCFM) released a framework of 6 criteria and 83 indicators. The CCFM framework of criteria and indicators provided a science based framework to define and measure Canada’s progress in the sustainable management of its forests.

The development of forest certification schemes was seen in part, as a response to the emerging importance of sustainable forest management. Sustainable forest management can be defined as a way of identifying the optimal balance of trade offs between social values, and economic needs in the context of the ecological limitations of the forest ecosystem. The international community, including both consumers and forestry companies, have embraced forest certification as a way to achieve SFM.

The goal of forest certification is to promote forest practices that are environmentally, socially, and economically sustainable over the long term. Each stakeholder group or industrial sector has a different view of what certification can achieve. Environmental groups see certification as a way to verify a landowner or firm’s commitment to sustainable forestry, and as a mechanism to reward, through continued market access, only the very best forest management and to promote an ideal of forest management that mimics natural processes and preserves so-called old growth.

In contrast, industry and forest owner groups tend to regard certification as a mechanism to promote progressive, step-wise improvement in forest management, while at the same time capturing market share and competitive advantage by communicating their superior environmental performance through certification labels.

---

39 Available at: [http://www.yourforest.org/certification/default.aspx](http://www.yourforest.org/certification/default.aspx)
Forest certification involves independent verification of good management practices and provides assurance that landowners and forest managers are practicing sustainable forestry according to the guidelines and principles of individual certification systems.

Currently, there are three dominant third party certification standards promoted in Canada:

1. Canadian Standards Association’s (CSA) - National Standard for Sustainable Forest Management (Z809). This standard was developed by the national standards development body, and relies on the International Organization for Standardization’s ISO 14001 – environmental management system approach.

2. Sustainable Forestry Initiative (SFI) - developed by a U.S. industry association (the American Forest & Paper Association) and governed by a multi-stakeholder process.

3. Forest Stewardship Council (FSC) - certification developed by an international, membership based non-governmental organization. It was founded in 1993 by representatives from environmental groups, the timber industry, the forestry profession, community groups and indigenous people’s organizations.

All three certification schemes promote sustainable forests and include the requirements for third party audits, respect for Aboriginal rights and involvement, and public disclosure, though each standard places a different emphasis on the importance of these and the standards to which they must adhere. All three schemes have varying degrees of public participation as a component. Mutual recognition does not currently exist between these standards, meaning that a company that selects one scheme could still be under pressure to also certify to another standard.

Application for certification is generally voluntarily and can be an intensive undertaking. Candidate organizations have to engage in a detailed analysis of their operations and management systems in order to be eligible. Independent third parties will perform intensive audits generally on an annual in order to confirm compliance with certification standards. Failure to comply to the standards established by the certification body will result in an organization losing their ‘certified’ status.

In Alberta, the CSA’s Z809 standard serves as the minimum requirement in the province’s new Forest Management Planning Standard. As of June 2006, forested lands under the management of Alberta tenure holders were certified under the various schemes to the following extents: CSA – 9.27 million hectares (9,949,660m3 AAC), SFI – 2.67 million hectares (3,420,000m3 AAC), and FSC – 5.49 million hectares (3,027,204m3 AAC). Canada currently holds the largest amount of certified forests in the world.

An important independent study was released by prominent Yale University professor, Benjamin Cashore in 2004. The study, Global Environmental Forest Policies: Canada as a Constant Case Comparison of Select Forest Practice Regulations, found that Canada’s forest policy regulation and compliance regime is among the most progressive and stringent in the world.
Ontario

Ontario Ministry of Natural Resources Statement on Forest Certification 40

The MNR ensures the sustainable forest management of Crown forests through a rigorous policy and regulatory framework. Forest companies operating in Ontario are required to comply with long-term, ecosystem-based forest management planning. Renewal of licences to harvest timber is dependent on satisfactory results of a mandatory Independent Forest Audit. Ontario’s forest management standards are progressive and demanding. Forest companies are well positioned to meet the requirements of any forest certification standard or registration system.

Initiatives:
A collaborative action plan has been developed between MNR and FSC Canada to address the FSC certification system in Ontario. The following key action items were identified in the plan:
1. Identify and reduce redundancies in audit requirements
2. Identify potential common approaches to meeting FSC requirements
3. Review existing FSC certifications with a view to identifying and addressing any provincial barriers to certification

Ontario Ministry of Natural Resources and the Forest Stewardship Council – Canada Collaborative Action Plan, February 2006

Preamble

The Ontario Ministry of Natural Resources (OMNR) and FSC Canada are both committed to ensuring the long-term sustainability of forests. It is understood that both organizations can play a complementary role in sustaining forests. Given this shared objective it is recognized that there will be a degree of overlap in the requirements of FSC standards, and OMNR legislative and policy requirements.

Ontario companies have been very successful in attaining FSC certification. In fact, Ontario has the largest area certified to FSC of any province in Canada. In response to the considerable initiative that Ontario companies have undertaken and the recognition that there is a degree of overlap in the two requirements it is appropriate that OMNR and FSC Canada should endeavour to support these companies in continuing to be certified and to make the process as effective and efficient as possible.

Goal

OMNR and FSC Canada will collaboratively and separately explore ways to improve access to FSC certification on public lands in Ontario by:

* identifying and, where appropriate, reducing redundancies in audit requirements;

40 From OMNR webpage: http://ontariosforests.mnr.gov.on.ca/
* identifying potential province-wide common approaches to meeting certain FSC requirements; and

* reviewing existing FSC certifications in Ontario to learn about any barriers to certification and possible opportunities for FSC Canada and/or OMNR help overcome those barriers.

**Guiding Principles**

All activities under this action plan will be guided by the following principles:

* All requirements of both systems must be satisfied.

* The credibility of both audits must be maintained.

* All public announcements regarding the initiatives described in this action plan must be jointly approved by the participants.

* There should be equitable sharing of efficiencies and costs, as appropriate.

* The initial focus will be on specific actions that can produce tangible results in the short to medium term.

**Actions**

1. Identify and reduce redundancies in audit requirements

1.1 Review various options to reduce redundancies in audits. Without carrying out a detailed analysis, this initial review will simply provide an overview of the likely strengths and weaknesses of each option, as well as its applicability to OMNR/FSC audit overlap. Potential measures to reduce redundancies in audits include:

* Data sharing agreements

* Sequential audits

* Simultaneous audits

* A single fully combined audit

* Guidance to auditors on the extent to which audit requirements are deemed to be met by a previous audit.

These options are not mutually exclusive, and not necessarily comprehensive.

1.2 The mandatory review of the independent forest audit program, tentatively scheduled for 2006, will include a request for input on potential options to reduce audit redundancies. During the development of the independent forest audit review terms of reference, input from Forestry Futures Committee (FFC) will be requested.
1.3 Identify one or a few options that offer the greatest potential for audit efficiencies over the short to medium term.

1.4 Carry out a “fine-filter” analysis of the preferred option or options. The nature of this analysis will depend on the option(s) chosen. This analysis will involve qualified experts, as appropriate, and will be made available for review by interested parties before it is finalized.

1.5 If the fine-filter analysis confirms that there is significant potential for efficiencies, then FSC and OMNR in cooperation with FFC will explore ways to formally validate this approach.

2. Identify potential common approaches to meeting FSC requirements

2.1 Review areas where there may be the potential for OMNR and/or FSC to undertake initiatives that could contribute to meeting certain certification requirements, thereby reducing the effort and expense for individual forest operations to be certified. Without carrying out a detailed analysis, this initial review will simply provide an overview of the potential opportunity for initiatives that would apply across management unit boundaries. Potential areas (in no particular order) include:

* Landscape scale planning
* Assessment of the pre-industrial forest condition (PIC)
* Species at Risk recovery/rehabilitation plans
* High Conservation Value Forest assessments
* Protected areas and gap analyses processes
* Natural disturbance patterns
* Access planning
* Herbicide use
* Spatial modelling
* Aboriginal communities and values
* Social and economic aspects
* Monitoring and assessment, including inventories
* Training and education
* Meeting “controlled wood” requirements
These initiatives are examples, and not necessarily comprehensive.

2.2 Identify one or a few initiatives where province-wide approaches are feasible, practical and offer the greatest potential for certification efficiencies over the short to medium term.

2.3 Carry out a “fine-filter” analysis. The nature of this analysis will depend on the initiative(s) chosen. This analysis will involve qualified experts, as appropriate, and will be made available for review by interested parties before it is finalized.

2.4 If the fine-filter analysis confirms that there is significant potential for efficiencies, then FSC and OMNR will explore ways to take advantage of this potential.

