

**Forest Management and Stump-to-Forest Gate Chain-of-Custody
Certification Evaluation Report for the:**

Menominee Tribal Enterprise

**Conducted under auspices of the SCS Forest Conservation Program
SCS is an FSC Accredited Certification Body**

**CERTIFICATION REGISTRATION NUMBER
SCS-FM/COC-0002N**

Submitted to:

Menominee Tribal Enterprise

Lead Author: Sterling Griffin

Date of Field Audit: April 1-4, 2008.

**Date of Report: June 15, 2008
Updated: June 2009 (See Section 6.1)**

**Certified: Date of Certificate
7/24/2008**

By:

**SCIENTIFIC CERTIFICATION SYSTEMS
2200 Powell St. Suite Number 725
Emeryville, CA 94608, USA
www.scscertified.com**

**SCS Contact: Dave Wager dwager@scscertified.com
Organization of the Report**

This report of the results of our evaluation is divided into two sections. Section A provides the public summary and background information that is required by the Forest Stewardship Council. This section is made available to the general public and is intended to provide an overview of the evaluation process, the management programs and policies applied to the forest, and the results of the evaluation. Section A will be posted on the SCS website (www.scscertified.com) no less than 30 days after issue of the certificate. Section B contains more detailed results and information for the use of the Menominee Tribal Enterprises (MTE).

FOREWORD

Scientific Certification Systems, a certification body accredited by the Forest Stewardship Council (FSC), was retained by Menominee Tribal Enterprises (MTE) to conduct a certification evaluation of its Wisconsin forest estate. Under the FSC/SCS certification system, forest management operations meeting international standards of forest stewardship can be certified as “well managed”, thereby enabling use of the FSC endorsement and logo in the marketplace.

In April, 2008, an interdisciplinary team of natural resource specialists was empanelled by SCS to conduct the evaluation. The team collected and analyzed written materials, conducted interviews and completed a 4 day field and office audit of the subject property as part of the certification evaluation. Upon completion of the fact-finding phase of the evaluation, the team determined conformance to the 56 FSC Criteria in order to determine whether award of certification was warranted.

This report is issued in support of a recommendation to award FSC-endorsed certification to MTE, for the management of its Wisconsin forest estate. As detailed below, certain pre-conditions (also known as Major Corrective Action Requests) that were stipulated by the audit team upon completion of the field audit were addressed by MTE and cleared by SCS prior to finalization of this report. In the event that a certificate is awarded, Scientific Certification Systems will post this public summary of the report on its web site (www.scscertified.com).

Section A- Public Summary and Background Information	4
1.0 GENERAL INFORMATION	4
1.1 FSC Data Request	4
1.2 Management Context	7
1.3 Environmental Context	7
1.4 Socioeconomic Context	7
1.5 Land Use	8
Land Outside Scope of Certification.....	8
1.6 Management Objectives.....	8
1.7 Forest Composition & Silvicultural Systems.....	9
EVEN-AGED SILVICULTURAL SYSTEMS	10
1.8 Management Systems	11
1.9 Monitoring System.....	12
1.10 Estimate of Maximum Sustainable Yield, Current and Projected Production.....	13
1.11 Chemical Pesticide use	14
2.0 Guidelines/Standards Employed.....	14
3.0 THE CERTIFICATION ASSESSMENT PROCESS.....	15
3.1 Assessment Dates.....	15
3.2 Assessment Team.....	15
3.3 Assessment Process	16
3.3.1 Itinerary.....	16
3.3.2 Evaluation of Management System	16
3.3.3 Selection of FMU's to Evaluate.....	16
3.3.4 Sites Visited (not needed for single SLIMF).....	16
3.3.5 Stakeholder Consultation	18
3.4 Total Time Spent on audit.....	23
3.5 Process of Determining Conformance	23
4.0 Results of the Evaluation	24
Table 4.1 Notable strengths and weaknesses of the forest management enterprise relative to the P&C.....	24
4.2 Preconditions.....	28
5.0 Certification Decision	28
5.1 Certification Recommendation	28
5.2 Initial Corrective Action Requests.....	28
6.0 Surveillance Evaluations.....	30
6.1 2009 Surveillance Decision and Public Record.....	30
6.1.1 Assessment Dates.....	30
6.1.2 Assessment Personnel.....	31
6.1.3 Assessment Process	31
6.1.4 Status of 2008 Corrective Action Requests	33
6.1.5 General Observations.....	37
6.1.6 New Corrective Action Requests and Recommendations	37
6.1.7 General Conclusions of the Annual Audit.....	40
7.0 Summary of SCS Complaint and appeal Investigation Procedures.....	41

SECTION A- PUBLIC SUMMARY AND BACKGROUND INFORMATION

1.0 GENERAL INFORMATION

1.1 FSC Data Request

Applicant entity	Menominee Tribal Enterprises
Contact person	Bill Schmidt
Address	P. O. Box 10 Neopit, WI 54150
Telephone	715-756-2311 Ext.1142
Fax	715-756-2386
E-mail	Bills@mtewood.com
Certificate Number	SCS-FM/COC-00002N
Certificate/Expiration Date	7/24/2008 - 7/24/2013
Certificate Type	<i>Single</i>
Number of FMUs in scope	<i>1</i>
Location of certified forest area	Menominee Indian Reservation Wisconsin
Latitude	<i>45 Degrees 0 Minutes 14 sec N</i>
Longitude	<i>88 Degrees 42 Minutes 36.9 Seconds W</i>
Forest zone	<i>temperate</i>
Total forest area in scope of certificate	<i>224,678 ac water excluded</i>
Total forest area in scope of certificate which is:	0
privately managed ¹	<i>224,678 ac</i>
state managed	0
community managed ²	0
Number of forest workers (including contractors) working in forest within scope of certificate	300
Area of forest and non-forest land protected from commercial harvesting of timber and managed primarily for conservation objectives	<i>12,696 ac (C223 + WRC)</i>
Area of forest protected from commercial harvesting of timber and managed primarily for the production of NTFPs or services	0
Area of forest classified as 'high	<i>224,678 ac</i>

¹ The category of 'private management' includes state owned forests that are leased to private companies for management, e.g. through a concession system.

² A community managed forest management unit is one in which the management and use of the forest and tree resources is controlled by local communities.

conservation value forest'	
List of high conservation values present ³	<i>1-6 all apply</i>
Chemical pesticides used	<i>Glyphosate</i>
Total area of production forest (i.e. forest from which timber may be harvested)	<i>211,982 ac (forest minus C223 + WRC)</i>
Area of production forest classified as 'plantation' for the purpose of calculating the Annual Accreditation Fee (AAF)	<i>9,847 ac (mostly PW,PR,OR)</i>
Area of production forest regenerated primarily by replanting ⁴	<i>9,847 ac</i>
Area of production forest regenerated primarily by natural regeneration	<i>214,831 ac</i>
List of main commercial timber and non-timber species included in scope of certificate (botanical name and common trade name)	White pine, red pine, hemlock, aspen, basswood, hard maple, softmaple, red oak, white birch, yellow birch, butternut, cherry, ash,
Approximate annual allowable cut (AAC) of commercial timber	<i>12 – 14 million board feet and 100,000 cords</i>
List of product categories included in scope of joint FM/COC certificate and therefore available for sale as FSC-certified products (include basic description of product - e.g. round wood, pulp wood, sawn timber, kiln-dried sawn timber, chips, resin, non-timber forest products, etc.)	Round wood, pulp wood, bolt wood, sawn timber, kiln-dried sawn timber, veneer logs, sawdust, chips, shavings, bark

Conversion Table English Units to Metric Units

Length Conversion Factors

<u>To convert from</u>	<u>to</u>	<u>multiply by</u>
mile (US Statute)	kilometer (km)	1.609347
foot (ft)	meter (m)	0.3048
yard (yd)	meter (m)	0.9144

Area Conversion Factors

<u>To convert from</u>	<u>to</u>	<u>multiply by</u>
square foot (sq ft)	square meter (sq m)	0.09290304
acre (ac)	hectare (ha)	0.4047

Volume Conversion Factors

Volume

<u>To convert from</u>	<u>to</u>	<u>multiply by</u>
cubic foot (cu ft)	cubic meter (cu m)	0.02831685
gallon (gal)	liter	4.546

³ High conservation values should be classified following the numbering system given in the ProForest High Conservation Value Forest Toolkit (2003) available at www.ProForest.net

⁴ The area is the *total* area being regenerated primarily by planting, *not* the area which is replanted annually. NB this area may be different to the area defined as a 'plantation' for the purpose of calculating the Annual Accreditation Fee (AAF) or for other purposes.

1 acre = 0.404686 hectares
 1,000 acres = 404.686 hectares
 1 board foot = 0.00348 cubic meters
 1,000 board feet = 3.48 cubic meters
 1 cubic foot = 0.028317 cubic meters
 1,000 cubic feet = 28.317 cubic meters
 Breast height = 1.4 meters, or 4 1/2 feet, above ground level

Although 1,000 board feet is theoretically equivalent to 2.36 cubic meters, this is true only when a board foot is actually a piece of wood with a volume 1/12 of cubic foot. The conversion given here, 3.48 cubic meters, is based on the cubic volume of a log 16 feet long and 15 inches in diameter inside bark at the small end.

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1.2 MANAGEMENT CONTEXT

Menominee Tribal Enterprise manages the tribal forest land and other assets pursuant to a Management Plan, which is an agreement between governments negotiated on April 22, 1975, between the Menominee Restoration Committee and the United States of America (“the Management Plan”). Among other things, the Management Plan vests Menominee Tribal Enterprises with authority to “log, manage, and reforest the tribal forest land, and to manufacture, market, sell and distribute timber, forest products, and related products”. Menominee Tribal Enterprises manages the tribal forest land, which is an asset held in trust by the Government for the benefit of the enrolled members of the Menominee Indian Tribe of Wisconsin in accordance with a Forest Management Plan. The Management Plan is also incorporated into Article XII of the Constitution of the Menominee Indian Tribe of Wisconsin. Menominee Tribal Enterprises has contracted with the Bureau of Indian Affairs for federal funds to manage the Menominee forest lands held in trust by the government pursuant to the Indian Self-Determination and Education Assistance Act (25 USC § 450, *et seq.*, along with the rules and regulations promulgated thereunder). Those contracts have been one of the vehicles through which the Government has performed the trust responsibilities it owes to the Menominee people.

