

Framework for Assessing High Conservation Values in Controlled Wood Risk Assessments in Australia –

Public Consultation Document

Draft 1-5, September 15, 2009

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This document, and attachments, is available from:

<http://www.fscaustralia.org/index.php?id=71>

1. Background

In early 2008, the Board of FSC Australia instigated a working party of experts selected by the three Chambers (Social, Environmental and Economic) to develop a formal Risk Assessment for 'Controlled Wood' in the Australian context. The final Controlled Wood Risk Assessment Matrix for Australia, published in July 2009, provides guidance to both companies and certification bodies seeking to identify risks in accordance with the FSC Standard for Company Evaluation of FSC Controlled Wood (FSC-STD-40-005 (Version 2-1)).

The six members of the working group, known as the Controlled Wood Risk Assessment Team (CWRAT), are:

- **Professor Rod Keenan**, Head of the School, Forest and Ecosystem Science, University of Melbourne
- **Professor Jerry Vanclay**, Head of School, Environmental Science & Management, Southern Cross University, Lismore
- **Dr. Brendan Wintle**, Senior Research Fellow, Deputy Director of CERF – Applied Decision Analysis, School of Botany, University of Melbourne
- **Steve Mueck**, Consultant Botanist, Biosis Research
- **Dr. Anne Wallis**, Senior Lecturer School of Life and Environmental Sciences, Deakin University, Warrnambool
- **Chris Loorham**, Case Manager, National Native Title Tribunal, Melbourne

Kevin O'Grady, a member of the Board of Directors of FSC Australia, Chaired the Working Group.

The Controlled Wood Risk Assessment Matrix for Australia (FSC-CWRA-001-AUS) has recently been approved by FSC International and is available to view on the FSC Australia website.

Importantly, the treatment of high conservation values (HCV) in the Controlled Wood Risk Assessment, and the resulting need for an Annex 3 determination by the company purchasing the Controlled Wood required a guidance document to be developed. This is a draft of that guidance document. It is important to realize that, while the objective was the development of a guidance document on the treatment of HCV for controlled wood there is no difference between HCV in controlled wood and HCV in Principle 9 of the FSC Principles and Criteria. Therefore this document will also set the precedent for the development of indicators for Principle 9 of an Australian FSC National Forest Management Standard.

Hence, the group has also been charged with assessing a framework for HCV in Australia and suggesting a treatment of this that is consistent with Principle 9 of the FSC Principles and Criteria.

That Framework is the subject of this call for submissions.