3. Review existing FSC certifications with a view to identifying and addressing any provincial barriers to certification

3.1 Review the public summaries of all FSC-certified management plans in Ontario, focusing on the conditions attached to the certificate. Send a questionnaire to forest managers and one to certifiers, seeking their input on where FSC certification has proven to be most problematic in Ontario. Explore areas where there appear to be common barriers to certification.

3.2 If OMNR and FSC Canada agree that there are areas where actions could be taken jointly or individually by FSC Canada and/or OMNR in the short to medium term to reduce barriers and/or improve access to certification, then those areas will be identified and made available for review by interested parties.

3.3 Based on the response from interested parties, as well as organizational priorities and available resources, FSC and OMNR will explore ways to take advantage of any potential identified in 3.2 above.

**Quebec**

The MRN encourages companies to engage in the process of certification, and considers this complimentary to the forestry regime. It does not support one particular certification program over another, and each company is free to choose according to which system is best suited to meet their values and the needs of their clients. Certification does not replace government policy, but constitutes an additional tool by which to support the sustainability of forest resources and to consider the diverse interests of the multiple forest users.

---

41 Translated from original French text available at:
http://www.mrn.gouv.qc.ca/forets/amenagement/amenagement-certification.jsp
Appendix C: Case Study Background Profiles

This section will present background information relevant to each case study examined in Chapters 6 and 7 of this dissertation, with a focus on: terms of tenure; environmental and socioeconomic contexts; and the history of indigenous peoples in the area.

BC: Tembec - Tree Farm License 14

Tenure

Tembec’s main BC operations are located in the remote and rugged southeast region of the province known as the Kootenays, with three logging divisions (Kootenay North, South and East), three sawmills, and a pulp mill. The area that was put forward for certification was Tree Farm License (TFL) 14, an area-based tenure of 150,431 hectares located in the Kootenay North Division, of which 36% is considered operable. Tembec acquired the tenure from Crestbrook Forest Industries in 1999.

A Tree Farm License (TFL) is an area-based form of tenure which grants the holder almost exclusive rights to harvest from within a spatially explicit Crown license according to cutting permits, and is issued for a 25 year term (replaceable every five years). The Licensee is held responsible for resource inventories, strategic and operational planning, road-building, and reforestation. Approximately 17% of BC’s AAC comes from TFL’s, and they are normally held by large-scale operations (Hoberg et al, 2008). Among the public tenures considered under the FSC-BC standards, TFL’s were identified as being the best suited to meet the requirement to provide “clear, long-term tenure” (FSC-Canada, 2005: 9).
The average annual harvest from this TFL over the last five years has been 170,900m³, higher than the long-term harvest rate established in the Timber Supply Analysis of 160,000. Although 95% of that volume is processed at their Canal Flats sawmill, this only amounts to 23% of the mill’s total output. The dominant species harvested is lodgepole pine, followed by Engelmann spruce and interior Douglas-fir. The remaining volume (various species) is sold to local businesses for value-added manufacturing.

**Environmental Context**

The forests of this area are characterized by natural disturbances including fire, windthrow, and mountain pine beetle infestations. The recent outbreak of the latter has affected a large amount of this region, and between 30-60% of Tembec’s annual harvest is connected with either “pro-active” harvesting in stands at risk of infestation, or salvage logging of stands already affected, including in areas considered “visually sensitive”. Harvesting is done using a variety of even and uneven-aged management systems, including clearcuts, clearcuts with reserves, shelterwood, group selection and a limited amount of single-tree selection.

The area is biogeoclimatically diverse, and supports a broad variety of ecosystems and associated species, including several “blue-listed” (threatened) species, such as the great blue heron, the flammulated owl, the northern long-eared myotis, grizzly bear, and wolverine. The western grebe is the only endangered species known to occur within the TFL. The area is flanked by three large protected areas: glacier national park, the Columbia Wetlands Wildlife Management Area, and Bugaboo Provincial Park.
In 2000, a governmental land-use plan was established for the region, after an intensive 5-year long consultation period, establishing land use zones and the extension of existing protected areas. In the spring of 2002, an agreement was reached between the East Kootenay Environmental Society, ForestEthics and WWF to identify (and remove from the harvesting landbase) forests which were designated as “endangered”.

**Socioeconomic Context**

Forestry has occurred in the region for over 100 years, and the first long term management plan was initiated by Cranbrook sawmills in 1958 when it became a TFL. Tembec acquired the TFL in 1999. Forestry, mining and ranching have traditionally supplied the bulk of employment opportunities, but recently tourism and backcountry recreation have increased in importance, with two lodges within the TFL. In addition, there are opportunities for fishing, hunting and trapping. The area holds significant importance for the local community, as many residents draw their water from within the TFL, and it is part of their visual landscape.

The area has been hard hit by the economic downturn of the late 1990’s, followed by the severe cuts to government services introduced after the Liberal government came to power in 2001 (see section 0).

**Indigenous Peoples**

The indigenous people of the region include The Shuswap Band and the Columbia Lake Band. They both belong to the Ktunaxa Kinbasket Tribal Council (KKTC) and both the Shuswap and Columbia Lake Bands authorized the KKTC to handle matters related to
control and consent. Although the Shuswap Band is also affiliated with the Shuswap Nation Tribal Council (SNCT), the SNCT chose to only participate as an observer. Neither the Ktunaxa nor the Shuswap have entered into treaties that determine land tenure or ownership within TFL-14, though negotiations are currently underway with the Ktunaxa.

**Alberta: Alberta-Pacific Industries Inc.**

**Tenure**

Alberta-Pacific Forest Industries Inc. (Al-Pac) is wholly owned by Mitsubishi Corporation and Oji Paper Company Ltd. Their operations are located in the Northeast of Alberta, spanning 5.8 million hectares, delineated within three management zones (A,B,C), with an AAC of 2.2 million m³ for hardwood species alone. They share additional rights to the softwood (white spruce, black spruce, jack pine) within these areas, amounting to 782,709 m³ (one third of the total softwood harvested from the FMA), which Al-Pac must sell to other companies with sawmills, in exchange for access to residual chips. The remainder belongs to embedded “quota holders” who have rights to coniferous species throughout the 3 timber zones (see Table A.1: Wood volume and harvesting rights on Al-Pac's FMA for a summary of volumes by tenure). The four biggest of these include: North-Western, Evanerwild, Northland, and Alberta Plywood. These rights pre-date the designation of the tenure as a Forest Management Agreement (FMA), originally issued to Al-Pac in 1991. The FMA is renewable every 20-years, according to conditions mutually agreed upon with government. Management is executed according to a single plan, written by Al-Pac, with input from the quota holders.
Table A.1: Wood volume and harvesting rights on Al-Pac's FMA

<table>
<thead>
<tr>
<th><strong>All volume figures in cubic meters.</strong></th>
<th>Total volume in the certified area of the FMA (5.49 million hectares)</th>
<th>Total volume of Al-Pac's legal right to forest resources (2000 figure)</th>
<th>Total volume of forest resources “controlled” by Al-Pac (2004 figure)</th>
<th>Total volume entering Al-Pac pulpmill from FMA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary deciduous</td>
<td>2,132,033</td>
<td>2,132,033</td>
<td>2,132,033</td>
<td>2,132,033</td>
</tr>
<tr>
<td>Secondary decid.</td>
<td>440,673</td>
<td>440,673</td>
<td>112,462</td>
<td>440,673</td>
</tr>
<tr>
<td>Primary conifer</td>
<td>1,422,813</td>
<td>385,065</td>
<td>385,065</td>
<td>0</td>
</tr>
<tr>
<td>Secondary conifer</td>
<td>397,644</td>
<td>-</td>
<td>397,644</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>4,393,163</td>
<td>2,957,771</td>
<td>3,027,202</td>
<td>2,572,706</td>
</tr>
</tbody>
</table>

Source: Al-Pac Certification Assessment Public Summary. Smartwood, 2004

As is the case for much of this region, there exists within their operating area, shallow gas deposits, oil, and oil sands that are being actively developed. Linked to these developments are: the creation of seismic exploration lines which cut narrow linear strips over long distances; additional roads; and the clearing of “oil pads”. In the case of the oil sands, this requires the open mining of large amounts of the land. Exploitation of oil and gas essentially trumps forestry’s management plans, and this area is effectively removed from the FMA, with Al-Pac receiving compensation for the standing timber. The oil companies are required to salvage the wood if possible, but often this is simply cleared and burned. After the land is reclaimed, following 10-30 years of oil operations, it is returned to the FMA. Recently, the relationship between the two industries has become more coordinated, such that that Al-Pac can plan for logging operations prior to the

---

42 Although Al-Pac’s total FMA area is 5.78 million hectares, a portion of this was excluded from the area eligible for FSC certification, due to the presence of oil sand Mineral Surface Leases.