1.3 ENVIRONMENTAL CONTEXT

Menominee exists in the Northeastern part of the northern mixed forest. The state of Wisconsin is divided into two regions. These regions exist because of soil type and climate differences. These meet in an area called the tension zone which Menominee is just north of. The present 234,000 acre reservation is part of Menominee ancestral land that they have been on for thousands of years. The present reservation is just a remnant of a once 10.5 million acre land base. The Menominee is an island of trees in an ocean of cleared land. The northeast corner of the forest is bordered by the Nicolet National Forest.

1.4 SOCIOECONOMIC CONTEXT

Representing \$96 million in direct economic activity, MTE represents a large portion of total economic output of Menominee County. When induced and indirect impacts are added, this total amount of economic impact on output rises to \$108 million. Further, MTE represents a large workforce in the County (457 jobs; 257 of whom reside in Menominee County). Clearly, MTE is a significant part of Menominee County economy. With increasing volumes of forest products entering the market, especially imports, and overall decreasing demand due to the recent housing downturn, it is important for MTE to distinguish itself as a leader in sustainably harvested wood (Clay, 2003; Perry, 2006), explore new production efficiencies (Reynolds, 2006; Pickens *et al.*, 2005), and seek value-added product opportunities (Nausbaum & Simula, 2005).

Menominee Tribal Enterprises is respected as a leader in sustainable forestry and is distinct in its rich history and experience in forest management. The strong vertical integration between the woods and the mill presents a unique aspect of the MTE management

approach. Indeed, the MTE works within a management structure where the forest drives the mill, rather than the mill driving the forest. This reflects the Menominee's philosophy of placing great value on forest health and ecosystem vitality; a keystone of sustainable forest management.

1.5 LAND USE

The other unique ownership with Menominee is the County government within the Reservation boundary. As a result of Federal Termination (1960), all land was deeded to the newly formed Menominee County. Menominee was then returned to reservation status in 1972, small amounts of land (approx 5000 acres) remained in fee, this land is governed by Menominee County. Menominee also is presently pursuing an off-Reservation gaming facility on ceded territory. They are also expanding their present facility on the Reservation.

The 140-year history of forest resource use and management on the Menominee Forest stands as a practical example of sustainable forestry — forestry that is ecologically viable, economically feasible, and socially desirable. This refers not only to forest products and social benefits, but also to wildlife, site productivity, and other ecosystem functions.

Land Outside Scope of Certification

There are no forestlands owned or managed by MTE that are outside of the scope of this certificate.

1.6 MANAGEMENT OBJECTIVES

The management goal of the Menominee Tribe is to maximize the quantity and quality of sawtimber grown under sustained-yield management principles, while maintaining the diversity of native species. To the Menominee, quantity and quality is a concept which favors growing those tree species most suitable to a particular site for as long as those tree species remain healthy and vigorous. This concept is based upon the direction chosen by earlier Menominee leaders who recognized the need to harvest trees for economic survival at a speed (or intensity) under which the forest can replace itself. This policy promoted a timber harvesting system which removed timber according to vigor, rather than merchantable size alone. The Menominee tradition of harvesting according to tree vigor (the ability to grow and regenerate) retains larger, older trees compared to adjacent timber lands. The Menominee Forest, being a mixture of older, larger forest trees with ample younger regeneration, has provided the Tribe with a diversity of forest plants and animals not seen on surrounding forests managed under short term economic formulas.

Based on historic legislation specific to Menominee, the intent has been sustained-yield management of the Menominee Forest for the purpose of producing and marketing high value forest products in support of the Reservation economy. Other values associated with

the forest, secondary to the commercial production of timber, were to be protected in conjunction with sustained-yield forestry operations.

1.7 FOREST COMPOSITION & SILVICULTURAL SYSTEMS

Table 1. Forest Composition of Menominee

Habitat Type	Featured Forest Cover Types	Objective Species	Associate Species
QV	Red Pine White Pine	Red Pine White Pine	Jack Pine Red Maple Quaking Aspen Pin Oak
PMV (Q)	Red Pine White Pine	Red Pine White Pine	Red Maple White Birch Quaking Aspen Pin Oak
AQVib	White Pine Mid-tolerant Hardwoods Red Oak	White Pine Red Oak White Ash Basswood	Red Maple White Birch Quaking Aspen Pin Oak White Oak
AQVib (Ha)	White Pine Mid-tolerant Hardwoods Red Oak	White Pine Red Oak White Ash Basswood	Red Maple Sugar Maple White Birch Bigtooth Aspen Quaking Aspen Pin Oak White Oak
AFVib	White Pine Mid-tolerant Hardwoods Red Oak	White Pine Red Oak White Ash Basswood	Red Maple Sugar Maple White Birch Bigtooth Aspen Quaking Aspen
TMC	Hemlock Hemlock - Yellow Birch Swamp Conifers Swamp Hardwoods	Hemlock Yellow Birch Cedar	Spruce/Fir Red Maple Black Ash
ATM	White Pine Hemlock Hemlock - Sugar Maple Hemlock - Yellow Birch Sugar Maple Mid-tolerant Hardwoods Red Oak	White Pine Hemlock Sugar Maple Yellow Birch White Ash Red Oak Basswood	Cedar Red Maple White Birch Quaking Aspen
ATFD	Hemlock Hemlock - Sugar Maple Hemlock - Yellow Birch Sugar Maple	Hemlock Sugar Maple Yellow Birch Beech	White Pine Red Maple Basswood Hard & Soft Elm

Table 1. Forest Composition of Menominee

Habitat Type	Featured Forest Cover Types	Objective Species	Associate Species
ATDH	Hemlock Hemlock - Sugar Maple Hemlock - Yellow Birch Sugar Maple	Hemlock Sugar Maple Yellow Birch Hard & Soft Elm	Basswood
AFAd	Sugar Maple Mid-tolerant Hardwoods Red Oak	Sugar Maple Beech Red Oak White Ash Basswood Hard & Soft Elm	Hemlock Yellow Birch Hickory Quaking Aspen
AH	Sugar Maple	Sugar Maple	Yellow Birch Hickory White Ash Red Oak Basswood Hard & Soft Elm

EVEN-AGED SILVICULTURAL SYSTEMS

Even-aged management systems are normally used to harvest, regenerate and tend sun-loving forest cover types that grow poorly or will not regenerate in their own shade. The cover types adapted to these systems are generally those accustomed to regeneration and rapid domination of a site following a catastrophic disturbance, such as a fire or major windstorm. Stands normally consist of trees at or near the same age. Even-aged systems are also applied to cover types dominated by shade-tolerant species when the intent is to focus on the less-tolerant component of the stand. Portions of even-aged management systems, specifically the intermediate thinning regimes, may also be used in the early stages of young northern hardwood stands to facilitate a long-term conversion to the uneven-aged system.

Clearcut: A method used to regenerate a stand by the removal of most or all woody vegetation during the harvest creating a completely open area leading to the establishment of an even-aged stand. Regeneration can be from natural seed produced by adjacent stands, trees cut in the harvesting operation, direct seeding, or replanting.

Seed-tree: A method designed to bring about natural reproduction on clearcut harvest areas by leaving enough trees singly or in groups to naturally seed the area with adequate stocking of desired species in a reasonable period of time before the site is captured by undesirable vegetation. In this method, only a few trees (typically three to 10 per acre) are left and the residual stocking is not enough to sufficiently protect, modify or shelter the site in any significant way. Seed-trees may be removed after establishment or left indefinitely.

Shelterwood: A method used to regenerate a stand by manipulating the overstory and understory to create conditions favorable for the establishment and survival of desirable tree species. This method normally involves gradual removal (usually in two or three cuts) of the overstory. The overstory serves to modify understory conditions to create a favorable environment for reproduction and provide a seed source. A secondary function

of the overstory is to allow further development of quality overstory stems during seedling establishment. The most vigorous trees are normally left as the overstory, and the less vigorous trees removed.

Overstory Removal: A method used to mimic the natural deterioration of the overstory but at an accelerated rate in situations where adequate regeneration is already established. The entire stand overstory is removed in one cut to provide the release of established seedlings and saplings. This method has been referred to as a natural shelterwood or a one-cut shelterwood.

UNEVEN-AGED SILVICULTURAL SYSTEMS

Single-tree Selection: Individual trees of various size and age classes are periodically removed to provide space for regeneration, and promote the growth of remaining trees. Each regeneration opening (gap) covers an area equivalent to the crown spread of a single large tree that has been removed. Individual trees are selected for removal from all size classes (to achieve desired residual density levels) following recognized order of removal criteria based on tree risk, vigor, quality, and spacing.

The goal, particularly in the northern hardwood cover type, is to achieve an optimum distribution of size and age classes so each contains a sufficient number of quality trees to replace those harvested in the next larger size class. Specific selection criteria vary slightly with the particular species makeup of the stand involved (see the Wisconsin DNR *Silviculture* and Forest Aesthetics Handbook, 2431.5 or an appropriate management guide).

Group Selection: Trees are periodically removed in small groups to create conditions favorable for the regeneration and establishment of new age classes. In general, the openings created may range in size from fairly small 0.02 acre (30' diameter circle) up to one-half acre (166' diameter circle or approximately two tree lengths). In northern hardwood management, gaps are generally less than one-tenth acre. Smaller openings favor regeneration of more-tolerant species, while larger openings favor mid-tolerant species.

1.8 MANAGEMENT SYSTEMS

The Menominee Forest is managed to provide consistent flow (volume) through area control. The forest is organized into 108 management compartments, ranging in size from 414 to 8,707 acres. Originally developed to encompass areas with roughly equal amounts of timber volume, the compartment system has proven to be sound method of harvest scheduling, especially for uneven age management of hardwoods. Using this system, entire compartments are managed in a given logging year, thereby concentrating the logistics of forest management into discrete units.