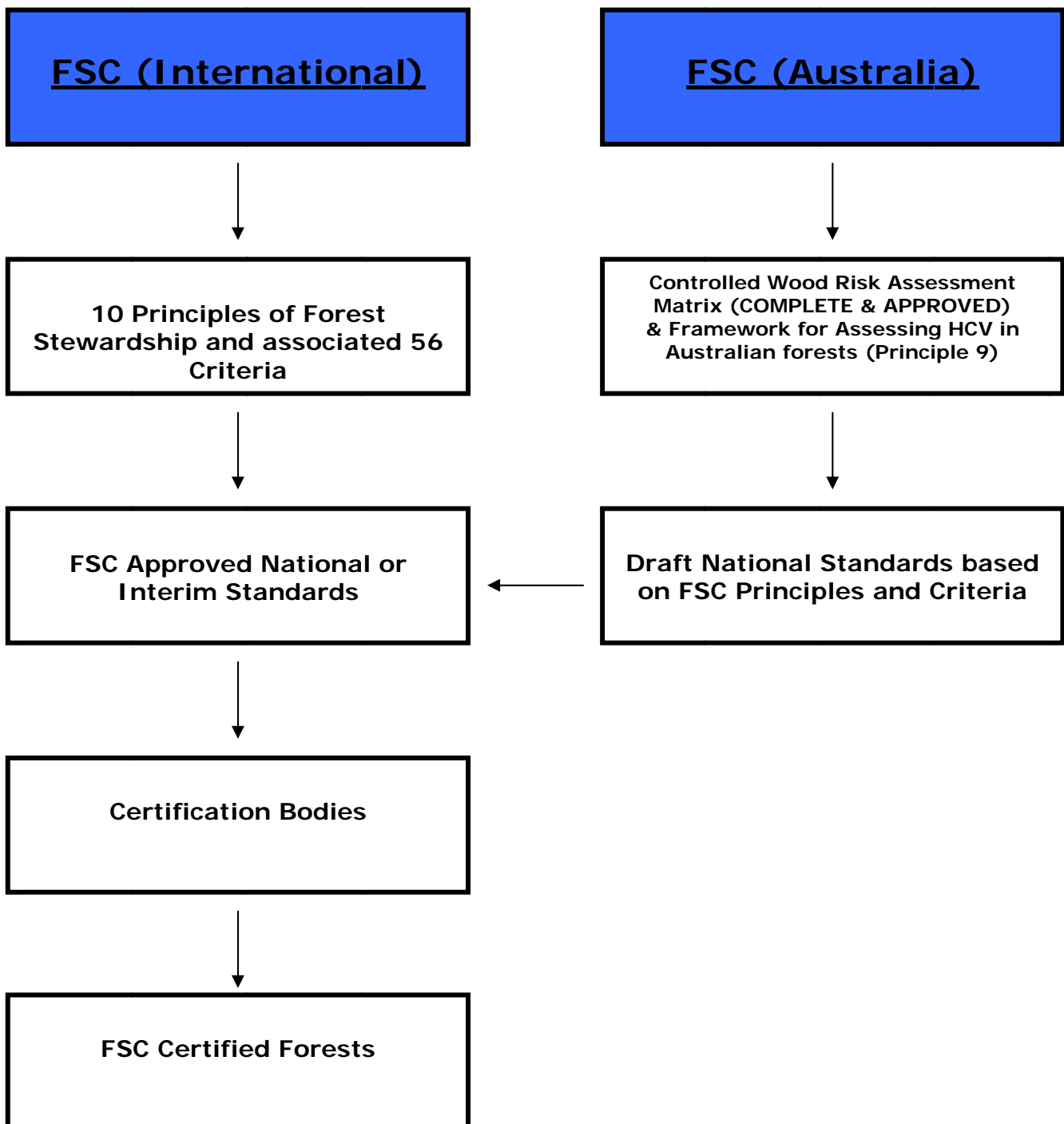
2. The CWRAT Process

The CWRAT working group process is as follows:

1. *A draft determination of risk by the Controlled Wood Risk Assessment Team (CWRAT) for consideration by stakeholders - **COMPLETE***
2. *The consideration of submissions by the CWRAT - **COMPLETE***
3. *A decision by the FSC Australia Board based on the final report and submissions by stakeholders - **COMPLETE***
4. *Matrix sent to FSC International for approval as official risk assessment matrix for Australia - **COMPLETE***
5. *The publication of a the final MATRIX - **COMPLETE***
6. *Define classes of HCV applicable to the Australian context and develop a draft framework/guidance for identifying and assessing HCV in Australia for consideration by stakeholders - **COMPLETE***
7. *Stakeholders views submitted on the definition of HCV forests and Framework for Assessment*
8. *The consideration of submissions by the CWRAT*
9. *A decision by the FSC Australia Board based on the final report presented by the CWRAT and submissions by stakeholders*
10. *The incorporation of an agreed HCV definition and assessment requirements in a draft Australian FSC National Forest Management Standard*

3. How does this Framework feed into the National Standard Development Process?

The following diagram helps explain how the current work undertaken by the Controlled Wood Risk Assessment Team on HCV, and associated submissions, will contribute to defining National Forest Management Standards here in Australia.



4. How will the Framework shape the National Standard?

An FSC National Standard is based on the international stakeholder endorsed 10 Principles of Responsible Forest Management. These 10 Principles have an agreed set of 56 Criteria associated with them that are also set globally. However, the associated indicators for each criteria, and hence, each Principle, are set at a national level. In line with FSC standard setting requirements, these indicators must allow for a qualitative or quantitative verifier to be attached to ensure the certification body can assess whether this indicator is being met. In the eventual FSC Australian National Standard, for each Principle and Criteria there will be **indicator(s)** that will indicate what the certifier will look for to 'indicate' compliance. The demonstrable qualitative/quantitative result or action taken by the Forest manager or certificate holder will be the **verifier** that the indicator has been satisfied.