43 “Primary deciduous” refers to volume obtained from deciduous and deciduous-leading mixed wood forest types. “Secondary deciduous” volumes are obtained as a by-product of harvesting (by Al-Pac or other companies) in coniferous and coniferous-leading mixed wood forest types.
mining, thus achieving a successful harvest of the resource and avoiding the unnecessary building of roads.

**Environmental Context**

Al-Pac is located within the boreal mixedwood forest, largely defined by a natural disturbance regime dominated by fire. This has resulted in deciduous forest types dominating the drier upland areas, and coniferous types in the less well drained lowland areas. Trembling aspen is the dominant species among the deciduous species, because of its ability to regenerate quickly following fire, but balsam poplar, white spruce and balsam fir are also present. The proportion of conifers increases with time since the last fire, and they tend to dominate the older age classes. Conifers such as black spruce and tamarack dominate the wet sites, while jack pine and lodgepole pine dominate that dry sandy sites.

The FMA is home to 190 bird species, 47 types of mammals, and 29 fish species. Woodland caribou and trumpeter swans are the only “species at risk” in the region, and woodland caribou and moose are focal species for management. The Alberta Special Places 2000 Program did result in the establishment of new protected areas in the FMA, including within the Athabasca and Gypsy-Gordon regions.

**Socioeconomic Context**

Timber harvesting has been a mainstay of the local economy for over 50 years, initially focused on coniferous sawmills. Innovations in pulping technology paved the way for exploitation of the hardwood species. Al-Pac now operates North America's largest single
line kraft pulp mill, producing more than half a million metric tons of pulp per year. This is made almost entirely from hardwood, though when supply is low they may turn to pulping softwood. While they do harvest softwood, this is mostly traded to companies that produce dimensional lumber, in exchange for woodchips. Their main market is Asia (mostly Japan), with buys 40% of their volume, followed by the European Union and North American markets at 30% each. While some of their customers have expressed interest in Al-Pac obtaining FSC certification, particularly in Europe, most have not.

Stakeholder involvement is focused around a Public Advisory Group Task Force, which is divided into 3 caucuses: Aboriginal, Users (hunting, trapping, outfitting, fishing), and Quota Holders. They are fairly active, and were influential in encouraging Al-Pac to pursue FSC, as opposed to other certification systems. Environmental groups involved include: Albertans for a Wild Chinchaga; Canadian Parks and Wilderness Society (CPAWS); Federation of Alberta Naturalists; and the World Wide Fund for Nature (WWF) Canada. During the audit, CPAWS and WWF issued a position statement, articulating their expectations with regard to the application of the National Boreal Standard (NBS) to Al-Pac’s operation. Key concerns highlighted in this report include, \textit{inter alia}: caribou habitat management; protected areas (and interim harvest deferral for candidate areas); road density; riparian buffers; and overlapping tenure conflicts.

The economic importance of the region’s oil and gas reserves, some of the world’s largest, dwarfs that of forest resources. There are a number of guide-outfitters that operate within the FMA, and hunting and fishing are major recreational activities. There are over 400 registered traplines within the FMA.
Indigenous Peoples

There are at least 15 aboriginal communities whose traditional territories are within Al-Pac’s FMA, including those of the Bigstone Cree, Fort McKay, Fort McMurray (#468), Chipewyan Prairie and Heart Lake First Nations. The Mikisew Cree First Nation and Athabasca Chipewyan First Nation have been recognized by Al-Pac as communities outside the FMA with traditional interests within the FMA. There are also Métis people in small communities throughout the FMA and two outside the FMA, that are members of the Métis Nation of Alberta. There are other First Nations and Métis Settlements that are in the area surrounding the FMA but with whom Al-Pac was not formally working at the time of the assessment.

The communities vary in the degree to which they rely directly on the land for their livelihood, but hunting, fishing, trapping and gathering are common to all. Some are involved with Al-Pac in a variety of economic development ventures. Al-Pac provides financial support to Aboriginal people to allow them to participate on the Forest Management Task Force.

Ontario: Tembec - Gordon Cosens Forest

Tenure

Tembec manages the Gordon Cosens Forest, also known as Sustainable Forest License (SFL) #500600. It is a large (2 million hectares) public tenure, straddling the Ontario Ministry of Natural Resources (OMNR) Districts of Chapleau, Hearst and Timmins. Most of the SFL’s harvest is directed to the Spruce Falls newsprint mill and the
Kapuskasing and Excel Forest Products Sawmills (wholly-owned subsidiaries of Tembec Inc). The SFL also supplies smaller amounts of hardwood and cedar to veneer, oriented strand board (OSB) and lumber mills in addition to Tembec’s facilities. The AAC is set at 1.23 and 0.45 million m³ per year, for conifer and hardwood species respectively. In addition to pulp and newsprint, Tembec’s products include lumber, oriented strand board (OSB), hardwood veneer, and plywood.

Several overlapping tenure holders (including Excel Forest Products and Lecours Lumber Co.) share responsibility for management of the SFL, although Tembec has primary responsibility for management planning, harvesting and forest renewal and maintenance. Forest Management Plans are written according to a 20-year time frame and are renewed every five years; the most recent plan for this SFL at the time of the assessment was done in 2000 and was subsequently renewed in 2005. Plans are reviewed by OMNR to ensure legislative requirements are met, and that they minimize environmental impact. An Independent Forest Audit is also conducted every five years to determine if the SFL is being managed sustainably.

Harvesting is done following pattern designed to emulate the fire disturbance regime in this region. This is accomplished mainly via clearcutting with reserves, with cutblocks ranging from very small to as large as 10,000 hectares.

**Environmental Context**

The SFL is located within the poorly drained Northern Claybelt of the Boreal Forest Region, and is dominated by black spruce, with smaller amounts of other species (trembling aspen, balsam poplar, white birch, balsam fir, and white spruce). Historically,
the region’s forest condition has been characterized by extensive fire events. Currently
the SFL is composed of stands that are deemed to be mature and over-mature, mostly due
to the suppression of fire, and much of the SFL is in its second rotation. Early horse-
logging has left a legacy of an uneven-aged structure. In the 1970’s a spruce budworm
infestation reduced the amount of conifers in the forest composition. The soft terrain
dictates that harvesting must be concentrated in the winter when the roads are frozen.
Focal species include the American marten and moose.

**Socioeconomic Context**

Forest management has dominated the local economy since horse logging first began in
the 1920’s. The local population is both French and English speaking, and largely still
dependent on forest management activities. The SFL is widely used for many outdoors
activities, including fishing, hunting, snowmobiling and trapping. Guide outfitters do
operate on the land base, but the region’s ecotourism potential is only beginning to be
discovered.

**Indigenous Peoples**

Twelve first nations have indicated that they have traditional territories (self-defined) that
overlap the SFL (Beaver House, Brunswick House (Mountbatten and Duck Lake),
Chapleau Cree, Constance Lake, Flying Post, Hornepayne, Matachewan, Mattagami,
Moose Cree, Michipoten, Missinaibi Cree, and New Post). Three of these Nations have
ongoing land claims related to the SFL, although their communities are not currently
located within it. The other First Nations are signatories to Treaty 9 that applies to the
entire SFL, dating back to 1905. Both treaty and non-treaty situations have yet to resolve the complex issue of aboriginal rights and title for this region.

**Quebec: Tembec- La Sarre**

**Tenure**

Tembec’s La Sarre Forest Management Units (FMU 85-51 and FMU 85-62) are located just South of James Bay in Quebec’s Abitibi region, close to the Ontario border, and cover just over a million hectares, 62% of which is considered productive forest (>70m3/ha).

Tembec manages the units according to a 25 year Timber Supply and Forest Management Agreement (TSFMA) which is renewable every 5 years. There is only one other TSFMA holder within both FMUs, Norbord, which holds the right to harvest hardwood species (poplar and birch), while Tembec has rights to softwood species (spruce, larch, balsam fir, jack pine). However, allocation is volume-based and either company can harvest species that will eventually be sent to the other’s mill to be processed (Smartwood, 2005).

While Tembec is responsible for operations level planning for the FMUs, both companies must sign off on the plan before it is approved by the Quebec Ministry of Natural Resources and Wildlife (QMRNF). Tembec must draft the general management plan (PGAF) in consultation with Norbord, First Nations, and other stakeholders. Tembec does not have any rights to NTFPs.

Annual planning is done via an Annual Forest Management Plan by each TSFMA holder for each FMU, is made publicly available at QMRNF offices, and must be approved by
the Minister. Since allocation is volume-based, either TSFMA holder can harvest any species. The dominant harvesting method is clearcutting with careful logging around advanced growth (CLAAG). The QMRNF verifies compliance with the management plan and provincial regulations during an annual forest intervention report (RAIF).