In contrast, even-age management, especially stand regeneration (e.g. clearcuts and shelterwoods), is conducted at the stand level. Most even-age treatments are 40-acres or less

in size, so it is not feasible to manage certain cover types under the compartment schedule. Rather, each compartment is subdivided into stands based on the species and size-class parameters of the trees that make up each stand. Each stand is then managed for a stand-specific objective, with entry timed to optimize the growth and regeneration of each stand.

1.9 MONITORING SYSTEM

Forest inventory is responsible for developing and maintaining databases on the status of the forest and all harvest activities and for applying forest inventory techniques needed to monitor the forest condition and trends, calculate, schedule and monitor the annual allowable cut. Forest Inventory also develops the long-term (i.e. strategic) and near-term (i.e. tactical) harvest schedules that guide timber harvesting activities from year-to-year.

Strategic Planning is designed to give forest-wide information on the condition of the forest, and calculate allowable cut levels for the next planning period. The backbone of this level of inventory and planning is the Continuous Forest Inventory (CFI). Attached to this inventory are other programs that help monitor the calculations that are derived from the CFI.

The CFI is an inventory system that involves the measuring and analysis of a set of approximately 900 permanent inventory plots (881 plots measured in the last inventory). In this system, a set of parameters is measured for every tree on a permanent 1/5th acre plot, including diameter (DBH), merchantable height, volume, grade, and tree condition. The same trees are measured from one inventory to the next, with dead trees and new trees being noted within the plot as the measurements take place. These plots are measured every 10-15 years in order to monitor changes on forest, and identify trends that are occurring within cover types. These include mortality rates, regeneration statistics, and increases or decreases in acreage of the different cover types that comprise the entire Menominee forest. This information is also used to calculate the annual allowable cut. The Menominee forest has had five CFI re-measurements, starting in 1963, with the most recent measurement taking place in 1999.

Tactical level planning determines where on the land base the goals of the strategic planning will be met. After forest-wide levels are set, tactical planning determines exactly where on the forest the volume will come from. This includes developing a compartment entry schedule for the next planning period, and stands within a compartment that must be treated to meet the long-term strategic goals. The inventory system used to monitor and facilitate this level of planning this is the Stand Exam/Operations Inventory (OPINV).

This system provides the stand-level operational data needed to carry out the annual allowable cut. Information is collected on each stand on the description of the timber type, condition of the trees, operability of the stand and proposed silvicultural prescriptions. The data is then used to schedule the stands for treatment at an optimal time.

The Geographical Information System (GIS) is an integral part of Forest Planning, especially at the tactical level. GIS is a computer mapping system capable of storing, displaying, and

analyzing data describing places on the earth's surface. Tied directly to the OPINV system, it provides the mapping and analytical capabilities needed for advanced planning in addition to providing forestry with the capability to make customized maps serving every aspect of forestry from planning to operations. This allows for the quick analysis of where the operations will occur, and the impact it will have on surrounding areas. The GIS is also used to track the status of the harvest (sale) units throughout the year, and maintains records on all previously harvested units. This provides Forestry with the ability to quickly report harvest trends and statistics for past logging years.

It should be emphasized that the GIS is used for far more than simply making maps. The analytical tools in GIS are essential for determining stand adjacencies, identifying patterns in the forest, and for tracking harvest carryover, harvest progress, survey planning, and harvest scheduling. Different layers of data covering the Menominee forest such as stand boundaries, streams, and roads can be combined to Forestry with the ability to quickly analyze the impacts of various management options. These new layers can then be stored, retrieved, or plotted to assist in the planning process.

1.10 ESTIMATE OF MAXIMUM SUSTAINABLE YIELD, CURRENT AND PROJECTED PRODUCTION

Production is projected using the Continuous Forest Inventory (CFI) system coupled with acreage and operability constraints described in Operations Inventory (OPInv). The latest CFI figures are still preliminary, but should reflect the trends shown by recent harvest activity. This is reinforced by the figures presented in the 1995 Forest Management Plan, as well as those in the Interm Harvest Schedule and the draft of the updated Forest Management Plan under development. The following figures have been derived from the 2004-2006 harvest activities as recorded in the MTE tracking database known as *Tickets*. These figures represent current and projected harvest volumes, broken down by species.

Species	MBF	Species	Cords
American Basswood	969	American Basswood	3,170
America Beech	165	American Beech	125
Bitternut Hickory	26	Balsam Fir	40
Black Ash	1	Eastern White Pine	1,636
Black Cherry	15	Eastern Hemlock	9,041
Butternut	3	Hardwoods*	31,808
Eastern White Pine	4,711	Aspen	7,573
Eastern Hemlock	41	Northern Red Oak	1,084
Jack Pine	0	Jack Pine	15
Northern Red Oak	888	Paper Birch	84
Norther White Cedar	0	White Spruce	13
Paper Birch	47	Red Pine	2,320
Pin Oak	44	TOTAL	56,908
Aspen	557		
Red Maple	367		
Red Pine	623		
Rock Elm	3		

*Hardwood pulpwood is not tracked by individual species composition.

Sugar Maple	5,638
White Ash	67
White Oak	70
White Spruce	0
Yellow Birch	256
TOTAL	14,490

1.11 CHEMICAL PESTICIDE USE

Current Pesticide List

The pesticides currently approved for use in Forest Management activities on the Menominee Forest, either under "A Protocol for the Use and Application of Herbicides on the Menominee Indian Reservation" (Howlett, 1992) or under the environmental assessments that have been prepared for recent applications to control the Forest Tent Caterpillar, (Rush, et al, 1988; U.S.D.A. Forest Service, 1989, 1990) are:

- a. Herbicides
 - I. Glyphosate in the **ACCORD** formulation by Monsanto Company.
 - II. Triclopyr in the **GARLON 4** formulation by The Dow Chemical Company.
- b. Insecticides
 - I. Bacillus thuringiensis, var. kurstaki in the formulation of **DIPEL 4L** or **DIPEL 8L** by Abbott Laboratories.

The decision to implement a specific chemical treatment will be made after careful assessment. There may be other treatments that become necessary because of new research or technologies, and flexibility must be maintained in order to deal with them.

2.0 GUIDELINES/STANDARDS EMPLOYED

As the applicant forest property is located in northern Wisconsin, the certification evaluation that is the subject of this report was conducted against the duly-endorsed Lake States-Central Hardwoods Regional Standard v3.0. The standard is available at the FSC-US web site (www.fscus.org) or is available, upon request, from Scientific Certification Systems (www.scscertified.com).

3.0 THE CERTIFICATION ASSESSMENT PROCESS

3.1 Assessment Dates

The assessment occurred April 1-4, 2008.

3.2 Assessment Team

Sterling Griffin, RPF #2805, Team Leader: Sterling Griffin is a Senior Certification Forester with Scientific Certification Systems. He is a Registered Professional Forester in the State of California with 10 years professional experience in private and public forest management. He is a graduate of Purdue University with a B.S in Forestry and has conducted Forest Stewardship Council (FSC) endorsed assessments on over 6 million acres of forestland in North and South America. Recent FSC assessments have included public lands administered by Fort Lewis, WA Forestry Branch, Michigan DNR, Indiana DOF, New York DEC, Maryland DNR and numerous private operations in Maine, Pennsylvania, Oregon, Washington, and California. Prior to joining SCS, he was the founder of a private consulting firm in Northern California specializing in sustained yield management, fuels reduction, and forest health management. His professional career also includes silvicultural and ecosystem research for the U.S. Forest Service. Areas of research activities include stand level response to vegetative competition and Long-Term Ecosystem Productivity (LTEP) in the Pacific Northwest.

Kathryn Fernholz, Social Scientist

Kathryn has worked on development and forest management issues in a range of roles. Since 2004 Kathryn has served as Forestry Program Director for Dovetail Partners, Inc. With a consulting firm, Kathryn was a member of the environmental department and assisted with natural resource inventories, reporting, and environmental impact assessments including the use of Geographic Information Systems (GIS). While working with the Community Forestry Resource Center, Kathryn managed a group certification project for family forests and worked to increase local capacity to provide forest management and marketing services that are compatible with certification standards. Kathryn has been a leader within the forestry community through her service as Chair of the Minnesota Chapter of the Society of American Foresters and her appointment to the Minnesota Forest Resources Council. Kathryn has a B.S. in Forest Resources from the University of Minnesota, College of Natural Resources and also studied at the College of Saint Benedict in St. Joseph, MN and Sheldon Jackson College in Sitka, Alaska.

Gary Zimmer, Wildlife Biologist

Regional Biologist for a five state area, proactively addresses issues of importance to wildlife dependent upon young forest habitats. Provides technical and financial assistance in support of habitat development on public lands to promote ruffed grouse and woodcock habitat management. Provides technical assistance in support of habitat development on privately owned forestlands. Increases understanding of the role of forest management to Ruffed

Grouse Society members, landowners, and the general public through presentations as seminars and workshops. Participates in, and audit Society-sponsored research projects. District Biologist with U.S. Forest Service, Chequamegon/Nicolet N.F. Coordinator of a multi-faceted District fish, wildlife and endangered/threatened species program. Duties included work planning and budgeting, conducting all Biological Evaluations, coordinating District biological inventories, providing fish/wildlife expertise during project development and ensuring NEPA compliance. Key member of District's Integrated Resource Management Team. Coordinated over 40 cost-share projects with 65 partners generating nearly \$350,000 from outside contributors.

3.3 Assessment Process

3.3.1 Itinerary

4/1/08 – Office meetings with key MTE management personnel and document review
4/2/08 – On-site field visit
4/3/08 – Continuation of field visit; stakeholder interviews, facility inspections
4/4/08 – Audit team deliberations and exit interview

3.3.2 Evaluation of Management System

As with any evaluation, the assessment consisted of document review and stakeholder consultation prior to the on-site visit. The on-site assessment consisted of interviews with key management personnel and stakeholders to establish the management system structure. A two-day field visit was then conducted to review implementation of the management system by viewing past and on-going harvests and other treatment units. Finally, an exit meeting was held to present the preliminary findings of the audit.

3.3.3 Selection of FMU's to Evaluate

The forest management operation undergoing certification consists of a single Forest Management Unit.

