

Appendix II



2014 SFI Summary Re-certification Audit Report

The Green Certification Program of the New York State Department of Environmental Conservation (DEC); Division of Lands and Forests, Bureau of State Land Management (BSLM) has demonstrated continuing conformance with the SFI Standard®, 2010-2014 Edition, according to the NSF-ISR SFIS Certification Audit Process.

NSF-ISR initially certified New York DEC to the SFIS on December 27, 2007 and recertified the program on December 2, 2011. This report describes the Re-Certification Audit for this cycle, designed review overall conformance, assess progress in closing past findings, and consider continuous improvement efforts. In addition, all of SFI 2010-2014 Standard requirements were selected for detailed review.

Program Description:

The DEC Division of Lands and Forests is responsible for New York's extensive system of forest preserves, support for good management of private lands, real property services including handling property conveyances for varied categories of lands (fee and easement), and the management of State Forests. The DEC Green Certification Program is managed by Justin Perry, Green Certification Coordinator.

The Division and Bureau are incorporated within the DEC, run by an appointed DEC Commissioner. Appointees with direct line authority over the implementation of land management programs also include a Deputy Commissioner, Assistant Commissioner and 9 Regional Directors.

Under the New York State Department of Environmental Conservation (DEC) – Joseph J. Martens, Commissioner, the main offices with decision making responsibility, planning and direction for the management of State Forests within the scope of this review are outlined below:

- 1) Office of Natural Resources – Kathleen Moser, Assistant Commissioner
 - a. Division of Lands and Forests – Robert Davies, Director
 - i. Bureau of State Land Management – Robert Messenger, Chief
 1. State Forest Section – Justin Perry, Section Chief
 - a. Green Certification Coordinator – Justin Perry

Additional resources and administrative assistance for State Forest management may also come from the following Offices, Divisions and Bureaus as listed and explained below:

- 2) Office of Natural Resources – Kathleen Moser, Assistant Commissioner
 - a. Division of Lands and Forests – Robert Davies, Director

- i. Bureau of Real Property – Robert A. Burgher, Superintendent
(*Responsible for land acquisition program and conducting land surveys*)
 - b. Division of Fish, Wildlife & Marine Resources – Kathleen Moser, Director
(*State Land Foresters rely on this Divisions expertise when developing policy and management decisions on State Forests*)
- 3) Office of Regional Affairs & Permitting – Christian Ballantyne, Deputy Commissioner
 - a. Region 3-9 – Regional Directors
 - i. Natural Resources 3-9 – Natural Resource Supervisors
 - 1. Forestry 3-9 – Regional Forester
 - a. State Land Foresters
(*Regional supervision of State Land Foresters*)
- 4) Office of Public Protection – Christopher Welch, Assistant Commissioner
 - a. Division of Forest Protection & Fire Management – Joseph Zeglen, Director
 - i. Forest Rangers by Region
(*Responsible for enforcement of the Environmental Conservation Law on State Forests*)
- 5) Office of Administration – Jeffrey Stefanko, Deputy Commissioner
 - a. Division of Operations – Mark Malinoski, Director
 - i. Bureau of Maintenance & Technical Services – Roland Ozols, Chief
(*Perform construction and maintenance on State Forests as requested by the State Land Foresters and develop policy/technical specifications for bridges, and dams.*)

* *“The Division’s other three bureaus manage and protect the 2.7 million acre Adirondack Forest Preserve and the 288,000 acre Catskill Forest Preserve; promote good forest stewardship practices among private landowners, communities and the forest industry; and handle all land conveyance transactions for the Department.”* Source: DEC Web site

The BSLM has primary responsibility for the management of the resources on State Forests, including the harvesting and sale of State-owned timber. The BSLM manages approximately 789,339 acres of land. Certification pertains to 773,272 acres of State Forests in Regions 3-9.