Other land uses include trapping (beaver, mink, martin, otter, lynx, fox, wolf, muskrat, red squirrel); mining and quarrying, and recreational activities such as fishing, hunting and snowmobiling.

**Environmental Context**

The La Sarre FMUs are dominated by black spruce spread over level, poorly drained landscape with thick organic soils, typical for this region of the Boreal forest. In the Southern portion of the FMU, there is a greater proportion of aspen and fir. Fire is the dominant natural disturbance type, occurring every 75 to 200 years.

There are over 300 species of birds, mammals, amphibians and reptiles. The forest and wetlands provide important habitat for waterfowl and other migratory birds, as well as bald eagles and herons. Tembec has identified five indicator species that can be used to assess the forest’s ecological integrity: woodland caribou, beaver, snowshoe hare, red-breasted nuthatch, and American marten.

There are over 25,000 hectares of watercourses within the FMUs, most importantly Turgeon Lake and Turgeon River. Common fish species include walleye, pike, perch, and cisco.
Although there are no parks within or near the FMUs, there is one biodiversity reserve (Muskuchii, 735 km²). Two additional protected areas are in the process of being considered for approval by the Ministry of Environment, one of which was requested by Tembec out of concern for the woodland caribou (the Turgeon River Protected Area, covering 166 km²). However, this has been disputed by the QMRNF, concerned with the reduction in wood volume that this would cause, as well as a potential interference with mining activities. As a result, parts of the Turgeon River area have been removed from the proposal. To date Tembec has been aligned with the Ministry of the Environment on this issue.

**Socioeconomic Context**

Forestry has played an important role in La Sarre’s economy since the first mill was built in 1917. A second mill was built in 1969, and Tembec purchased both in 1987 and 1990, respectively. The Norbord plywood mill began operations in 1956, and later changed to producing oriented strand board (OSB). Most of the timber harvested within the FMUs goes to these three mills.

Residents use the FMUs frequently for both recreational and commercial activities, including hunting, trapping, fishing, skiing, canoeing and snowmobiling.

**Indigenous Peoples**

The La Sarre FMUs are located within the traditional territories of both the Abitibiwinni Anishinabe (Algonquin) and the Waskagaganish Cree First nation. Historically, these nations were largely nomadic, and depended upon the forest for hunting, fishing and
trapping. Following the arrival of Europeans, they were required to settle in reserves; however, traditional activities are still practiced by some and there still exists a strong link to the land.

The Cree First Nations are signatory to the 1975 James Bay and Northern Quebec Agreement, considered to be a modern treaty while there is a strong likelihood that the Abitibiwinni will initiate a land claim negotiations process with both the provincial and federal governments. In the interim, a framework agreement has been devised that facilitates sector agreements, including one over forest resources.

Consultation processes are in place, including an agreement between Tembec and Abitibiwinni First Nation. Consultation with the Waskagaganish Cree First nation is guided by the James Bay and Northern Quebec Agreement, including a strategy to adapt forest management to “the Cree way of life”. Tembec also has business relationships with both First Nations.
Appendix D: FSC Principles and Process

FSC’s Principles

1. Forest management shall respect all applicable laws of the country in which it takes place, abide by all international treaties and agreements to which that country is a signatory, and comply with all FSC Principles and Criteria.
2. Long-term tenure and use rights to the land and forest resources shall be clearly defined, documented, and legally established.
3. The legal and customary rights of indigenous peoples to own, use, and manage their lands, territories, and resources shall be recognized and respected.
4. Forest management operations shall maintain or enhance the long-term social and economic well-being of forest workers and local communities.
5. Forest management operations shall encourage the efficient use of the forest’s various products and services to ensure economic viability and a wide range of environmental and social benefits.
6. Forest management shall conserve biological diversity and its associated values, water resources, soils, and unique and fragile ecosystems and landscapes; by so doing, it shall maintain the ecological functions and the integrity of the forest.
7. A management plan appropriate to the scale and intensity of the operations shall be written, implemented, and kept up-to-date. The long-term objectives of management—and the means of achieving them—shall be clearly stated.
8. Monitoring appropriate to the scale and intensity of forest management shall be conducted to assess the condition of the forest, yields of forest products, chain of custody, management activities, and the social and environmental impacts of these activities.
9. Management activities in forests with high conservation value shall maintain or enhance the attributes that define such forests. Decisions regarding forests with high conservation value shall always be considered in the context of a precautionary approach.
10. Plantations shall be planned and managed in accordance with the Principles and Criteria. Although plantations can provide an array of social and economic benefits and can contribute to satisfying the world’s needs for forest products, they should complement the management of, reduce pressures on, and promote the restoration and conservation of natural forests.

Source: FSC International. Available at:
http://www.fsc.org/en/about/policy_standards/princ_criteria

The Process of Pursuing FSC Certification

There are two basic forms of certification: forest management and chain of custody.

Although this study has only looked at the former, the latter will also be discussed here in
order to demonstrate the additional steps that must be taken to get certified forest products to market.

**Forest Management Certification**

There are several stages a company must go through in order to obtain FSC certification. Often (but not always), a company will conduct a “scoping” audit. This can be done either internally, by an accredited certification body, or by an external consultant. This is a preliminary evaluation of the forestry operations in question, used to identify possible issues that might result in corrective action requests, if a full audit were to take place. This generally gives the company a sense of the probability of getting certified and the changes that would have to be undertaken in order to achieve certification.

If the company decides to proceed with the audit, then they will select an FSC-accredited certifying body and hire them to conduct a third-party independent audit of their operations according to the regional FSC standard in place. This consists of a public consultation period, a review of management plans and supporting documentation and a field audit. After a draft assessment is produced, it is reviewed by the company being audited, allowing them an opportunity to respond to concerns or provide additional information. This is followed by a peer review process. The assessment may include preconditions (to be met prior to the certificate being granted), conditions (to be met within the term of the certification), and recommendations (voluntary). If there are preconditions, the company can either decide to abandon their certification efforts or make the necessary changes and undergo a subsequent verification audit. If this is successful, the certificate is awarded, and a public summary of findings is released.
Follow-up audits are conducted to see if conditions are met, according to the timeframe established (e.g. 1 year, 3 year, 5 year).

**Chain of Custody Certification**

In order for a product originating from an FSC-certified forest to be labeled and marketed as such, a separate form of certification is required, called “chain of custody”. This in essence a form of accounting that verifies the origin of forest products and provides certainty that a product bearing the FSC logo actually came from a certified forest. This can be extremely complicated, as it involves tracing the raw materials from the time the logs are cut, through various stages of transportation, sorting, processing, packaging and delivery to retail.

This can be a limiting factor in the uptake of forest certification in general, since, if even one part of this production “chain” is not able to be verified, the product is not able to be marketed as such. There are a number of barriers to achieving chain of custody certification that have been identified. For example, it can prove to be difficult in situations where certified and non-certified logs may be processed in the same facility.
### Appendix E: List of Interviewees