3.3.4 Sites Visited (not needed for single SLIMF)

4/2 – Stop 1: Compartment 234 0107

Seed tree cut 5years ago. Inventory assessment done at 2,5,7 years from harvest. Snags left within unit. Wetland area buffer marked and protected. No site prep work done after harvest – lots of CWD left in unit. Viewed close-out inspection report. Administrator noted several merchantable pieces of wood left on-site. Contractor billed for leaving merchantable wood. Inspector on-site 2/week during operations.

Stop 2: Compartment 321-0307

57 acre single-tree selection unit harvested Jan-March 08. Handcut and cable skidded. Objectives are to manage for high quality large Sugar Maple logs. Discussed rutting standard in contract (must be less 6" deep and less than 50' long). Discussed deer density estimated to be 10/sq. mile. Did rough calculation of sustained yield estimate – stand removal absolutely consistent with estimated growth on this site for 15 year period matching reentry cycle.

Stop 3: '07 Blowdown Salvage Harvest Unit

Riparian areas not salvage logged. No windrowing or other piling done. Lots of CWD still on-site. Foresters appropriately monitoring units for natural regeneration from adjacent edges. Decision to be made within 3 years regarding replanting needs. Observed Helipad for removal of injured workers. Only minor injury reported during difficult operations. Checked condition of forwarder on adjacent unit being used by contract logger – found to be in good condition.

Stop 4: Compartment 228

White Pine Shelterwood harvested 10 years ago cut to 50% crown closure. Final overstory removal 5 years ago. Very good pine regeneration at approximately 400/acres 4-10' high. Other species well represented were White Birch, Yellow Birch, red oak, and maple. Green tree retention at 1 large tree per acre. Efforts to combat white pine tip weevil include stocking control to keep laterals close together. No browse damage noted by foresters. Trying to use prescribed burning to control hardwood prior to shelterwood in effort to reduce herbicide use. When herbicides are used, notification is put in public newspaper and website along with on-site signage to warn potential berrypickers, etc. Discussed red pine management – stands are first row thinned at 25 years and approximately 10 years cycles, rotations are modeled at 130 years. Total red pine acreage less than few hundred acres.

Stop 5: Compartment 217

Aspen conversion to white pine clearcut in 2008. Observed 100' no-cut buffer along road corridor as required by tribal rules. Plan to scarify soil and spray herbicides to control sod and herbaceous species. Plan to replant with white pine from seed from Griffon State nursery from seed collected from forest. Good utilization of tops for pulpwood. Several CWD logs of various decay classes remaining on site.

Stop 6: Compartment 214

Adjacent unit to 217. Aspen clearcut will be replanted with white pine. Approximately 600 acres/year converted. 90% of lumber from forest sold within state of WI.

Stop 7: Red Pine Plantation

70-year old pine stand. Row thinned several times. Understory of oak, beech, white pine. Stand being managed for sawlog production. Areas of Red-pocket decline despite thinnings and good crown ratios of crop trees.

4/3 – Stop 1: Legend Lake Urban interface

Area of highest fire risk and high rate of oak wilt due to cutting firewood and moving infected oak. 4-5 tribal game wardens patrolling area.

Stop2: Red Pine Plantation

Stand planted in 1960. Stand management has included row thinning and BA thinning with processor. Trees healthy looking with good crown ratios. Minimal residual stand damage and soil compaction. Discussed 638 contract work done on road maintenance within Legend Lake area.

Stop 3: Open Oak Savannah opening

Area burned after plantation harvesting. Observed very good oak sprouting in dispersed groups. Lots of herbaceous plants sprouting. Area will maintained as open oak savannah – a relatively rare ecosystem. Observed MTE inspector doing “pick-up” work on adjacent stands.

3.3.5 Stakeholder Consultation

Pursuant to SCS protocols, consultations with key stakeholders were an integral component of the evaluation process. Consultation took place prior to, concurrent with, and following the field evaluation. The following were distinct purposes to the consultations:

To solicit input from affected parties as to the strengths and weaknesses of MTE’s management, relative to the standard, and the nature of the interaction between the company and the surrounding communities.

To solicit input on whether the forest management operation has consulted with stakeholders regarding identifying any high conservation value forests.

Principal stakeholder groups of relevance to this evaluation were identified based upon previous certification assessments and audits, lists of stakeholders from MTE, and additional stakeholder contacts from other sources. The following types of groups and individuals were determined to be principal stakeholders:

- MTE employees, including contractors
- Pertinent Tribal members and or representatives
- Members of the Lake States-Central Hardwoods FSC Working Group/National Initiative
- FSC International
- Local and regionally-based environmental organizations and conservationists
- Local and regionally-based social interest organizations
- Forest industry groups and organizations
- Purchasers of logs harvested on MTE forestlands
- Local, State and Federal regulatory agency personnel
- Other relevant groups and local communities

Prior to, during, and following the site evaluation, a wide range of stakeholders from the regional area were consulted in regard to their relationship with MTE, and their views on the management of the Menominee Forest. Stakeholders included FSC contact persons, government and non-government organizations involved in forest management, local citizens and groups, employees, contractors, and others. Stakeholders were contacted with a notification mailing soliciting comment and/or phone contact. Comments were received via meetings and personal interviews, phone interviews, and through written responses. Additional stakeholders were contacted beyond those listed in the following table and additional comments were received from individuals not wishing to reveal their identities.

Name	Affiliation	Consultation
Caldwell, Chris	Menominee Indian Tribe of Wisconsin	Meeting
Clark, Fred	Clark Forestry	Interview
Congos, Dave	Bureau of Indian Affairs (BIA)	Interview
Cox, Doug	Menominee Tribal Enterprises (MTE)	Meeting
Crawford, Ken	Logger	Interview
DeLaet, Troy	NewPage Corporation	Interview
Fish, Kenneth	Menominee Tribal Legislature	Interview
Frelich, Lee	University of Minnesota	Interview
Grignon, Dave	Tribal Historic Preservation Office	Meeting
Haas, Cliff	Logger	Interview
Hart, Sean	Bureau of Indian Affairs (BIA)	Interview
Hoffman, Randy	Wisconsin DNR	Interview
La Budde, Gigi	Bison Belly Futures	Written
Peters, Twilla	Menominee Tribal Enterprises (MTE)	Meeting
Plunkett, Jeff	Domtar	Interview
Simeone, Robert	Sylvania Forestry	Interview

Walker, Jim	Menominee Tribal Enterprises (MTE)	Meeting
Williams, Quinn	Wisconsin DNR	Interview
Woodford, Jim	Wisconsin DNR	Interview

3.3.5.1 Summary of Stakeholder Concerns and Perspectives and Responses from the Team Where Applicable

A summary of the major perspectives and concerns expressed by the stakeholders that were consulted during the course of this evaluation include:

Economic Concerns

Comment/Concern	Response
<ul style="list-style-type: none"> Mill is significant source of employment on the reservation and the resource can support a sawmill, which is an essential part of the community and needs to be a profitable business. 	Comment noted. MTE is making considerable effort to operate the mill to provide a significant source of employment
<ul style="list-style-type: none"> There is an on-going Federal lawsuit against MTE alleging misappropriation of contract funds. (United States of America, Plaintiff v. Menominee Tribal Enterprises, principle business arm of the Menominee Indian Tribe of Wisconsin, Marshall Pecore, and Conrad Waniger, Defendants, United States District Court, Eastern District of Wisconsin, Green Bay Division, Case #07-C-316.) 	The audit team is aware of legal proceedings. Criminal charges have been dropped and civil allegations are being addressed. There has been no court ruling on the complaint.
<ul style="list-style-type: none"> MTE should be doing more to cut trees with insect and disease risks. Should be more flexible on the 15-year cycle. 	Marking guides are designed to remove at-risk trees
<ul style="list-style-type: none"> MTE should be doing more to utilize hemlock and beech and do more to explore markets and respond to market demands. Could be developing industrial pads. 	MTE responds to the demand for hemlock and beech when market opportunities arise.
<ul style="list-style-type: none"> Tornado/blowdown damage in 2007 was well addressed with salvage operations addressing safety concerns (i.e, evacuation routes) and material being utilized. 	Comment noted.
<ul style="list-style-type: none"> Not sure the pine improvements and other non-commercial treatments are getting done. 	Pine thinning has continued.
<ul style="list-style-type: none"> The preference for Tribal members creates a work backlog as operators get behind schedule. 	The Menominee forest was established to provide for the well being of tribal members. There was no evidence of backlogs threatening forest health.

<ul style="list-style-type: none"> • Timber is not appropriately valued. Stumpage is not being paid despite the ordinance requiring stumpage payments. Too much wood is being culled and sent to pulp markets. 	<p>Stumpage is a controversial issue and MTE believes it is managing the forest according to MTE Management Plan. Excess revenue from not paying “stumpage” is sent to tribe via Tribal Legislature. See CAR 2008.4 for socioeconomic analysis of the benefits of this structure.</p>
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Social Concerns

Comment/Concern	Response
<ul style="list-style-type: none"> • MTE is not complying with the Stumpage Ordinance and is not accounting for timber values. 	<p>MTE maintains it is not subject to the stumpage ordinance. Excess revenue from not paying “stumpage” is sent to tribe via Tribal Legislature.</p>
<ul style="list-style-type: none"> • Have lost much of the forestry staff and decisions are increasing dominated by the needs of the mill operations. 	<p>MTE maintains that following the stumpage directive of the legislature would increasingly subject forest management decisions to market demands and hamper robust forest management. While the foresters appear sensitive to market demands it is not the sole driver.</p>
<ul style="list-style-type: none"> • MTE could do more to engage with the forestry community outside of the reservation. 	<p>MTE interacts with local university researchers and the local forestry community</p>
<ul style="list-style-type: none"> • The Tribal Historic Preservation Office has done recent work to protect some sites. Cultural Restricted Areas have been established along the river corridor and to take an entire compartment out of production and to protect important cultural resources. 	<p>Comment noted.</p>
<ul style="list-style-type: none"> • The Tribal College is developing a forestry curriculum. 	<p>Comment noted</p>
<ul style="list-style-type: none"> • There need to be more opportunities for public input, including sharing maps of management 	<p>See CAR 2008.2</p>