➤ **PRINCIPLE**

E.G. **Principle #9: Maintenance of high conservation value forests**

Management activities in high conservation value forests shall maintain or enhance the attributes which define such forests. Decisions regarding high conservation value forests shall always be considered in the context of a precautionary approach.

➤ **CRITERIA**

E.G. 9.1 Assessment to determine the presence of the attributes consistent with High Conservation Value Forests will be completed, appropriate to scale and intensity of forest management

➤ **INDICATOR**

E.G. 9.1.1 Forest Management Operations shall have conducted an assessment to identify HCVs

➤ **VERIFIER**

The use of an appropriate tool could be the **verifier** for this indicator (e.g. incorporating the results of interrogation of incidental species record databases and range mapping could be a tool to demonstrate that rare and endangered species are not impacted by forest management practices).

Currently, forests that are FSC certified in Australia are subject to interim standards. The final Framework for Assessing HCV resulting from this process will be included in the upcoming draft National Standard, and importantly, would take precedent over any existing interim standard in regards to Principle 9.

5. Why we are using a 'Tools, not Rules' Approach

The CWRAT have attempted to define the classes of HCV in the Australian context. They have suggested five classes. For each class they have suggested an appropriate 'tool', or range of tools, that can be used to demonstrate compliance.

There was a conscious decision to suggest, in detail, an appropriate tool as the verifier rather than default to compliance to any other existing standard or legislation. This was due to feed back from stakeholders at the submissions phase for the Controlled Wood Risk Assessment. A very important

consideration is that, under the global rules for FSC, the basic threshold for acceptance of any part of the National Standard is substantial stakeholder consensus.

During the submissions phase for the Controlled Wood Risk Assessment it was clear that compliance with other standards and legislation were accepted by stakeholders as appropriate verifiers for categories 1, 2, 4 & 5 for Controlled Wood. However, in the case of High Conservation Values (category 3) it was clear from the submissions, and by their reference to numerous examples, that the test of wide stakeholder acceptance was not met. To view the official response to stakeholders, please see http://www.fscaustralia.org/media/file/Submission%20Response%204_3_08.pdf

The issue of stakeholder agreement created a key challenge for the committee for this category. The decision was made to look at appropriate tools as verifiers and to focus stakeholders on agreeing that the tools are appropriate to demonstrate that:

“Management activities in high conservation value forests shall maintain or enhance the attributes which define such forests....”

Notwithstanding this, the CWRAT accept that in some cases compliance with other standards or legislation may be demonstrated by the use of the same tools. In this so called “tools not rules” scenario the onus is thus on demonstrating the appropriate (and stakeholder accepted) tool has been used at a level appropriate to the High Conservation Value in question. If the tool that is used can demonstrate the ability of the forest management practices to ‘*maintain or enhance the attributes*’, then compliance is demonstrated. If not, a ‘precautionary approach’ (defined by FSC as a tool for implementation of the precautionary principle*) must be used.

Therefore, in this submission phase we ask for feedback on the tools and the levels suggested.

6. A Note on Scale and Intensity

A key comment from the earlier round of stakeholder consultation was that Small and Low Intensity Managed Forests (SLIMFs) could not comply if faced with complex and expensive requirements.

The CWRAT have remained mindful of this and have developed the levels and complexities of the tools not rules approach to apply everywhere it is needed rather than where it is not.

The assumption is that SLIMFs have inherently less impact on HCV at a landscape level and the applicable HCV attributes that they do have are on a scale that is more easily managed. Therefore in the framework presented below it is anticipated that SLIMFs will normally be able to demonstrate compliance at the lower levels.