<table>
<thead>
<tr>
<th>Name</th>
<th>Affiliation</th>
<th>Sector</th>
<th>Date</th>
<th>Location</th>
<th>Contribution to Research</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Boursier, Alexandre (A)</td>
<td>CLC Camint (Tembec – Davidson contractor)</td>
<td>Private Sector</td>
<td>Nov. 24, 2003</td>
<td>Davidson, Quebec</td>
<td>Provided information regarding preparation for Tembec Davidson’s FSC certification assessment.</td>
</tr>
<tr>
<td>2. Boursier, Alexandre (B)</td>
<td>Smartwood Canada</td>
<td>Certifying Body</td>
<td>October 16, 2007</td>
<td>Montreal, Quebec</td>
<td>Provided updates regarding developments in Canadian FSC certifications and discussions with provincial governments.</td>
</tr>
<tr>
<td>4. Brown, David</td>
<td>Tembec Manager, Cranbrook</td>
<td>Private Sector</td>
<td>July 28, 2004</td>
<td>Cranbrook, BC</td>
<td>Discussed changes that were being required in order to get Tembec’s TFL-14 certified.</td>
</tr>
<tr>
<td>5. Buchanan, Kathryn</td>
<td>Canadian Forest Service, Natural Resources Canada</td>
<td>Government</td>
<td>October 14, 2003</td>
<td>Ottawa, Ontario</td>
<td>Provided the Federal government’s perspective on certification and the Montreal Criteria and Indicators process</td>
</tr>
<tr>
<td>8. Croswell, Tom</td>
<td>Tembec – Gordon Cosens</td>
<td>Private Sector</td>
<td>October 26, 2004</td>
<td>Kapuskasing, ON</td>
<td>Primary contact for the Gordon Cosens case study.</td>
</tr>
<tr>
<td>Name</td>
<td>Affiliation</td>
<td>Sector</td>
<td>Date</td>
<td>Location</td>
<td>Contribution to Research</td>
</tr>
<tr>
<td>--------------</td>
<td>--------------------------------------------------</td>
<td>------------</td>
<td>-------------------</td>
<td>----------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>10. Diabo,</td>
<td>Algonquins of Barriere Lake</td>
<td>First</td>
<td>May 6, 2004</td>
<td>Geneva, Switzerland</td>
<td>Provided the perspective of First Nations regarding FSC in Canada, and specific comments on the Tembec Davidson audit.</td>
</tr>
<tr>
<td>Russell</td>
<td></td>
<td>Nations</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Simon</td>
<td></td>
<td>Sector</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chris</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13. Gagnon,</td>
<td>Quebec Ministry of Natural Resources and Wildlife</td>
<td>Government</td>
<td>April 29, 2003</td>
<td>Quebec City, Quebec</td>
<td>Primary contact in the Quebec Government on certification issues.</td>
</tr>
<tr>
<td>Robert</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14. Gingras,</td>
<td>CLC Camint (Tembec – Davidson contractor)</td>
<td>Private</td>
<td>1) Nov. 24, 2003</td>
<td>Davidson, Quebec</td>
<td>1) Provided information regarding what was required to prepare Tembec for the Davidson audit.</td>
</tr>
<tr>
<td>Alain</td>
<td></td>
<td>Sector</td>
<td>2) August 16, 2004</td>
<td>Hull, Quebec</td>
<td>2) Provided information regarding why the certification had stalled, and the issues that were directed at the Quebec government due to non-exclusive tenure.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Celia</td>
<td>Forest Ministers</td>
<td></td>
<td>2) September 25, 2007</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chris</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Name</td>
<td>Affiliation</td>
<td>Sector</td>
<td>Date</td>
<td>Location</td>
<td>Contribution to Research</td>
</tr>
<tr>
<td>--------------------</td>
<td>------------------------------------------------------------------------------</td>
<td>----------</td>
<td>-------------------</td>
<td>-------------------</td>
<td>------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Holt, Rachel</td>
<td>Sierra Club of Canada</td>
<td>NGO</td>
<td>November 24, 2003</td>
<td>Davidson, Quebec</td>
<td>Provided comments regarding the Tembec Davidson audit.</td>
</tr>
<tr>
<td>Hromadnik, Troy</td>
<td>Tembec-Cranbrook; FSC-BC Steering Committee member.</td>
<td>Private Sector</td>
<td>July 28 2004</td>
<td>Cranbrook, BC</td>
<td>Primary contact for the BC case study.</td>
</tr>
<tr>
<td>Hubert, Mark</td>
<td>Forest Products Association of Canada</td>
<td>Private Sector</td>
<td>September 25, 2003</td>
<td>Quebec City, Quebec</td>
<td>Provided comments regarding FPAC’s requirement that all its members pursue certification.</td>
</tr>
<tr>
<td>Johnson, Lorne</td>
<td>WWF Canada</td>
<td>NGO</td>
<td>November 24, 2003</td>
<td>Davidson, Quebec</td>
<td>Provided comments regarding the Tembec Davidson audit and the development of the National Boreal Standard.</td>
</tr>
<tr>
<td>Jones, Robert</td>
<td>ASRD</td>
<td>Government</td>
<td>March 26, 2008</td>
<td>Edmonton, Alberta</td>
<td>Commented on the Al-Pac certification and the Alberta government’s response.</td>
</tr>
<tr>
<td>Levy, Marcelo</td>
<td>FSC Canada</td>
<td>FSC</td>
<td>June 15, 2002</td>
<td>Edmonton, Alberta</td>
<td>Provided information regarding FSC standards development in Canada.</td>
</tr>
<tr>
<td>Liedeker, Heiko</td>
<td>FSC International</td>
<td>FSC</td>
<td>August 24, 2001</td>
<td>Ottawa, ON</td>
<td>Discussed the role of FSC International in the approval of the FSC BC standards</td>
</tr>
<tr>
<td>McCarthy, Jim</td>
<td>FSC Canada Executive Director</td>
<td>FSC</td>
<td>October 4, 2004</td>
<td>Toronto, Ontario</td>
<td>Provided details concerning FSC’s engagement with Canadian provincial governments.</td>
</tr>
<tr>
<td>Name</td>
<td>Affiliation</td>
<td>Sector</td>
<td>Date</td>
<td>Location</td>
<td>Contribution to Research</td>
</tr>
<tr>
<td>-------------------</td>
<td>-------------------------------------------</td>
<td>---------------</td>
<td>---------------------------</td>
<td>-----------------</td>
<td>------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>26. McDonnell, Chris</td>
<td>Tembec; FSC Canada Chair</td>
<td>Private Sector</td>
<td>1) April 4, 2005; 2) August 31, 2007</td>
<td>Timmins, Ontario</td>
<td>Primary certification contact for Tembec. Provided information on all three Tembec case studies, and certification activity at the corporate level.</td>
</tr>
<tr>
<td>27. McEachern, Gillian</td>
<td>Wildlands League</td>
<td>NGO</td>
<td>May 24, 2003</td>
<td>Toronto, Ontario</td>
<td>Provided information regarding the development of the National Boreal Standard</td>
</tr>
<tr>
<td>30. Pinnell, Heather</td>
<td>Harrop Proctor Community Forest Association</td>
<td>NGO</td>
<td>July 26, 2004</td>
<td>Harrop-Proctor, BC</td>
<td>Described the process of pursuing certification for a small community forest tenure.</td>
</tr>
<tr>
<td>31. Rabik, Brent</td>
<td>Al-Pac</td>
<td>Government</td>
<td>October 6, 2004</td>
<td>Hinton, Alberta</td>
<td>Primary contact for the Al-Pac case study.</td>
</tr>
<tr>
<td>33. Schneider, Rick</td>
<td>Alberta Centre for Boreal Research</td>
<td>NGO</td>
<td>February 4, 2003</td>
<td>Edmonton, Alberta</td>
<td>Provided comments on the Al-Pac certification, oil and gas development in Alberta, and landscape-level considerations.</td>
</tr>
<tr>
<td>34. Scrase, Hannah</td>
<td>FERN, United Kingdom</td>
<td>NGO</td>
<td>June 21, 2001</td>
<td>Gloucestershire, United Kingdom</td>
<td>Described FERN’s work in scrutinizing forest certification systems.</td>
</tr>
<tr>
<td>Name</td>
<td>Affiliation</td>
<td>Sector</td>
<td>Date</td>
<td>Location</td>
<td>Contribution to Research</td>
</tr>
<tr>
<td>--------------------</td>
<td>------------------------------------------------------------------------------</td>
<td>---------------</td>
<td>------------------------------------------------</td>
<td>-------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
2) Described the inclusion of CSA forest certification requirements within Alberta’s Ground Rules. |
| 37. Tessier, Lucie | WWF Canada                                                                   | NGO           | November 24, 2003                               | Davidson, Quebec  | Provided an NGO perspective on the Tembec – Davidson audit.                                                                                               |
| 38. van Kerkhof, Betty | Ontario Ministry of Natural Resources                                        | Government    | September 25, 2007                              | Sault St. Marie, Ontario | Provided information regarding collaboration between OMNR and FSC on compliance and monitoring requirements.                                               |
| 39. Walsh, Helene  | Canadian Parks and Wilderness Society/ Albertans for a Wild Chinchaga        | NGO           | October 31, 2004; February 18, 2008.           | Edmonton, Alberta | 1) Provided an NGO perspective on the Al-Pac certification; and 2) on changes Al-Pac made in response to conditions issued. |
| 40. Wu-Tam, Karen (A) | FSC-International                                                            | FSC           | July 22, 2000                                   | Oaxaca, Mexico    | Provided information regarding the accreditation of FSC certification bodies.                                                                           |
| 41. Wu-Tam, Karen (B) | Woodmark                                                                    | Certifying Body | August 24, 2001                                | Toronto, Ontario  | Described the process of evaluating Ontario’s regulatory framework for potential recognition by FSC.                                                        |
| 42. Wu-Tam, Karen (C) | Forest Ethics                                                                | NGO           | January 18, 2008                                | Vancouver, BC     | Discussed the role that FSC and the BC regional standards played in decision making during the development of the Mid Coast Land Use Plan for BC. |
## Appendix F: Case Study Results: Corrective Action Requests