<ul style="list-style-type: none"> MTE pays for training for loggers, sawyers, etc and provides safety equipment. 	Comment noted
<ul style="list-style-type: none"> Training records are not well kept and contain errors. 	The audit did not reveal any such errors

Environmental Concerns

Comment/Concern	Response
<ul style="list-style-type: none"> The MTE forest looks like old-growth despite a high level of management and harvesting and it stands out in the region for its biodiversity significance. 	Comment noted
<ul style="list-style-type: none"> MTE has collaborated on rare, threatened and endangered species research. Concerned that bird surveys and other ecological assessments may not be occurring regularly. 	Comment noted
<ul style="list-style-type: none"> MTE is doing remarkable forest management and led the way in the development of habitat type classification systems. 	Comment noted
<ul style="list-style-type: none"> MTE should complete the Integrated Resource Management Plan (IRMP) and the revisions to the Forest Management Plan (FMP). 	The FMP is undergoing revision. MTE is not responsible for the IRMP
<ul style="list-style-type: none"> MTE should establish baseline reference areas in the southern part of the forest where there are regionally distinct land type associations. 	Increasing focus has been devoted to the more rare ecotypes found in the southern part of the forest
<ul style="list-style-type: none"> Concerned about the success of the shelterwood cuts and having adequate white pine regeneration. 	Foresters closely monitor shelterwood success
<ul style="list-style-type: none"> MTE participated in invasive species training in the past and took action to address potential garlic mustard problems. Not sure how control efforts have been continued over time. There are also opportunities to address invasive earthworms. 	Garlic mustard control is continuing
<ul style="list-style-type: none"> SFI inspections (for procurement compliance) are conducted at MTE sites and no problems have been identified during those visits. 	Comment noted
<ul style="list-style-type: none"> Need to address insect and disease problems with more harvesting, i.e., beech. 	Insect and disease problems are closely monitored
<ul style="list-style-type: none"> Have restrictive BMPs, monitor logging sites closely and issue lots of fines for violations of terms that are included in the contract. 	Comment noted
<ul style="list-style-type: none"> MTE recognizes the uniqueness of their forest and its regional significance for biodiversity and wildlife habitat. 	Comment noted
<ul style="list-style-type: none"> Have successful regeneration because of effective deer management. 	Comment noted
<ul style="list-style-type: none"> Have addressed forest fragmentation with people moving into town from isolated parcels. 	Comment noted

<ul style="list-style-type: none"> • Good research partner with formal agreement and oversight of data use and release. 	Comment noted
<ul style="list-style-type: none"> • Have collaborated with state on rare, threatened and endangered species research and use results to inform mgmt practices. 	Comment noted
<ul style="list-style-type: none"> • One of the first land managers in the region to start developing and using habitat typing systems. 	Comment noted

3.4 Total Time Spent on audit

Approximately 23 auditors days were spent assessing the Menominee forest for conformance with the Lake States Regional standard.

3.5 Process of Determining Conformance

FSC accredited forest stewardship standards consist of a three-level hierarchy, principle, then the criteria that make up that principle, then the indicators that make up each criteria. Consistent with SCS Forest Conservation Program evaluation protocols, the team collectively determines whether or not the subject forest management operation is in conformance with every applicable indicator of the relevant forest stewardship standard. Each non-conformance must be evaluated to determine whether it constitutes a major or minor non-conformance at the level of the associated criterion or sub-criterion. Not all indicators are equally important, and there is no simple numerical formula to determine whether an operation is in non-conformance. The team must use their collective judgement to assess each criterion and determine if it is in conformance. If the forest management operation is determined to be in non-conformance at the criterion level, then at least one of the indicators must be in major non-conformance.

Corrective action requests (CAR's) are issued for every instance of non-conformance. Major non-conformances trigger major CAR's and minor non-conformances trigger minor CAR's

Corrective actions remaining from a FSC annual audit conducted in 2001 were considered in the context of the current evaluation. The audit team used these CARs to identify key issues. The CARs and the need for MTE response was incorporated into existing CARs and conformance evidence.

Interpretations of Major CAR's (Preconditions), Minor CARs and Recommendations

Major CARs/Preconditions: Major non-conformances, either alone or in combination with non-conformances of other indicators, result (or are likely to result) in a fundamental failure to achieve the objectives of the relevant FSC Criterion given the uniqueness and fragility of each forest resource. These are corrective actions that must be resolved or closed out prior to award of the certificate. If major CAR's arise after an operation is certified, the timeframe for correcting these non-conformances is typically shorter than for minor CAR's.

Certification is contingent on the certified operations response to the CAR within the stipulated time frame.

Minor CARs: These are corrective action requests in response to minor non-conformances, which are typically limited in scale or can be characterized as an unusual lapse in the system. Corrective actions must be closed out within a specified time period of award of the certificate.

Recommendations: These are suggestions that the audit team concludes would help the company move even further towards exemplary status. Action on the recommendations is voluntary and does not affect the maintenance of the certificate. Recommendations can be changed to CARs if performance with respect to the criterion triggering the recommendation falls into non-conformance.

4.0 RESULTS OF THE EVALUATION

Table 4.1 below, contains the evaluation team's findings as to the strengths and weaknesses of the subject forest management operation relative to the FSC Principles of forest stewardship. The table also presents the corrective action request (car) numbers related to each principle.

Table 4.1 Notable strengths and weaknesses of the forest management enterprise relative to the P&C

Principle/Subject Area	Strengths Relative to the Standard	Weaknesses Relative to the Standard	CAR/REC #s
P1: FSC Commitment and Legal Compliance	<ul style="list-style-type: none"> ▪ There is a well documented history of exemplary forest management ▪ The entire property is within the scope of the evaluation ▪ MTE provided full disclosure of all pending issues 	<ul style="list-style-type: none"> ▪ MTE must provide a written statement of commitment to the FSC Principles and Criteria in the management plan or other official document. 	<ul style="list-style-type: none"> ▪ See CAR 2008.1
P2: Tenure & Use Rights & Responsibilities	<ul style="list-style-type: none"> ▪ Treaties and ownership rights are well documented ▪ Hunting, fishing and gathering of non-timber forest products by tribal members is allowed 	<ul style="list-style-type: none"> ▪ None observed 	
P3: Indigenous Peoples' Rights	<ul style="list-style-type: none"> ▪ MTE is duly authorized by Tribal Management Plan ▪ MTE maintains an open participation process ▪ MTE is very sensitive to traditional cultural value of interaction between people and their lands 	<ul style="list-style-type: none"> ▪ None observed 	
P4: Community Relations & Workers' Rights	<ul style="list-style-type: none"> ▪ There is preference for hiring Menominee contractors through performance review process ▪ Employees participate in local civic groups ▪ Excess revenues are sent to tribal members via tribal legislature 	<ul style="list-style-type: none"> ▪ MTE does not have a comprehensive strategy to solicit and incorporate public input for development of the new forest management plan. 	<ul style="list-style-type: none"> ▪ See CAR 2008.2

P5: Benefits from the Forest	<ul style="list-style-type: none"> ▪ There is a 140 year management history by the Menominee ▪ The MTE management plan allows the foresters to stick to the forest management plan regardless of market fluctuations. 	<ul style="list-style-type: none"> ▪ MTE has not done an evaluation of the demand, including the type and amount, for non-timber forest products. 	<ul style="list-style-type: none"> ▪ See CAR 2008.3
P6: Environmental Impact	<ul style="list-style-type: none"> ▪ The GIS contains mapped locations of all sensitive areas and resources ▪ The forest has been habitat typed and forms the basis of management decisions ▪ The Menominee forest is considered by many to be the best regional example of a healthy northern hardwood forest within the context of a fragmented agricultural landscape 	<ul style="list-style-type: none"> ▪ None noted 	
P7: Management Plan	<ul style="list-style-type: none"> ▪ Management objectives are clearly defined in the management plan ▪ Past management is well documented; current management is designed to continue implementation of goals and objectives ▪ Major bodies of water, critical habitat and the surrounding landscape are key components of the MTI landscape management objectives. 	<ul style="list-style-type: none"> ▪ MTE, in partnership with cooperating agencies and bodies, must develop an action plan to conduct a comprehensive socioeconomic analysis that will quantify the direct and indirect social benefits being provided by MTE management. 	<ul style="list-style-type: none"> ▪ See CAR 2008.4
P8: Monitoring & Assessment	<ul style="list-style-type: none"> ▪ Monitoring is very comprehensive ▪ The inventory system captures all the key elements to evaluate growth and regeneration 	<ul style="list-style-type: none"> ▪ MTE must develop a more refined strategy for presenting annual forestry related activities and accomplishments. 	<ul style="list-style-type: none"> ▪ See CAR 2008.5

P9: Maintenance of High Conservation Value Forest	<ul style="list-style-type: none"> ▪ There has been an extensive review of R/T/E species and habitats along with other significant or unique values including cultural and social resources. ▪ Significant and unique resources are given special management prescriptions 	<ul style="list-style-type: none"> ▪ MTE must provide a compilation of the special management areas and zones that are synonymous with the FSC definition of HCVF found in principle 9 of the Lake State Regional Standard. 	<ul style="list-style-type: none"> ▪ See CAR 2008.6
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4.2 Preconditions

No preconditions were placed on MTE during the initial evaluation.

5.0 CERTIFICATION DECISION

5.1 Certification Recommendation

As determined by the full and proper execution of the SCS *Forest Conservation Program* evaluation protocols, the evaluation team hereby recommends that the Menominee Tribal Enterprise (MTE) be awarded FSC certification as a “Well-Managed Forest” subject to the corrective action requests stated in Section 5.2. MTE has demonstrated that their system of management is capable of ensuring that all of the requirements of the Lake States Standard are met over the forest area covered by the scope of the evaluation. MTE has also demonstrated that the described system of management is being implemented consistently over the forest area covered by the scope of the certificate.