The only exception may be where critically endangered fauna, flora or ecosystems are present but poorly recorded. The CWRAT anticipated a higher level of tool being used in this circumstances e.g. HCV1 – *Level 2* Statistical modelling and mapping of wildlife habitat requirements. However in the SLIMF situation a simpler verifier may be possible e.g. demonstrate in the management plan an understanding of the species biology and habitat requirements and the impacts of management practices.

* Where the meaning of the ‘precautionary principle’ is defined as definition agreed at the Earth Summit in Rio: “Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation”

This submission hence also seeks comments and guidance on the appropriateness of this sort of approach for the SLIMF situation.

7. Classes of HCV in Australia and Rationale

Overriding Note & Requirement

Note that a current forest management plan may be sufficient to demonstrate that HCV 1 to 5 has been assessed and managed correctly, however, it must be substantially acceptable by stakeholders.

The forest manager is free to use whichever level of assessment they feel will be acceptable to stakeholders E.G. if you provide a level of assessment and stakeholders disagree you have the option to move to a higher level.

If at any stage the forest manager feels that the information is adequate to demonstrate a plan for maintenance and enhancement of the HCV despite some stakeholders opposition then the certification body is the arbiter to adjudicate if the right tool has been used for that value and that the management plan is sound enough to meet requirements under the standard.

Note that there is a formal process by which the forest manager or stakeholders can challenge the interpretation of the certification body. It is proposed the Board of FSC Australia develop an expert final arbitration step in the event that the disputes relating to the application of HCV cannot be resolved.

NB The scope of this framework is all land in Australia regardless of tenure from which wood may be harvested (this includes both tree plantations and natural forests).

- ***HCV 1. Forest areas containing habitat for national or state-listed threatened species/ecosystems or species/ecosystems of high significance at the bioregional level (defined as IBRA*)***

* Note IBRA areas defined at <http://www.environment.gov.au/parks/nrs/science/bioregion-framework/ibra/index.html>

Ecosystems and species are considered together in this HCV class.

The tools listed within this category are at four levels. For an assessment to be considered sufficient there should be substantial stakeholder acceptance of the methods used and outcomes as well as the resulting management plan.

Issue with scale and intensity - For SLIMF it is sufficient to show that the ecology of the value is known and accommodated in the management plan (i.e. at low scale and intensity this is often adequate). The certification body will be the arbiter of the plan.

- ***HCV 2. Forest areas containing globally (includes World Heritage), nationally or bioregional significant large landscape level forests, contained within, or containing the management unit, where viable populations of most if not all naturally occurring species exist in natural patterns of distribution and abundance.***
 - What is large? > 10,000 ha for intact forest landscapes. Includes mosaics and refugia under 10,000 ha (but also possibly included in other HCVs)
 - Note that the criteria for assessment are anticipated to include, but not be restricted to: old growth, wilderness, vegetation condition and remnant vegetation.

- The forest manager may argue HCV2 compliance is managed through a comprehensive and representative reserve system and through management actions that provide for the maintenance of landscape level values. Notwithstanding other HCV criteria must be satisfied at the production forest level e.g. if there are nationally or state listed threatened species in the production portion of the FMU, then HCV1 would need to be satisfied.
 - In the case of reserves, it is anticipated that there may be active management (across the landscape) that may include prescribed burning, thinning, removal of disease foci, weeds, management of feral animals and control and removal of invasive species.
 - To preserve landscape values, management in the production unit (as opposed to the reserve portion) is anticipated to include the retention of habitat and structural features including appropriate buffers, corridors and links. Regular surveys, in accordance to FSC standards (refer to monitoring criteria in Principle 7) of wildlife and flora populations are anticipated.
 - What is the status of Independent third party reviews e.g. World Heritage Reports, values threat analysis; scientific reports of landscape scale impacts. Can these be accepted as authoritative and a management strategy based on them or is specific survey always necessary.
- **HCV 3. Forest areas that provide basic services of nature in critical situations**

Stakeholder comments are requested on the definition of what is a 'critical situation' that would not also be included within any other HCV class.