<table>
<thead>
<tr>
<th>Case Study</th>
<th>Pre-Con/Year to Meet Con/THR</th>
<th>CAR #</th>
<th>FSC P + C</th>
<th>Description of CAR</th>
<th>Enviro Issues</th>
<th>First Nations</th>
<th>Social Issues</th>
<th>Econol/legal</th>
<th>Forest Mngmt Issues</th>
<th>Systems Issues</th>
<th>Government Involvement</th>
<th>Description of government’s involvement</th>
</tr>
</thead>
<tbody>
<tr>
<td>ALBERTA: ALPAC</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ALPAC</td>
<td>Pre 2.1</td>
<td>2.1</td>
<td></td>
<td>map and exclude oil sands areas from certificate</td>
<td>TEN</td>
<td>INV</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ALPAC</td>
<td>3</td>
<td>2.1a</td>
<td>2.1</td>
<td>complete assessment of opportunities to restore oil and gas developments, reduce cumulative impact</td>
<td>TEN</td>
<td>REF</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ALPAC</td>
<td>1</td>
<td>2.1b</td>
<td>2.1</td>
<td>lobby oil and gas and gov’t to adopt integrated land management principles</td>
<td>TEN</td>
<td>LOB</td>
<td>Government was lobbied; 2 year secondment from Alpac to ASRD: landscape level planning expert</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ALPAC</td>
<td>1</td>
<td>2.1C</td>
<td>2.1</td>
<td>seek support of other tenure holders and gov’t to get increase certified area</td>
<td>TEN</td>
<td>LOB</td>
<td>government received presentation on FSC</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ALPAC</td>
<td>2</td>
<td>3.1a</td>
<td>3.1</td>
<td>assess FN interests</td>
<td>CON</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ALPAC</td>
<td>2</td>
<td>3.1b</td>
<td>3.1</td>
<td>establish agreement with FNs</td>
<td>CON</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ALPAC</td>
<td>2</td>
<td>3.2a</td>
<td>3.2</td>
<td>offer to work with FNs to map traditional land use in FMA</td>
<td>CON</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ALPAC</td>
<td>2</td>
<td>3.2b</td>
<td>3.2</td>
<td>report on progress: support for tra’d land use studies; joint assessments of FM impacts; minimize impact on trapping etc</td>
<td>CON</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ALPAC</td>
<td>2</td>
<td>4.4a</td>
<td>4.4</td>
<td>reform consultation process for FN and public input</td>
<td>CON</td>
<td>CON</td>
<td>refers to governmental &quot;Task Force&quot; consultation process</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Case Study</td>
<td>Pre-Con/Year to Meet Con/THR</td>
<td>CAR #</td>
<td>FSC P + C</td>
<td>Description of CAR</td>
<td>Enviro Issues</td>
<td>First Nations</td>
<td>Social Issues</td>
<td>Econo/legal</td>
<td>Forest Mgmt Issues</td>
<td>Systems Issues</td>
<td>Government Involvement</td>
<td>Description of government’s involvement</td>
</tr>
<tr>
<td>------------</td>
<td>-------------------------------</td>
<td>-------</td>
<td>-----------</td>
<td>--------------------</td>
<td>---------------</td>
<td>---------------</td>
<td>---------------</td>
<td>-------------</td>
<td>-------------------</td>
<td>---------------</td>
<td>----------------------</td>
<td>--------------------------------------------</td>
</tr>
<tr>
<td>ALPAC</td>
<td>2</td>
<td>4.4b</td>
<td>4.4</td>
<td>conduct socioeconomic impact assessment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>WRK</td>
</tr>
<tr>
<td>ALPAC</td>
<td>1</td>
<td>5.6b</td>
<td>5.6</td>
<td>monitor the harvest levels of other Quota Holders</td>
<td></td>
<td></td>
<td>TEN</td>
<td>MON</td>
<td>INF</td>
<td></td>
<td></td>
<td>provided information on quota holders’ harvest levels</td>
</tr>
<tr>
<td>ALPAC</td>
<td></td>
<td>6.1</td>
<td>6.1</td>
<td>conduct assessment of pre-industrial forest condition</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>INV</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ALPAC</td>
<td>1</td>
<td>6.2</td>
<td>6.2</td>
<td>develop management strategy for species at risk (caribou)</td>
<td>SAR</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>FMP, MON</td>
<td>LOB/ COL</td>
<td>lobbied government and energy sector to legislate new PAs within FMA; collaborated with AB Caribou Committee + Recovery team</td>
</tr>
<tr>
<td>ALPAC</td>
<td>1</td>
<td>6.3</td>
<td>6.3</td>
<td>increase % retention of quota holders</td>
<td>STR</td>
<td></td>
<td>TEN</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ALPAC</td>
<td>1</td>
<td>6.4a</td>
<td>6.4</td>
<td>ensure adequate ecosystem representation</td>
<td>RES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ALPAC</td>
<td>1</td>
<td>6.4b</td>
<td>6.4</td>
<td>lobby govt for legal protection of new PAs</td>
<td>RES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>LOB</td>
<td></td>
</tr>
<tr>
<td>ALPAC</td>
<td>2</td>
<td>6.4c</td>
<td>6.4</td>
<td>based on consultation with other tenure holders and govt, develop strategy to achieve greater ecosystem representation</td>
<td>RES</td>
<td></td>
<td>TEN</td>
<td></td>
<td></td>
<td></td>
<td>LOB</td>
<td></td>
</tr>
<tr>
<td>ALPAC</td>
<td>2</td>
<td>6.5</td>
<td>6.5</td>
<td>improve slash management, OGRs, CWD</td>
<td>STR</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Case Study</td>
<td>Pre-Con/ Year to Meet Con/ THR</td>
<td>CAR #</td>
<td>FSC P + C</td>
<td>Description of CAR</td>
<td>Enviro Issues</td>
<td>First Nations</td>
<td>Social Issues</td>
<td>Econo/legal</td>
<td>Forest Mgmt Issues</td>
<td>Systems Issues</td>
<td>Government Involvement</td>
<td>Description of government’s involvement</td>
</tr>
<tr>
<td>------------</td>
<td>-------------------------------</td>
<td>-------</td>
<td>-----------</td>
<td>---------------------</td>
<td>---------------</td>
<td>---------------</td>
<td>---------------</td>
<td>-------------</td>
<td>--------------------</td>
<td>---------------</td>
<td>-----------------------</td>
<td>------------------------------------------</td>
</tr>
<tr>
<td>ALPAC</td>
<td>1</td>
<td>6.6</td>
<td>6.6</td>
<td>get info on quota holder chemical use; MAJOR CAR: monitor other tenure holders and government, reduce their use of chems, provide report</td>
<td>TEN</td>
<td>CHM</td>
<td>MON</td>
<td>CHG</td>
<td></td>
<td></td>
<td></td>
<td>CAR not met, so it was upgraded to a Major CAR (and met): meeting held with QHs and ASRD, alternative regeneration methods developed; Al-Pac lobbied oil and gas firms to reduce pesticide use; FSC-related changes conflicted with ASRD legislation (free to grow requirements); ASRD changed legislation. AlPAC's competitors aware that their use of chemicals could limit Alpac's ability to get certified.</td>
</tr>
<tr>
<td>ALPAC</td>
<td>1</td>
<td>7.4a</td>
<td>7.4</td>
<td>make info on FMP publically available</td>
<td></td>
<td>CON</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ALPAC</td>
<td>2</td>
<td>9.1a</td>
<td>9.1</td>
<td>complete HCV assessment with consultation of FN and public</td>
<td>HCV</td>
<td>CON</td>
<td>CON</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ALPAC</td>
<td>2</td>
<td>9.1b</td>
<td>9.1</td>
<td>implement mgmt strategies to protect HCVs</td>
<td>HCV</td>
<td></td>
<td>FMP</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ALPAC</td>
<td>3</td>
<td>9.4</td>
<td>9.4</td>
<td>collaborate with ASRD and others to implement a monitoring program to assess mgmt effectiveness of HCVFs</td>
<td>HCV</td>
<td></td>
<td>MON</td>
<td>COL</td>
<td></td>
<td></td>
<td></td>
<td>&quot;Collaboration&quot; with ASRD and other tenure holders will require persuasion to become involved in the monitoring program, as it goes above what government requires</td>
</tr>
<tr>
<td>BC:</td>
<td>TEMBEC</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TFL14</td>
<td>Pre 3.1</td>
<td>3.1</td>
<td></td>
<td>establish protocol agreement with FNs</td>
<td></td>
<td></td>
<td></td>
<td>CON</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TFL14</td>
<td>Pre 9.1</td>
<td>9.1</td>
<td></td>
<td>HCVF identification and mgt</td>
<td>HCV</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Case Study</td>
<td>Pre-Con/Year to Meet Con/THR</td>
<td>CAR #</td>
<td>FSC P + C</td>
<td>Description of CAR</td>
<td>Enviro Issues</td>
<td>First Nations</td>
<td>Social Issues</td>
<td>Econo/legal</td>
<td>Forest Mngmt Issues</td>
<td>Systems Issues</td>
<td>Government Involvement</td>
<td>Description of government's involvement</td>
</tr>
<tr>
<td>------------</td>
<td>-------------------------------</td>
<td>-------</td>
<td>-----------</td>
<td>---------------------</td>
<td>---------------</td>
<td>--------------</td>
<td>--------------</td>
<td>-------------</td>
<td>---------------------</td>
<td>---------------</td>
<td>---------------------</td>
<td>------------------------------------------</td>
</tr>
<tr>
<td>TFL14</td>
<td>THR</td>
<td>3.1b</td>
<td>3.1</td>
<td>communication with FNs</td>
<td>CON</td>
<td>CON</td>
<td>CHM</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TFL14</td>
<td>THR</td>
<td>3.1a</td>
<td>3.1</td>
<td>develop FN consultation process</td>
<td></td>
<td>CON</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TFL14</td>
<td>1</td>
<td>4.1a</td>
<td>4.1</td>
<td>report on employment and local purchase</td>
<td>CON</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TFL14</td>
<td>2</td>
<td>4.1b</td>
<td>4.1</td>
<td>incorporate info on local purchasing into mgmt plan</td>
<td>FMP</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TFL14</td>
<td>1</td>
<td>5.1</td>
<td>5.1</td>
<td>develop framework for evaluating costs and benefits (follow up CAR: use the costs and benefit tool to quantify C+Bs)</td>
<td>PRF</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TFL14</td>
<td>3</td>
<td>5.6</td>
<td>5.6</td>
<td>update timber supply analysis to reflect changes in management practices made in order to be consistent with FSC BC standard</td>
<td>FMP</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Timber Supply Analysis is a government process. A change in AAC due to meeting FSC requirements would require the Chief Forester's approval</td>
</tr>
<tr>
<td>TFL14</td>
<td>1</td>
<td>6.1a</td>
<td>6.1</td>
<td>select range of natural variability (RONV) assumptions used for mgmt planning and operations</td>
<td>LLC</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>refers to government-developed concept of &quot;BEC subzones&quot; for ecosystem classification</td>
</tr>
<tr>
<td>TFL14</td>
<td>2</td>
<td>6.1b</td>
<td>6.1</td>
<td>incorporate RONV info into FSMP</td>
<td>FMP</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TFL14</td>
<td>2</td>
<td>6.4</td>
<td>6.4</td>
<td>minimum area for ecosystem representation increased from 17 to 24% - provided a report, communicate this to cutblock layout crews</td>
<td>RES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>use of BEC variant classification system. Also indicates that proximity to existing government PA can reduce target to 12% within the management area, but Tembec insists on 24% WITHIN TFL-14</td>
</tr>
<tr>
<td>TFL14</td>
<td>1</td>
<td>6.5</td>
<td>6.5</td>
<td>develop procedure for reporting on riparian protection, to conform with 6.5.11</td>
<td>RIP</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Case Study</td>
<td>Pre-Con/ Year to Meet Con/ THR</td>
<td>CAR #</td>
<td>FSC P + C</td>
<td>Description of CAR</td>
<td>Enviro Issues</td>
<td>First Nations</td>
<td>Social Issues</td>
<td>Econo/legal</td>
<td>Forest Mngmt Issues</td>
<td>Systems Issues</td>
<td>Government Involvement</td>
<td>Description of government’s involvement</td>
</tr>
<tr>
<td>------------</td>
<td>---------------------------------</td>
<td>-------</td>
<td>-----------</td>
<td>--------------------</td>
<td>---------------</td>
<td>---------------</td>
<td>--------------</td>
<td>-------------</td>
<td>-------------------</td>
<td>---------------</td>
<td>----------------------</td>
<td>------------------------------------------</td>
</tr>
<tr>
<td>TFL14</td>
<td>THR</td>
<td>6.6</td>
<td>6.6</td>
<td>work with suppliers to reduce chemicals used on seedlings</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>CHM</td>
<td></td>
</tr>
<tr>
<td>TFL14</td>
<td>1</td>
<td>6.7</td>
<td>6.7</td>
<td>improve disposal of chemical waste</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>CHM</td>
<td></td>
</tr>
<tr>
<td>TFL14</td>
<td>1</td>
<td>7.1a</td>
<td>7.1</td>
<td>reconcile inconsistencies b/w forest stewardship management plan (FSMP) and C+I</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>FMP</td>
<td></td>
</tr>
<tr>
<td>TFL14</td>
<td>1</td>
<td>7.1b</td>
<td>7.1</td>
<td>provide opportunity for FN, govt, locals to comment on FSMP</td>
<td>CON</td>
<td>CON</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>FMP</td>
<td></td>
</tr>
<tr>
<td>TFL14</td>
<td>1</td>
<td>7.1c</td>
<td>7.1</td>
<td>consolidate info on tenures, use rights etc into a map</td>
<td>TEN</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>INV</td>
<td></td>
</tr>
<tr>
<td>TFL14</td>
<td>2</td>
<td>7.1d</td>
<td>7.1</td>
<td>prepare a map of HCV lands &quot;reserved&quot; from cutting</td>
<td>HCV, RES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>FMP</td>
<td></td>
</tr>
<tr>
<td>TFL14</td>
<td>2</td>
<td>7.1e</td>
<td>7.1</td>
<td>incorporate FN protocol, HCV info into FSMP</td>
<td>HCV</td>
<td>CON</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>FMP</td>
<td></td>
</tr>
<tr>
<td>TFL14</td>
<td>2</td>
<td>7.4</td>
<td>7.4</td>
<td>Make FSMP public</td>
<td>CON</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TFL14</td>
<td>2</td>
<td>8.1</td>
<td>8.1</td>
<td>revise monitoring plan to include social info and baseline</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>MON</td>
<td></td>
</tr>
<tr>
<td>TFL14</td>
<td>2</td>
<td>8.4</td>
<td>8.4</td>
<td>revise monitoring plan to show how results will be incorporated and implemented in FSMP</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>MON</td>
<td></td>
</tr>
<tr>
<td>TFL14</td>
<td>THR</td>
<td>9.1b</td>
<td>9.1</td>
<td>HCV strategies for each designated area; &quot;endangered forests&quot; removed from THLB</td>
<td>HCV</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>REF</td>
<td>refers to OGMA strategy</td>
</tr>
<tr>
<td>TFL14</td>
<td>1</td>
<td>9.1a</td>
<td>9.1</td>
<td>complete HCV assessment in consultation with locals and FNs</td>
<td>HCV</td>
<td>CON</td>
<td>CON</td>
<td></td>
<td></td>
<td></td>
<td>FIN</td>
<td>FIA funding for developing HCBF map</td>
</tr>
</tbody>
</table>
## Case Study: Pre-Con/Year to Meet Con/THR