5.2 Initial Corrective Action Requests

Background/Justification: Forest owners or managers must provide written statements of commitment to the FSC Principles and Criteria. The commitment may be stated in the management plan [see 7.1], a document prepared for the certification process, or another official document.	
CAR 2008.1	MTE must provide a written statement of commitment to the FSC Principles and Criteria in the management plan or other official document.
Deadline	2009 Annual Audit
Reference	Indicator 1.6.a

Background/Justification: Management planning and operations shall incorporate the results of evaluations of social impact. Consultations shall be maintained with people and groups directly affected by management operations. Clearly defined and accessible methods for public participation shall be provided in both the strategic (long-range) and tactical (short-range) planning processes, including initial adoption and subsequent amendments.	
CAR 2008.2	MTE must develop and implement a strategy to solicit and incorporate public input for management planning activities. The strategy must include public notification procedures and be used to develop the new FMP.
Deadline	2009 Annual Audit
Reference	Indicator 4.4.e.2

Background/Justification: When non-timber products are harvested, the management and use of those products shall be incorporated into the management plan.	
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CAR 2008.3	MTE must evaluate the demand, including the type and amount, for non-timber forest products. This analysis must be included in the management plan revision process. Evaluation should include opportunities to meet the demand and incorporate the associated environmental effects.
Deadline	2009 Annual Audit
Reference	Indicator 5.2.b

Background/Justification: The management plan shall identify relevant cultural and socioeconomic issues (e.g., traditional and customary rights of use, access, recreational uses, and employment) and conditions (e.g., composition of the workforce, stability of employment).	
CAR 2008.4	MTE, in partnership with cooperating agencies and bodies, must develop an action plan to conduct a comprehensive socioeconomic analysis that will quantify the direct and indirect social benefits being provided by MTE management. The analysis should provide direct reference to efforts undertaken to accomplish the overall mandate set for MTE in the Restoration Act of 1972 and MTE management plan.
Deadline	2009 Annual Audit
Reference	Indicator 7.1.b.5

Background/Justification: Managers of public forests shall make information related to monitoring easily accessible for public review.	
CAR 2008.5	MTE must develop a strategy for presenting annual forestry related activities and accomplishments.
Deadline	2009 Annual Audit
Reference	Indicator 8.5.b

Background/Justification: Management activities in high conservation value forests shall maintain or enhance the attributes which define such forests.	
CAR 2008.6	MTE must provide a compilation of the special management areas and zones that are synonymous with the FSC definition of HCVF found in principle 9 of the Lake State Regional Standard. MTE must review the FSC standard to determine if current designations are meeting the intent of principle 9 and provide a description of the process used to designate special management areas. Management guidelines and provisions for monitoring these special areas must be provided.
Deadline	2009 Annual Audit
Reference	<i>For Example: FSC Indicator 4.1.1</i>

Recommendations:

REC 2008.1	MTE should develop emergency response strategy (ie. for a
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	significant blowdown event) that can be incorporated into the management plan and that includes ecological retention guidelines.
Reference	Indicators 6.3.c.4
REC 2008.2	MTE should continue progress to complete the new forest management plan by 2010 with efforts to incorporate relevant guidelines and procedures that guide current and future activities
Reference	Indicator 7.2
REC 2008.3	MTE should continue to monitor the key metrics used in the socio economic analysis (see CAR 2008-4).
Reference	Indicator 8.2.d.2
REC 2008.4	MTE should document the environmental effects and economic impacts of significant natural disturbance events (i.e., June 2007 tornado) and determine what adjustments, if any, should be made to the future harvest schedule.
Reference	Indicator 8.4.a
REC 2008.5	A presentation at the Annual General Council on Forestry would be an effective mechanism to highlight the value of the forestry management program to the community interest. (Indicator 8.5.b)
Reference	Indicator 8.5.b

6.0 SURVEILLANCE EVALUATIONS

If certification is awarded, surveillance evaluations will take place at least annually to monitor the status of any open corrective action requests and review the continued conformance of MTE to the Lake States Regional Standard. Public summaries of surveillance evaluations will be posted separately on the SCS website (www.scscertified.com).

6.1 2009 Surveillance Decision and Public Record

6.1.1 Assessment Dates

Since the 2008 certification evaluation, there were audit activities undertaken on the following dates:

- From May 14 – May 28, 2009, the SCS lead auditor conducted stakeholder interviews in preparation for the annual audit.
- On May 19, 2009, Bill Schmidt contacted the lead auditor to discuss preparations for the annual audit and the status of the open CARs

- On June 8, 2009, the audit plan was finalized and distributed to the audit team and MTE as well as Accreditation Services International (ASI)⁵.

The audit occurred from June 15 – 17, 2009 and included a two person audit team. Total person days spent on the surveillance evaluation, including time spent on auditing documents and records, interviewing stakeholders, and carrying out field work (but excluding travel time) is estimated at 10 person days.

6.1.2 Assessment Personnel

For this annual audit, the team was comprised of Dr. Robert J. Hrubes and Kathryn Fernholz. Ms. Fernholz served as lead auditor for the annual audit and previously served on the full evaluation team in 2008. Dr. Hrubes was engaged in evaluations and audits at MTE when the operations were first certified, in the early 1990's.

Dr. Robert J. Hrubes: Dr. Hrubes is Senior Vice-President of Scientific Certification Systems. He is a registered professional forester and forest economist with 30+ years of professional experience in both public and private forest management issues. Prior to 2000, Dr. Hrubes was engaged in forestry and resource economics consulting and SCS was a principal client throughout the 1990's. In the early 1990's, Dr. Hrubes worked in collaboration with SCS to develop the programmatic protocol that guide all SCS Forest Conservation Program evaluations. Dr. Hrubes has led numerous SCS Forest Conservation Program evaluations of North American (U.S. and Canada) industrial forest ownerships, as well as operations in other regions such as Scandinavia, Chile, Papua New Guinea and Japan. He also has professional work experience in Brazil, Germany, Guam (U.S.), Hawaii (U.S.), and Malaysia.

Kathryn Fernholz: Kathryn has worked on development and forest management issues in a range of roles. Since 2004 Kathryn has served a Forestry Program Director for Dovetail Partners, Inc. With a consulting firm, Kathryn was a member of the environmental department and assisted with natural resource inventories, reporting, and environmental impact assessments including the use of Geographic Information Systems (GIS). While working with the Community Forestry Resource Center, Kathryn managed a group certification project for family forests and worked to increase local capacity to provide forest management and marketing services that are compatible with certification standards. Kathryn has been a leader within the forestry community through her service as Chair of the Minnesota Chapter of the Society of American Foresters and her appointment to the Minnesota Forest Resources Council. Kathryn has a B.S. in Forest Resources from the University of Minnesota, College of Natural Resources and also studied at the College of Saint Benedict in St. Joseph, MN and Sheldon Jackson College in Sitka, Alaska. Kathryn's certification audit team experience includes work on diverse private and public lands in the United States, including the evaluation of operations in Wisconsin, Massachusetts, Oregon, New York, Maryland, Tennessee, and Indiana. Ms. Fernholz is the principal author of this report.

6.1.3 Assessment Process

⁵ This annual audit also served as an accreditation surveillance audit of SCS by the accreditation division of the FSC, which is Accreditation Services International (ASI). ASI sent three auditors to observe how SCS conducted its audit of MTE, to assure that SCS was operating in conformance with the FSC accreditation standard for accredited certification bodies.

The scope of the 2009 annual audit, as with all annual audits, included: document review, auditors spending time in the field and office, interviewing management personnel and, as appropriate, interacting with outside stakeholders

The site visits and staff meetings of the 2009 surveillance audit were conducted on June 16 and 17, 2009.

June 16, 2009, Opening Meeting Participants

Bill Schmidt, Marketing Manager, MTE
Michael Richter, Forestry, MTE
Marshall Pecore, Forestry, MTE
Paul Crocker, MTE Forest Inventory/GIS, MTE
Jeremy Bennett, Fire Management Officer, MTE
Tony Waupochick, MTE Silviculturist/Harvest Prep, MTE
Adrian Miller, President/CEO, MTE
Frank Katto, Manager, ASI/FSC
Guntars Laguns, Accreditation Program Manager, ASI/FSC
Robert Hrubes, SCS, Audit Team Member
Kathryn Fernholz, SCS, Lead Auditor

June 16, 2009 Field Visits

Compartment 344, Stop #1:

- Planned mixed hardwood, oak shelterwood treatment (AH Habitat Type) to be cut fall/winter 2009; review of marking and evaluation of hardwood management and regeneration alternatives.

Compartment 344, Stop #2:

- 10 year old oak shelterwood treatment; review of regeneration techniques and release treatments.

Compartment 230, Stop #3:

- 15 year old oak shelterwood (oak final cut 5 years ago); review of regeneration and retention guidelines.

Compartment 323, Stop #4:

- Single tree northern hardwood selection, cut in 2008; review of selection harvesting method and gap selection.

Compartment 303, Stop #5:

- Single tree hardwood selection, cut in 2008; discussion of riparian buffer guidelines.

Compartment 303, Stop #6:

- Salvage area from 2007 wind event; discussion of monitoring and establishment of permanent plots for evaluating regeneration, fuel loading and impacts from equipment.