Lands classified as State Forests include lands purchased under legislative authority that set up three broad programs: reforestation lands, multiple-use lands, and unique areas. Reforestation lands make up the majority of the state forest system. They are described as “... properties are to be forever devoted to ‘reforestation and the establishment and maintenance thereon of forests for watershed protection, the production of timber, and for recreation and kindred purposes.’ This broad program is authorized under Article 9, Title 5 of the Environmental Conservation Law.” Source: <http://www.dec.ny.gov/lands/4982.html>

Multiple-use lands were purchased for conservation and development of natural resources, including preservation of scenic areas, watershed protection, forestry, and recreation under authority of the “Park and Recreation Land Acquisition Act of 1960” and the “Environmental Quality Bond Acts” of 1972 and 1986. Unique areas were purchased under the same authority, but are designated for management to preserve their special features, and not likely to receive timber management beyond measures to preserve important vegetation communities.

In practice the management of all three categories of land is integrated into a single program that recognizes the distinct but related legislative mandates described above. The program's main activities are as follows:

- Timber sales (revenue sales and local sales)
- Non-Commercial forest stand improvement / TSI
- Tree planting
- Habitat management
- Recreation trail development or rehabilitation
- Infrastructure development or improvement
- Accessibility projects
- Temporary Revocable Permit activity (land-use permits)
- Adopt-A-Natural-Resource activities (volunteers)
- Unit Management Planning Efforts

The primary timber types managed include northern hardwoods, oak, lowland conifer, and planted conifers, either pure or in mixture with hardwood trees. Many of the planted stands of conifers, once the dominant feature of the reforestation lands, are being allowed to gradually transition to native hardwood species, with sugar maple, oaks, red maple, birches, beech, cherry and associated other species most commonly found. Selection silviculture is favored for the maple-birch-beech type, and various forms of shelterwood systems favored for oak-dominated stands. Stands containing cherry component are treated with both systems according to local practices and site-specific conditions. Norway spruce stands are the most stable of the planted types; many such stands are in superb condition, having undergone periodic, timely thinning. Most of the remaining planted stands, which can include pure or mixed areas of Scotch pine, white pine, white spruce, larch, and some hardwoods, are in fair to poor condition. Lack of markets (in the past) and lack of personnel (currently) for requisite partial harvests are the main reason these other stands have declined in health and vigor. Most planted stands, regardless of past management attention and/or health and vigor status, are on course to develop a more natural composition and structure.

The BSLM, working in cooperation with other agencies and with volunteers (groups and individuals) has established a remarkable infrastructure for recreational use of State Forests. This includes day use and overnight camping areas, varied and extensive trails for many uses, interpretive areas (nature trails, informational kiosks), and accompanying maps and brochures. Effective use of volunteer efforts through the "Adopt-a-Natural-Area" (AANR) program has contributed to the management of recreation resources and in other ways. Many accessibility projects that emphasize making State Forests available to all citizens and visitors are particularly noteworthy, comprising a national model for other states to emulate. Management of recreational use and related infrastructure has taken much time away from basic land management.

Over the past decade New York State has protected over 1,000,000 additional acres of forestland, mostly through the use of working forest conservation easements. This remarkable program has come at a cost; many staff members responsible for managing State Forests in an era of rapidly increasing recreational use have also been tapped to help assess potential forestland acquisitions.

Audit Scope and Requirements

The scope of the SFIS Audit included land management operations; procurement-related requirements under Objectives 8-13 were excluded because New York does not procure wood for a mill. Forest practices that were the focus of field inspections included those that have been under active management since January 1, 2011. Practices conducted earlier were also reviewed as appropriate (regeneration and BMP issues, for example). In addition, SFI obligations to promote sustainable forestry practices, to seek legal compliance, and to incorporate continual improvement systems were within the scope of the audit.

The objective of the audit was to assess conformance of the BSLM Green Certification Program to the requirements of the Sustainable Forestry Initiative® Standard, 2010-2014 Edition (<http://www.sfiprogram.org/sfistandard.cfm>). The standard set of indicators was utilized; none of the indicators were modified.