### Description of CAR

<table>
<thead>
<tr>
<th>Case Study</th>
<th>Pre-Con/Year to Meet Con/THR</th>
<th>CAR #</th>
<th>FSC P + C</th>
<th>Description of CAR</th>
<th>Enviro Issues</th>
<th>First Nations</th>
<th>Social Issues</th>
<th>Econo/legal</th>
<th>Forest Mngmt Issues</th>
<th>Systems Issues</th>
<th>Government Involvement</th>
<th>Description of government's involvement</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ONTARIO: TEMBEC GORDON COSENS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>GORDON Pre 1</td>
<td>3.1</td>
<td>FN participation in FMP process</td>
<td>CON</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>GORDON Pre 2</td>
<td>6.3</td>
<td>develop method to quantify residual structure individual trees and CWD</td>
<td>STR</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>GORDON THR 1</td>
<td>3.1</td>
<td>increase benefits to FNs</td>
<td>BEN</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>GORDON THR 2</td>
<td>3.4</td>
<td>improve TEK knowledge, write strategy paper</td>
<td>TEK</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>GORDON THR 3</td>
<td>8.3</td>
<td>COC documentation and tracking</td>
<td>COC</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>GORDON 1</td>
<td>4</td>
<td>amend TEK strategy to acknowledge that FNs must first express an interest before becoming involved</td>
<td>TEK</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>GORDON 1</td>
<td>5</td>
<td>reduce slash</td>
<td>REF</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>GORDON 1</td>
<td>6</td>
<td>reduce impact in riparian zone</td>
<td>RIP</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>GORDON 1</td>
<td>7</td>
<td>set targets for residual structure</td>
<td>STR</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>GORDON 1</td>
<td>8</td>
<td>reduce impact/soil damage due to rutting</td>
<td>SOL</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>GORDON 2</td>
<td>9</td>
<td>report on pre industrial condition tree species, restore underrepresented areas (<strong>not met. Resulted in major CAR, which was subsequently met</strong>)</td>
<td>INV</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