June 17, 2009, Meeting and Field Tour Participants

Michael Richter, Forestry, MTE
Marshall Pecore, Forestry, MTE
Paul Crocker, MTE Forest Inventory/GIS, MTE

Jeremy Bennett, Fire Management Officer, MTE
 Tony Waupochick, MTE Silviculturist/Harvest Prep, MTE
 Ron Waukan, Prescribed Fire/Fuels
 Derek Sokoloski, DNR Forester Ranger/Tribal Liason
 Frank Katto, Manager, ASI/FSC
 Guntars Laguns, Accreditation Program Manager, ASI/FSC
 Robert Hrubes, SCS, Audit Team Member
 Kathryn Fernholz, SCS, Lead Auditor

June 17, 2009 Field Visits

Compartment 110, Stop #1:

- Oak planting, prescribed burn May 2009 to trigger resprouting and to reduce competition

Compartment 109, Stop #2:

- Hardwood understory prescribed burn October 2008

Compartment 112, Stop #3:

- Planted red pine thinning harvest, active operation and interview with operator

Compartment 112, Stop #4:

- Pine barrens restoration

Compartment 112, Stop #5:

- Aspen harvest and planted white pine (covertime conversion)

Compartment 112, Stop #6:

- White pine shelterwood with modified retention levels (up to 12-17 trees per acre) to address adjacency of prior harvests and aesthetics

June 17, 2009, Closing Meeting Participants

Adrian Miller, President/CEO, MTE
 Bill Schmidt, Marketing Manager, MTE
 Marshall Pecore, Forestry, MTE
 Paul Crocker, MTE Forest Inventory/GIS, MTE
 Melinda Cook, Secretary
 Frank Katto, Manager, ASI/FSC
 Guntars Laguns, Accreditation Program Manager, ASI/FSC
 Robert Hrubes, SCS, Audit Team Member
 Kathryn Fernholz, SCS, Lead Auditor

6.1.4 Status of 2008 Corrective Action Requests

CAR 2008.1	Reference: Indicator 1.6.a
MTE must provide a written statement of commitment to the FSC Principles and Criteria in the	

management plan or other official document.
Action Taken By Company/Auditor Comments
On May 28 th , 2009 a Board of Directors motion was unanimously approved indicating commitment to FSC certification and the requirements associated with being certified. A copy of the meeting minutes was provided to the audit team as confirmation.
Position in the end of this audit: Closed

CAR 2008.2	Reference: Indicator 4.4.e.2
MTE must develop and implement a strategy to solicit and incorporate public input for management planning activities. The strategy must include public notification procedures and be used to develop the new FMP.	
Action Taken By Company/Auditor Comments	
Public notification of MTE meetings is occurring and meetings allow for public input related to management planning activities. There are a number of weekly, monthly and annual meetings that provide opportunities for public input. At least 26 meetings occur each year in which information is shared about forest management activities and that provide public input opportunities. The public notification process includes posting of meeting notices in the community and in newspapers. Examples of meeting agendas showing the inclusion for Forest Management Reports, the encouragement of tribal attendance, and a public comment period were provided for review by the audit team. The team evaluated examples of how public input is received and responded to, including actions related to a recent concern about the source of tree seedlings. For instance, in response to questions about seedlings, the agenda for the June 13 th , 2009 Annual General Council included this topic and provided information clarifying that seedlings planted by MTE are grown from seed collected at MTE.	
Position in the end of this audit: Closed. See CAR 2009.1	

CAR 2008.3	Reference: Indicator 5.2.b
MTE must evaluate the demand, including the type and amount, for non-timber forest products. This analysis must be included in the management plan revision process. Evaluation should include opportunities to meet the demand and incorporate the associated environmental effects.	
Action Taken By Company/Auditor Comments	
MTE has a permitting process for managing requests for a range of personal forest uses, non-timber forest product harvesting, gathering activities, hunting and fishing. The permitting process provides data about non-timber forest product demand. The auditors reviewed the permitting records. The records are retained for at least five years and include information about what is allowed to be harvested (type), and the volume/quantity (amount). MTE is aware of increasing demands for some products (e.g., balsam boughs and spruce tops) and have guidelines in place to address appropriate harvesting techniques (e.g., removing no more than half of the lower braches of the balsam fir). MTE is also investigating opportunities for carbon credits and has received a grant to conduct a biomass feasibility study. In conjunction with exploring biomass harvesting opportunities, MTE is evaluating harvesting guidelines and coarse woody debris retention policies (e.g., retaining approximately 3 tons per acre).	
Position in the end of this audit: Closed. See CAR 2009.2	

CAR 2008.4	Reference: Indicator 7.1.b.5
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MTE, in partnership with cooperating agencies and bodies, must develop an action plan to conduct a comprehensive socioeconomic analysis that will quantify the direct and indirect social benefits being provided by MTE management. The analysis should provide direct reference to efforts undertaken to accomplish the overall mandate set for MTE in the Restoration Act of 1972 and MTE management plan.

Action Taken By Company/Auditor Comments

A report entitled *Regional Economic Impacts of the Menominee Tribal Enterprises Forestry and Mill Operations* (J.Clements and D.Marcouiller, University of Wisconsin-Madison/Extension; Extension Report 08-2) was completed in August 2008 and is available at the MTE website. The assessment resulted from a 2007 request from MTE for assistance from the University of Wisconsin-Extension, Community Natural Resources, and Economic Development Program. Copies of the assessment findings have been distributed to stakeholders. The audit team reviewed the report. The results of the study include findings that MTE accounts for approximately 20% of the jobs generated in the county and 18% of direct worker compensation. The indirect and induced effects of MTE activity in Menominee County represented \$12 million in additional economic output, and the total impact of MTE operations is \$108 million, representing over 45% of total economic output in the county. The report includes background information about MTE, including the management program and applicable congressional actions. (About the report authors: Clements is a Master of Science Candidate in Urban and Regional Planning at the UW-Madison; Marcouiller is a Professor of Urban and Regional Planning, UW-Madison and State Extension Resource Economist with the UW-Extension.)

Position in the end of this audit: Closed. See Rec. 2009.1

CAR 2008.5

Reference: Indicator 8.5.b

MTE must develop a strategy for presenting annual forestry related activities and accomplishments.

Action Taken By Company/Auditor Comments

The Annual General Council on MTE and the Menominee Tribal Legislature (MTL) includes presentations of annual financial, economic and business operation reports; progress reports address MTE and MTL joint meetings and actions; and forest management information. For example, the most recent meeting (June 13, 2009) included a presentation about clear cutting practices, MTE seedling sources and invasive species concerns, including Emerald Ash Borer. The published annual report provides additional information, including a narrative describing annual activities and accomplishments. For example, the most recent annual report addresses the salvage operations in response to the tornado (including reporting on the salvage volumes, affected acreage, avoidance of salvage logging in wetland areas and establishment of monitoring plots).

Position in the end of this audit: Closed. See Major CAR 2009.3

CAR 2008.6

Reference: Indicator 9.1.a

MTE must provide a compilation of the special management areas and zones that are synonymous with the FSC definition of HC VF found in principle 9 of the Lake State Regional Standard. MTE must review the FSC standard to determine if current designations are meeting the intent of principle 9 and provide a description of the process used to designate special management areas. Management guidelines and provisions for monitoring these special areas

must be provided.
Action Taken By Company/Auditor Comments
MTE has identified special management areas and identified them as a GIS mapping layer. The identified areas total 43,716 acres and include the Wolf River Corridor, Compartment 223, swamps and buffers along visually sensitive roads. The Wolf River Corridor and Compartment 223 were designated as special management areas as a result of a public input process and identified social values. Compartment 223 is removed from management due to a high concentration of cultural resources and MTE has engaged in inter-agency planning efforts regarding the allowable fire response activities within this Compartment necessary to protect the identified values. Collectively, these areas constitute a strong commitment to maintaining high conservation values that are found on the tribal forestlands.
Position in the end of this audit: Closed. See Rec 2009.3

REC 2008.1	Reference: Indicators 6.3.c.4
MTE should develop an emergency response strategy (i.e., for a significant blowdown event) that can be incorporated into the management plan and that includes ecological retention guidelines.	
Action Taken By Company/Auditor Comments	
This is included with the outline for the updated Forest Management Plan to be completed in early-2010.	
Position in the end of this audit: Continued	

REC 2008.2	Reference: Indicator 7.2a
MTE should continue progress to complete the new forest management plan by 2010 with efforts to incorporate relevant guidelines and procedures that guide current and future activities.	
Action Taken By Company/Auditor Comments	
The most current draft was reviewed and appears to be well outlined. However, it appears that the management plan development process has not made much progress in the past six months. Additional action or added plan writing capacity will be needed to keep it on track for a timely completion in early-2010.	
Position in the end of this audit: Continued	

REC 2008.3	Reference: Indicator 8.2.d.2
MTE should continue to monitor the key metrics used in the socio economic analysis (see CAR 2008-4).	
Action Taken By Company/Auditor Comments	
The study completed in August 2008 provides some useful metrics that could be monitored by MTE.	
Position in the end of this audit: Closed. See Rec 2009.1	

REC 2008.4	Reference: Indicator 8.4.a
MTE should document the environmental effects and economic impacts of significant natural disturbance events (i.e., June 2007 tornado) and determine what adjustments, if any, should be made to the future harvest schedule.	

Action Taken By Company/Auditor Comments
MTE is establishing additional monitoring plots within the blowdown area and collaborating with Michigan Tech to evaluate impacts associated with salvage operations, including being able to correlate impacts with the specific types of equipment used in each area. The updating for the Forest Management Plan will include new information about harvest scheduling.
Position in the end of this audit: Continued

REC 2008.5	Reference: Indicator 8.5.b
A presentation at the Annual General Council on Forestry would be an effective mechanism to highlight the value of the forestry management program to the community interest.	
Action Taken By Company/Auditor Comments	
Presentations have been made to address key areas of public interest (e.g., origin of seedlings) and emerging forest management considerations (e.g., invasive species, Emerald Ash Borer).	
Position in the end of this audit: Continued	

6.1.5 General Observations

During this annual surveillance audit, the auditors observed that MTE continues to practice forest management that demonstrates a commitment to long-term sustainability and productivity. MTE is taking action to ensure successful forest regeneration through active conifer and hardwood planting activities, effective shelterwood design and monitoring by the forest development staff. The audit team observed areas where pre-commercial release has been done to ensure oak as a component of regenerating stands and where additional investments (e.g., prescribed fire and follow up treatments) have occurred to address areas of inadequate regeneration. MTE has established an approach that if white pine regeneration in a shelterwood treatment is not established after three years (e.g., due to failed cone crops) the sites will be planted.

MTE is currently in the process of evaluating the latest Continuous Forest Inventory (CFI) data and growth and yield modeling in support of the development of the updated Forest Management Plan. The process includes the potential use of a new approach to modeling. MTE will need to determine how to best accomplish the modeling needed to finalize the plan and develop the harvest scheduling. It may be necessary to complete an evaluation that compares the existing modeling approach with the proposed new approach.

Overall, the audit team concludes that continuance of FSC-endorsed forest management certification is warranted.