SFIS Re-certification Audit Process

The Re-certification audit was performed by NSF-ISR on September 8-12, 2014 by an audit team comprising Keri Yankus, SFI Lead Auditor and FSC Lead Auditor, Anne Marie Kittredge. Audit team members fulfill the qualification criteria for conducting SFIS Certification Audits contained in the Sustainable Forestry Initiative® Audit Procedures and Qualifications (SFI APQ). The objective of the audit was to assess continuing conformance of the organization's SFI Program to all the requirements of the Sustainable Forestry Initiative® Standard, 2010-2014.

The review was governed by a detailed audit protocol designed to enable the audit team determine conformance with the applicable SFI requirements. The process included the assembly and review of audit evidence consisting of documents, interviews, and on-site inspections of ongoing or completed forest practices. Documents describing these activities were provided to the auditor in advance, and a sample of the available audit evidence was designated by the auditor for review.

The possible findings for specific SFI requirements included Full Conformance, Major Non-conformance, Minor Non-conformance, Opportunities for Improvement, and Practices that exceeded the Basic Requirements of the SFIS. Surveillance Audits generally focus on conformance issues and do not generally address exceptional practices.

This program is being audited under the continuous surveillance audit option provided in the SFI program. The next audit is a first surveillance audit, scheduled for September 2015.

Overview of Audit Findings

The NSF-ISR Audit team reviewed the two Minor Non conformances that were issued during the 2013 surveillance and corrective action plans implemented by New York DEC and determined that all of the non-conformances were closed.

2013 Minor Non Conformances Resolved:

Minor Non-conformance 2013-01: On one site (Sale X008529, Region 6) practices implemented did not effectively protect soil productivity. (2.3: Program Participants shall implement forest management practices to protect and maintain forest and soil productivity. And: 2.3.6: Criteria that address harvesting and site preparation to protect soil productivity.) 2014 Status: Field foresters had recent trainings on Rutting Guidelines and various sites visited did effectively protect soil productivity, this finding has been closed.

Minor Non-conformance 2013-02: The method used to ensure that managers are aware of current scientific knowledge is not providing key information to all management foresters. (4.2.2: A methodology to incorporate research results and field applications of biodiversity and ecosystem research into forest management decisions.) 2014 Status: During the audit foresters had access to current field research in the organizational internal intranet and field foresters were incorporating information into field applications, this finding has been closed.

2013 Opportunities for Improvement Resolved:

There is an opportunity to improve the program for ensuring that regeneration achieves acceptable species composition and stocking rates for natural regeneration (deer impacts; science). SFI Indicator 2.1.3 requires “Clear criteria to judge adequate regeneration and appropriate actions to correct understocked areas and achieve acceptable species composition and stocking rates for both planting and natural regeneration. DMAP- Evidence: Confirmed in the field several Regions are now using DMAP and monitoring is occurring. This OFI has been addressed and closed.

There is an opportunity to improve understanding and implementation of the rutting guidance document.- Training with staff
SFI Indicator 2.3.2 requires “Process to identify soils vulnerable to compaction, and use of appropriate methods to avoid excessive soil disturbance. Evidence: Field interviews and observations confirm that training did occur with staff regarding soil disturbance. This OFI has been addressed and closed.

There is an opportunity to improve the utilization of forest products, related to timing of harvesting and the allowable harvest levels. SFI Indicator 7.1.1 requires “Program or monitoring system to ensure efficient utilization. Evidence: Interviews in field and Albany with field observations progress has been made. This OFI has been addressed and closed.

There is an opportunity to improve training programs. SFI Indicator 16.1.3 requires “Staff education and training sufficient to their roles and responsibilities. Evidence: Confirmed through interviews that an increase in training is occurring in regions. It was communicated by the Albany office that a February 2015 State Wide meeting will occur which will continue to address training needs. This OFI is being addressed and closed.

There is an opportunity to improve the process for addressing corrective actions stemming from the internal audit process. SFI Indicator 20.1.3 requires “Annual review of progress by management and determination of changes and improvements necessary to continually improve conformance to the SFI 2010-2014 Standard.” Evidence: There are corrective actions being

created from recent internal audits documented in 2014, however this has been issued to a minor nonconformance, see Findings and Conclusions of the 2014 audit.