OMNR reports provided information used in the PIC report

**ONMNR reports provided information used in the PIC report**
<table>
<thead>
<tr>
<th>Case Study</th>
<th>Pre-Con/Year to Meet Con/THR</th>
<th>CAR #</th>
<th>FSC P + C</th>
<th>Description of CAR</th>
<th>Enviro Issues</th>
<th>First Nations</th>
<th>Social Issues</th>
<th>Econol/legal</th>
<th>Forest Mngmt Issues</th>
<th>Systems Issues</th>
<th>Government Involvement</th>
<th>Description of government's involvement</th>
</tr>
</thead>
<tbody>
<tr>
<td>GORDON</td>
<td>3</td>
<td>10</td>
<td>3.1, 3.3</td>
<td>monitor the impacts of FM on FN, measure benefits</td>
<td>BEN</td>
<td>MON</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>GORDON</td>
<td>4</td>
<td>11</td>
<td>3.1</td>
<td>show progress re: making a joint forest management with FN (where there is interest)</td>
<td>BEN</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>GORDON</td>
<td>5</td>
<td>12</td>
<td>6.3</td>
<td>develop new spatial modeling system</td>
<td>FMP</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>GORDON</td>
<td>NEXT FMP</td>
<td>13</td>
<td>6.3</td>
<td>increase the core areas over time</td>
<td>RES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>REF</td>
<td>interviews with OMNR, government guidelines relied upon (e.g. pine marten guidelines)</td>
</tr>
<tr>
<td>GORDON</td>
<td>NEXT FMP</td>
<td>14</td>
<td>6.3</td>
<td>engage LCC and FN, NGOs, determine acceptable clearcut size</td>
<td>CON</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>REF</td>
<td>existing governmental process to count towards consultation requirements (Local Citizens’ Committees)</td>
</tr>
<tr>
<td>GORDON</td>
<td>NEXT FMP</td>
<td>15</td>
<td>6.3</td>
<td>implement partial harvest in riparian/ cut to shore</td>
<td>RIP</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>new OMNR rules surpass FSC requirements, and are therefore not considered an issue</td>
</tr>
<tr>
<td>GORDON</td>
<td>NEXT FMP</td>
<td>16</td>
<td>6.3</td>
<td>conduct PA gap analysis, consult FN</td>
<td>RES</td>
<td>CON</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>COL</td>
<td>MNR and Tembec collaborating + the Forest Accord, MNR doing GAP analysis; but reversed deferral areas proposed; govt does their own gap analysis; resistant to new PA processes</td>
</tr>
<tr>
<td>GORDON</td>
<td>NEXT FMP</td>
<td>17</td>
<td>6.4</td>
<td>evaluate HCVF attributes</td>
<td>HCV</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>government’s “no new deferrals” policy referred to</td>
</tr>
<tr>
<td>GORDON</td>
<td>IMM</td>
<td>18</td>
<td>3.1</td>
<td>immediately implement FN strategy</td>
<td>CON</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>GORDON</td>
<td>1</td>
<td>19</td>
<td>6.3</td>
<td>implement residual stand structure plan</td>
<td>STR</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**QUEBEC:**

**TEMBEC LA SARRE**
<table>
<thead>
<tr>
<th>Case Study</th>
<th>Pre-Con/ Year to Meet Con/ THR</th>
<th>CAR #</th>
<th>FSC P + C</th>
<th>Description of CAR</th>
<th>Enviro Issues</th>
<th>First Nations</th>
<th>Social Issues</th>
<th>Econo/legal</th>
<th>Forest Mngmt Issues</th>
<th>Systems Issues</th>
<th>Government Involvement</th>
<th>Description of government’s involvement</th>
</tr>
</thead>
<tbody>
<tr>
<td>LA SARRE 1</td>
<td>3.1a</td>
<td>3.1</td>
<td>consult with Alliance Autochtone du Quebec, identify interests, develop plan to incorporate</td>
<td>CON</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LA SARRE 2</td>
<td>3.1b</td>
<td>3.1</td>
<td>consult with ALL FNs with interests in the area, harmonize land uses</td>
<td>CON</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LA SARRE 1</td>
<td>3.2</td>
<td>3.2</td>
<td>agree with FN on measures to maintain resources used by FN, incorporate into general FMP</td>
<td>CON</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>FMP</td>
</tr>
<tr>
<td>LA SARRE 1</td>
<td>5.1</td>
<td>5.1</td>
<td>ensure that cost reduction measures do not harm workforce and quality of operations</td>
<td>WRK</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LA SARRE 1</td>
<td>5.6</td>
<td>5.6</td>
<td>AAC calculation: demonstrate steps taken to use precautionary approach in next FMP</td>
<td>FMP</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LA SARRE 2</td>
<td>6.1a</td>
<td>6.1</td>
<td>EIA and monitoring at landscape level, including other users</td>
<td>LLC</td>
<td>MON</td>
<td></td>
<td></td>
<td></td>
<td>INV</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LA SARRE 2</td>
<td>6.1b</td>
<td>6.1</td>
<td>inventory additional data to better assess environmental impact on all resources</td>
<td>INV</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LA SARRE 1</td>
<td>6.1c</td>
<td>6.1</td>
<td>PIC report: prepared and reviewed independently</td>
<td>INV</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LA SARRE 1</td>
<td>6.3</td>
<td>6.3</td>
<td>develop a strategy to maintain retention levels between 10 and 50%</td>
<td>STR</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LA SARRE IMM</td>
<td>6.4</td>
<td>6.4</td>
<td>document discussions with FN on PAs</td>
<td>RES</td>
<td>CON</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LA SARRE 2</td>
<td>6.5a</td>
<td>6.5</td>
<td>develop SOPs for avoiding soil compaction, sensitive sites, riparian</td>
<td>SOL, RIP</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>FMP</td>
</tr>
<tr>
<td>Case Study</td>
<td>Pre-Con/Year to Meet Con/THR</td>
<td>CAR #</td>
<td>FSC P + C</td>
<td>Description of CAR</td>
<td>Enviro Issues</td>
<td>First Nations</td>
<td>Social Issues</td>
<td>Econo/legal Issues</td>
<td>Forest Mngmt Issues</td>
<td>Systems Issues</td>
<td>Government Involvement</td>
<td>Description of government’s involvement</td>
</tr>
<tr>
<td>------------</td>
<td>-------------------------------</td>
<td>-------</td>
<td>----------</td>
<td>---------------------</td>
<td>---------------</td>
<td>---------------</td>
<td>--------------</td>
<td>-------------------</td>
<td>---------------------</td>
<td>--------------</td>
<td>----------------------</td>
<td>------------------------------------------</td>
</tr>
<tr>
<td>LA SARRE</td>
<td>2</td>
<td>6.5b</td>
<td>6.5</td>
<td>forest road management procedure meets NBS standard</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>ROAD</td>
</tr>
<tr>
<td>LA SARRE</td>
<td>2</td>
<td>6.5c</td>
<td>6.5</td>
<td>develop classification system for water courses</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Rip</td>
</tr>
<tr>
<td>LA SARRE</td>
<td>2</td>
<td>6.5d</td>
<td>6.5</td>
<td>put delimming sites back into production as specified in an agreement with MRNF</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>REF refers to upholding an agreement made with MRN</td>
</tr>
<tr>
<td>LA SARRE</td>
<td>1</td>
<td>6.5e</td>
<td>6.5</td>
<td>identify mitigation measures where environmental standards are not met</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>FMP REF refers to enacting mitigating measures where government standards are not met</td>
</tr>
<tr>
<td>LA SARRE</td>
<td>2</td>
<td>6.9</td>
<td>6.9</td>
<td>implement exotic species monitoring program</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>EXO MON</td>
</tr>
<tr>
<td>LA SARRE</td>
<td>1</td>
<td>6.10</td>
<td>6.10</td>
<td>assess impact of silvicultural strategies on species diversity</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>REF</td>
</tr>
<tr>
<td>LA SARRE</td>
<td>2</td>
<td>9.1a</td>
<td>9.1</td>
<td>complete HCVF identification, especially values related to FNs</td>
<td>HCV CON CON</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LA SARRE</td>
<td>2</td>
<td>9.1b</td>
<td>9.1</td>
<td>involve FNs, public in identifying HCVFs</td>
<td>HCV CON CON</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LA SARRE</td>
<td>2</td>
<td>9.1c</td>
<td>9.1</td>
<td>make HCVF plan public and have it reviewed externally</td>
<td>HCV CON CON</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LA SARRE</td>
<td>2</td>
<td>9.2</td>
<td>9.2</td>
<td>HCVF action plan submitted for public consultation</td>
<td>HCV CON CON</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LA SARRE</td>
<td>2</td>
<td>9.3</td>
<td>9.3</td>
<td>report on measures for precautionary HCVF strategy</td>
<td>HCV</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>