6.1.6 New Corrective Action Requests and Recommendations

Non-conformance: There is a non-conformance in that, while methods for public participation are provided in both the strategic (long-range) and tactical (short-range) planning processes, these methods may not be clearly defined and fully understood by the interested public. MTE allows for public input to management planning and decision making via meetings and public notifications. However, the means and mechanisms for public input may not be entirely clear to stakeholders.

CAR 2009.1	Provide clear guidance as to the opportunities and means by which the public can offer input regarding management activities (e.g., a schedule of meetings, description of meeting purposes, etc) for instance through a memorandum (or other form of succinct communication) suitable for posting on the MTE website.
Deadline	<i>2010 Annual Audit</i>
Reference	<i>Indicator 4.4.e.2</i>

Non-conformance: : MTE has not full met the 5.2.b which requires that when non-timber products are harvested, the management and use of those products is incorporated into the management plan. MTE is in the process of preparing an updated Forest Management Plan and non-timber product harvesting, management and use will be addressed in that plan. The data available from the permitting process provides information that can help inform the development of this section of the plan. There is a non-conformance in that the management and use of harvested non-timber forest products is not currently fully incorporated into the management plan.	
CAR 2009.2	Complete an evaluation of the data available from the non-timber forest product harvesting and permitting process and utilize and reference this data in the development of the section of the Forest Management Plan addressing non-timber forest products.
Deadline	<i>2010 Annual Audit</i>
Reference	<i>Indicator 5.2.b</i>

Non-conformance: MTE is actively engaged in a range of monitoring activities but the resulting information is not being summarized and reported to the public. There is a non-conformance in that, while respecting the confidentiality of sensitive information, forest managers of FSC-certified operations are required to make a summary of the results of monitoring indicators publicly available, including data addressing indicators listed in Criterion 8.2 (yield of all forest products harvested; growth rates, regeneration, and condition of the forest; composition and observed changes in the flora and fauna; environmental and social impacts of harvesting and other operations; and cost, productivity, and efficiency of forest management.).	
Major CAR 2009.3	Prepare a summary of the results of monitoring that includes the subjects listed in Criterion 8.2 and ensure that the summary of the results is publicly available.
Deadline	<i>60 days from when the report is issued</i>
Reference	<i>Criterion 8.5</i>

Action Taken By Company/Auditor Comments	
In July 2009, MTE prepared an <i>Overview of Forest Monitoring and Inventory Systems</i> . This overview summarizes the types of monitoring being conducted (Continuous Forest Inventory, Operations Inventory/Stand Exam, Geographical Information System, Marking Check Plots, Harvest Tracking, Harvest Administration, Forest Health Monitoring, Wildlife Surveys, and Project-Specific Surveys). The overview also provides the results of the monitoring to address the indicators listed in Criterion 8.2, including forest composition and covertypes,	

standing timber volumes, observed changes and trends, and growth and mortality examples. The overview summary is publically available at the MTE website. The summary report could be strengthened with additional information about regeneration monitoring.

Position in August 2009: CLOSED

Non-conformance: MTE is in the process of preparing an updated Forest Management Plan, to be completed in early-2010. The existing management plan was approved in 1997 and a summary of that plan is publicly available. To be in compliance with the FSC standard, a management plan summary must be available to the public at a reasonable fee. Guidance for what is to be included in the summary are provided in Criterion 7.1 (Management objectives; Description of the forest resources to be managed, environmental limitations, land use and ownership status, socio-economic conditions, and a profile of adjacent lands; Description of silvicultural and/or other management system, based on the ecology of the forest in question and information gathered through resource inventories; Rationale for rate of annual harvest and species selection; Provisions for monitoring of forest growth and dynamics; Environmental safeguards based on environmental assessments; Plans for the identification and protection of rare, threatened and endangered species; Maps describing the forest resource base including protected areas, planned management activities and land ownership; and justification of harvesting techniques and equipment to be used.) Additional elements of the plan may be excluded, to protect the security of environmentally sensitive and/or proprietary information.

CAR 2009.4	In conjunction with the preparation of the Forest Management Plan, a summary of the primary elements of the plan, including the items listed in Criterion 7.1, must be prepared and made publicly available.
Deadline	<i>2010 Annual Audit</i>
Reference	<i>Indicator 7.4a</i>

Non-conformance: Trip tickets Documentation shall be provided by the forest manager to enable monitoring and certifying organizations to trace each forest product from its origin, a process known as the "chain of custody."

Major CAR 2009.5	Trip tickets and documentation accompanying mill deliveries must include MTE's FSC FM/CoC number since sales of delivered logs are not accompanied with invoices that include the certificate number.
Deadline	<i>Within 30 days of when the report is issued</i>
Reference	<i>Criterion 8.3</i>

Action Taken By Company/Auditor Comments

Trip ticket examples were prepared by MTE and provided to the audit team and submitted to SCS for review and approval on July 16, 2009. Each ticket includes MTE's CoC number and addresses the requirements of Criterion 8.3.

Position in August 2009: CLOSED

Recommendations:

Background/Justification: MTE completed a socio-economic analysis in August 2008 in collaboration with the University of Wisconsin. The results of the study provide measures of MTE's economic impact within the region. Metrics from the study could be monitored on a

period basis, including the creation and maintenance of local jobs.	
REC 2009.1	Consider developing a procedure to make the socio-economic analysis a repeatable process and to establish internal tracking capacities to allow for continued monitoring of the metrics identified in the study.
Reference	<i>Indicator 8.2.d.2</i>

Background/Justification: Retention levels were observed to vary. Observations included treatments with a prescription to retain one tree per acre, some consideration of five trees per acre as an appropriate retention level, and higher levels of retention in specific circumstances (e.g., due to adjacent recent harvests and esthetics). The desired level of retention appears to be an ongoing discussion that should be finalized to support consistent operations and to meet stakeholder expectations. The FSC standard requires that biological legacies of the forest community be retained at the forest and stand levels, consistent with the objectives of the management plan, including but not limited to: large live and declining trees, coarse dead wood, logs, snags, den trees, and soil organic matter. MTE currently retains biological legacies consistent with this standard; however, there is an opportunity for the policy to be clarified and more consistently implemented.	
REC 2009.2	Complete the process of determining the target trees per acre to be retained in overstory removal harvests in order to meet the requirements for biological legacies as required in 6.3.c.1. These efforts could include further refinement of the coarse woody debris retention guideline associated with any proposed biomass harvesting activities.
Reference	<i>Indicator 6.3.c.1</i>

Background/Justification: MTE has identified special management areas and identified them as a GIS mapping layer. The identified areas total 43,716 acres and include the Wolf River Corridor, Compartment 223, swamps and buffers along visually sensitive roads. The Wolf River Corridor and Compartment 223 were designated as special management areas as a result of a public input process and identified social values. Compartment 223 is removed from management due to a high concentration of cultural resources and MTE has engaged in inter-agency planning efforts regarding the allowable fire response activities within this Compartment necessary to protect the identified values. Given the unique historic, cultural and ecological attributes associated with the Menominee Forest, it is possible that additional areas meet potential HC VF designations. It would be appropriate to explore these additional opportunities as the Forest Management Plan is being finalized in order to allow for public input to the HC VF designation.	
REC 2009.3	Review the High Conservation Value Forest (HC VF) categories to consider opportunities for expanded HC VF identification.
Reference	<i>Indicator 9.1.a</i>

6.1.7 General Conclusions of the Annual Audit

Based upon information gathered through site visits, interviews, and document reviews, the SCS audit team concludes that MTE’s management of the Menominee Forest continues to be in strong overall compliance with the FSC Principles and Criteria, as elaborated by the FSC Lake States-Central Hardwoods Regional Standard.

Therefore, the SCS audit team has concluded from this annual surveillance audit that MTE's forest management program is in adequate overall conformance with FSC Principles 1 through 9 (Principle 10 is not applicable as MTE's operations are classified as "natural forest management" under the FSC definitions). As such, continuation of FSC-endorsed forest management certification is warranted, subject to ongoing progress in closing out the CARs issued during this audit and subject to subsequent annual audits.

7.0 SUMMARY OF SCS COMPLAINT AND APPEAL INVESTIGATION PROCEDURES

The following is a summary of the SCS Complaint and Appeal Investigation Procedures, the full versions of the procedures are available from SCS upon request. The SCS Complaint and Appeal Investigation Procedures are designed for and available to any individual or organization that perceives a stake in the affairs of the SCS Forest Conservation Program and that/who has reason to question either the actions of SCS itself or the actions of a SCS certificate holder.

A **complaint** is a written expression of dissatisfaction, other than **appeal**, by any person or organization, to a certification body, relating to the activities of staff of the SCS Forest Conservation Program and/or representatives of a company or entity holding either a forest management (FM) or chain-of-custody (CoC) certificate issued by SCS and duly endorsed by FSC, where a response is expected (ISO/IEC 17011:2004 (E)). The SCS Complaint Investigation Procedure functions as a first-stage mechanism for resolving complaints and avoiding the need to involve FSC.

An "**appeal**" is a request by a certificate holder or a certification applicant for formal reconsideration of any adverse decision made by the certification body related to its desired certification status. A certificate holder or applicant may formally lodge an appeal with SCS against any adverse certification decision taken by SCS, within thirty (30) days after notification of the decision.

The written Complaint or Appeal must:

- Identify and provide contact information for the complainant or appellant
- Clearly identify the basis of the aggrieved action (date, place, nature of action) and which parties or individuals are associated with the action
- Explain how the action is alleged to violate an SCS or FSC requirement, being as specific as possible with respect to the applicable SCS or FSC requirement
- In the case of complaints against the actions of a certificate holder, rather than SCS itself, the complainant must also describe efforts taken to resolve the matter directly with the certificate holder
- Propose what actions would, in the opinion of the complainant or appellant, rectify the matter.

Written complaints and appeals should be submitted to:

Dr. Robert J. Hrubes
Senior Vice-President
Scientific Certification Systems
2200 Powell Street, Suite 725
Emeryville, California, USA94608

Email: rhruhes@scscertified.com

As detailed in the *SCS-FCP Certification Manual*, investigation of the complaint or appeal will be confidentially conducted in a timely manner. As appropriate, corrective and preventive action and resolution of any deficiencies found in products or services shall be taken and documented.