Findings at the Conclusion of the 2014 Audit:

One new Minor Nonconformance was issued during the re-certification audit as follows:

Minor Nonconformance: The management review was not sufficiently robust to determine all changes needed based on information from site-level internal audit findings and the report of the overall internal audit report. SFI Indicator 20.1.3 requires “Annual review of progress by management and determination of changes and improvements necessary to continually improve conformance to the SFI 2010-2014 Standard (Multi-Site Requirements)

2014 Opportunities for Improvement

Two opportunities for improvement were also identified for 2014. These findings do not indicate a current deficiency, but served to alert New York DEC to areas that could be strengthened or which could merit future attention.

OFI: There is an opportunity to improve “Internal Audit Team Charter and Process” for addressing timelines for corrective actions identified in audits.

Indicator 20.1.2: System for collecting, reviewing, and reporting information to management regarding progress in achieving SFI 2010-2014 Standard objectives and performance measures.

OFI: There is an opportunity to improve “Internal Audit Team Charter and Process” for addressing timelines for upper management reviews.

Indicator 20.1.3: Annual review of progress by management and determination of changes and improvements necessary to continually improve conformance to the SFI 2010-2014 Standard

Exceptional Practices

NSF-ISR also identified three areas where forestry practices and operations on New York Division of Lands and Forests’ lands exceed the basic requirements of the SFI Standard:

The Forestry Division has exemplary programs to monitor and control forest pests, both on the state forests and within all of the forests in New York. SFI Performance Measure 2.4.1 requires that “Program to protect forests from damaging agents.”

The NY DEC Division of Lands and Forests has established an exemplary program to protect known special sites, and to find new sites for protection. SFI Performance Measure 6.1 requires that “Program Participants shall identify special sites and manage them in a manner appropriate for their unique features.”

The NYDEC Division of Land and Forest has established an exemplary recreation program to allow multi-user access, while concur traditional forestry operations happen and excellent educational kiosk in recreational areas. SFI Performance Measure 5.4.1 requires that “Provide recreational opportunities for the public, where consistent with forest management objectives.”

General Description of Evidence of Conformity

NSF's audit team used a variety of evidence to determine conformance. A general description of this evidence is provided below, organized by SFI 2010-2014 Objective.

Objective 1. Forest Management Planning - To broaden the implementation of sustainable forestry by ensuring long-term forest productivity and yield based on the use of the best scientific information available.

Summary of Evidence –The forest management plan for NY DEC and supporting documentation and the associated inventory data and growth models were the key evidence of conformance

Objective 2. Forest Productivity - To ensure long-term forest productivity, carbon storage and conservation of forest resources through prompt reforestation, soil conservation, afforestation and other measures.

Summary of Evidence – Field observations and records associated with each timber harvest were used to confirm practices. NY DEC has certain programs in these areas, for protection against insects, diseases, and for careful management of activities which could potentially impact soil and long-term productivity.

Objective 3. Protection and Maintenance of Water Resources - To protect water quality in streams, lakes and other water bodies.

Summary of Evidence – Field observations of a range of sites were the key evidence. Auditors visited the portions of many field sites that were close to water resources, based on a field sample that was oriented heavily towards such sites.

Objective 4. Conservation of Biological Diversity including Forests with Exceptional Conservation Value To manage the quality and distribution of wildlife habitats and contribute to the conservation of biological diversity by developing and implementing stand- and landscape-level measures that promote habitat diversity and the conservation of forest plants and animals, including aquatic species.

Summary of Evidence – Field observations, written plans and policies, and regular staff involvement in conferences and workshops that cover scientific advances were the evidence used to assess the requirements involved biodiversity conservation.

Objective 5. Management of Visual Quality and Recreational Benefits - To manage the visual impact of forest operations and provide recreational opportunities for the public.

Summary of Evidence – Field observations of completed operations and policies/procedures for visual quality were assessed during the evaluation. Recreational use and esthetics were priority concerns where appropriate.