CWRAT have defined it to include slope, erosion, water catchments (quality and quantity of supply), flooding/sedimentation (and carbon)

Note – FSC International are to release policy in regards to carbon. In the meantime, we would consider no loss of carbon across the estate as a whole, including an allowance for carbon storage in wood products, as acceptable. CWRAT recognise the lack of universally accepted standard as a basis for making any assessment of carbon at this stage. For the purposes of this draft, we have used the following report as a reference: Raison, J. Keith, H., Barrett, D., Burrows B., Grierson, P., 2003, 'Spatial Estimates of Biomass in 'Mature' Native Vegetation. National Carbon Accounting System Technical Report no. 44', Australian Greenhouse Office, Canberra

HCV 4. Forest areas fundamental to meeting basic needs of local communities

The CWRAT have defined "basic needs" – as 'vital to human wellbeing'?

Verifier – FM Plans (for public land) should be sufficient if done through broad consultation

The CWRAT deem the following considerations as fundamental, but seek stakeholder comments: *Water, food, shelter, income. May include recreation, hunting, tourism, amenity and aesthetics. Also includes bush food and traditional hunting/gathering, fire wood supply.*

In the definition of basic needs, priority is given to potentially **affected parties** e.g. local community and neighbours. **Interested parties** e.g. groups such as bush walkers, four wheel drive clubs and field naturalists, will also be considered and entitled to all the same considerations as affected parties. However, if affected stakeholders agree that their basic needs are met but interested stakeholders do not, the matter is considered to be agreed for the purpose of meeting this HCV class.

- ***HCV 5. Forest areas critical to local communities' traditional cultural identity (both indigenous and post colonisation)***

In some states, compliance to legislation was considered enough to verify the management of this HCV, eg Victoria.

A second level of assessment is offered in the event that legislation is absent, or not supported by stakeholders. It is probable that Level 1 and 2 are always needed to demonstrate SH consultation.

8. The HCV Assessment Framework

Introduction

The five tables below list each HCV class and detail the proposed levels of assessment that would be required to meet the FSC Standard for Company Evaluation of FSC Controlled Wood (FSC-STD-40-005 (Version 2-1)) and the eventual FSC Australia National Standard.

The team is seeking submissions from stakeholders in regards to the suggested tools for assessment, as well as seeking input on possible other tools that could be used.

Please be sure to read the above notes and rationale on the five HCV classes as they have been defined as there are some additional specific questions that the CWRAT are looking for comments on.

Framework for Assessing HCV

HCV 1. Forest areas containing habitat for national or state-listed threatened species/ecosystems or species/ecosystems of high significance at the bioregional level (defined as IBRA)

Example of assessment tool:	Example of when tool is used appropriately	Example of when tool is used inappropriately
<p>LEVEL 1 - Expert/stakeholder elicitation methods. Use when regionally significant or endangered species or ecosystems are well recorded, and there is a low likelihood of being threatened by proposed management activities</p>	Outcomes of expert/stakeholder consultation is incorporated into management plan and monitored effectively in a way that has substantial acceptance by stakeholders	No change in management despite consultation outcomes showing substantially unacceptable impacts
<p>LEVEL 2 - Interrogation of incidental species record databases and range mapping Use when species or ecosystems are well known/recorded with habitat requirements that are easily defined and well understood, and there is uncertainty of likely impacts of management activities E.G. Red Tailed Black Cockatoo. Use specific databases, range maps or overlays</p>	Outcomes of methods are incorporated into management plan and monitored effectively in a way that has substantial acceptance by stakeholders	No change in management despite interrogation outcomes showing substantially unacceptable impacts
<p>LEVEL 3 - Statistical modelling and mapping of wildlife habitat requirement Use when species and ecosystems are poorly recorded or mapped, and habitat requirements are not easily defined and poorly understood, and there is uncertainty of likely impacts of management activities. E.G. Koala, Tiger Quoll, Squirrel Glider - <i>Fauna habitat modelling and mapping: A review and case study in the lower Hunter Central Coast region of NSW</i> (Wintle et al, 2005) Please click here to view full article</p>	Outcomes of methods are incorporated into management plan and monitored effectively in a way that has substantial acceptance by stakeholders	No change in management despite modelling and mapping outcomes showing substantially unacceptable impacts
<p>LEVEL 4 - Population viability analysis and scenario evaluation Use when species and ecosystems are critically endangered and relying on sensitive intact habitats that are impacted by management activities. E.G. <i>Modelling Human impacts on the Tasmanian wedge-tailed eagle</i> (Bekessy et al, 2009) Please click here to view full article</p>	Outcomes of methods are incorporated into management plan and monitored effectively in a way that has substantial acceptance by stakeholders	No change in management despite analysis outcomes showing substantially unacceptable impacts

HCV 2. Forest areas containing globally (includes World Heritage), nationally or bioregional significant large landscape level forests, contained within, or containing the management unit, where viable populations of most if not all naturally occurring species exist in natural patterns of distribution and abundance.

Example of assessment tool:	Example of when tool is used appropriately	Example of when tool is used inappropriately
LEVEL 1 - Regional surveys: vegetation communities, condition assessment, wilderness assessment, concentrations of species, old growth, wilderness, vegetation condition and remnant vegetation.	Current management plan – reviewed/updated within last five years – to address areas to substantial satisfaction of stakeholders	Out of date plan and/or does not address issues

HCV 3. Forest areas that provide basic services of nature in critical situations

Example of assessment tool:	Example of when tool is used appropriately	Example of when tool is used inappropriately
LEVEL 1 – Compliance with forest code of practice (CoP) for management of slope / erosion and water quality / yield	CoP compliance demonstrated through appropriate management plans and auditing systems	No demonstration of CoP compliance
LEVEL 2 (water) – site specific and catchment level management hydrological modelling, monitoring and reporting	Eg DSE Catchment Management Framework, Macaque Model. Substantial acceptance of the model used and the modelled outcomes	No change in management despite modelled outcomes show substantially unacceptable impacts
LEVEL 2 (carbon) – site and estate level modelling, assessment, monitoring and reporting	Eg. National carbon accounting tool. Need substantial acceptance of the model used and the modelled outcomes <i>NB. we note that these are still in development and anticipate an acceptable framework to be agreed upon in the future</i>	No change in management despite modelled outcomes show substantially unacceptable impacts

HCV 4. Forest areas fundamental to meeting basic needs of local communities

Example of assessment tool:	Example of when tool is used appropriately	Example of when tool is used inappropriately
LEVEL 1 - Local community surveys and consultation with local affected parties eg. Field naturalists, 4WD, Landcare groups, Indigenous groups etc etc	Community needs are recognised and accommodated in management plans to the satisfaction of local affected parties	Relevant stakeholders omitted from consultation process and/or needs are not considered

HCV 5. Forest areas critical to local communities' traditional cultural identity (both indigenous and post colonisation)

Example of assessment tool:	Example of when tool is used appropriately	Example of when tool is used inappropriately
LEVEL 1 - Compliance to current legislation	Evidence of compliance to legislation along with substantial agreement of relevant affected parties EG approved Cultural Heritage Plan (eg Victoria), CH Agreements (eg QLD).	Non-compliance to legislation
<p>LEVEL 2 – <i>For values when no legislation is in place:</i></p> <ul style="list-style-type: none"> - Consultation with local affected parties and/or properly mandated representatives - Use of Maps and registered sites (not always accurate) - Historical accounts and local knowledge (evidence of consultation required) - Field survey and expert report - Or establish Cultural Heritage Agreements with local groups covering all or some of the above points 	Outcomes of consultation is incorporated into management plan and monitored effectively in a way that has substantial acceptance by affected parties	No change in management despite consultation outcomes showing substantially unacceptable impacts

9. SUBMISSIONS

The submission period of 90 days has been set (from 07/10/2009) to 07/01/2010). Submissions are sought on this document and the questions it poses to stakeholders in order for the committee to be clear on stakeholder opinions and expectations.

Please forward and mark all correspondence 'Submission on Framework for Assessing HCV' to;

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Or email: hcv@fscaustralia.org with 'Submission on Framework for Assessing HCV' as the subject.

FSC Australia wishes to thank Carly Bannon for her ongoing assistance in the preparation of this work.