Objective 6. Protection of Special Sites - To manage lands that are ecologically, geologically, or culturally important in a manner that takes into account their unique qualities.

Summary of Evidence – Field observations of completed operations, records of special sites, training records, and written protection plans were all assessed during the evaluation.

Objective 7. Efficient Use of Forest Resources - To promote the efficient use of forest resources.

Summary of Evidence – Field observations of completed operations, contract clauses, harvest inspection reports and discussions with supervising field foresters and with loggers provided the key evidence.

Objective 14. Legal and Regulatory Compliance -

Compliance with applicable federal, provincial, state and local laws and regulations.

Summary of Evidence – Field reviews of ongoing and completed operations were the most critical evidence.

Objective 15. Forestry Research, Science, and Technology - To support forestry research, science, and technology, upon which sustainable forest management decisions are based.

Summary of Evidence – Reports, financial records and interviews were used to confirm conformance.

Objective 16. Training and Education -To improve the implementation of sustainable forestry practices through appropriate training and education programs.

Summary of Evidence – Training records of selected personnel, records associated with harvest sites audited, and logger and stakeholder interviews were the key evidence for this objective.

Objective 17. Community Involvement in the Practice of Sustainable Forestry -

To broaden the practice of sustainable forestry by encouraging the public and forestry community to participate in the commitment to sustainable forestry, and publicly report progress.

Summary of Evidence – Mailing lists, agendas for meetings, and selected summaries of comments were sufficient to assess the requirements.

Objective 18: Public Land Management Responsibilities -

To support and implement sustainable forest management on public lands.

Summary of Evidence – Interviews, review of policies and procedures, and review of correspondence were used to confirm the requirements.

Objective 19. Communications and Public Reporting - To broaden the practice of sustainable forestry by documenting progress and opportunities for improvement.

Summary of Evidence – Reports filed with SFI Inc. and the SFI Inc. website provided the key evidence.

Objective 20. Management Review and Continual Improvement - To promote continual improvement in the practice of sustainable forestry, and to monitor, measure, and report performance in achieving the commitment to sustainable forestry.

Summary of Evidence – Records of program reviews, agendas and notes from management review meetings, and interviews with personnel from all involved levels in the organization

were assessed. The SFI Team provided components of management review; minutes of meetings supplemented by interviews served to confirm compliance.

The next audit is scheduled for September, 2013.

Relevance of Forestry Certification

Third-party certification provides assurance that forests are being managed under the principles of sustainable forestry, which are described in the Sustainable Forestry Initiative Standard as:

1. Sustainable Forestry

To practice sustainable forestry to meet the needs of the present without compromising the ability of future generations to meet their own needs by practicing a land stewardship ethic that integrates reforestation and the managing, growing, nurturing, and harvesting of trees for useful products with the conservation of soil, air and water quality, biological diversity, wildlife and aquatic habitat, recreation, and aesthetics.

2. Responsible Practices

To use and to promote among other forest landowners sustainable forestry practices that are both scientifically credible and economically, environmentally, and socially responsible.

3. Reforestation and Productive Capacity

To provide for regeneration after harvest and maintain the productive capacity of the forestland base.

4. Forest Health and Productivity

To protect forests from uncharacteristic and economically or environmentally undesirable wildfire, pests, diseases, and other damaging agents and thus maintain and improve long-term forest health and productivity.

5. Long-Term Forest and Soil Productivity

To protect and maintain long-term forest and soil productivity.

6. Protection of Water Resources

To protect water bodies and riparian zones.

7. Protection of Special Sites and Biological Diversity

To manage forests and lands of special significance (biologically, geologically, historically or culturally important) in a manner that takes into account their unique qualities and to promote a diversity of wildlife habitats, forest types, and ecological or natural community types.

8. Legal Compliance

To comply with applicable federal, provincial, state, and local forestry and related environmental laws, statutes, and regulations.

9. Continual Improvement

To continually improve the practice of forest management and also to monitor measure and report performance in achieving the commitment to sustainable forestry.

Source: Sustainable Forestry Initiative® (SFI) Standard, 2005–2009 Edition

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