



Sustainable Forest Management

Your assurance of Canada's highest standards.

March 14, 2010

Mr. Rick Fedrizzi
U.S. Green Building Council
2101 L Street NW, Suite 500
Washington, DC 20037 United States

Dear Mr. Fedrizzi:

The CSA SFM User Group is again submitting comments on the LEED benchmarks for the certified wood credit. We have also attached them to this letter because we feel previous comments have not been considered seriously, and the ability to comment is restricted to only a few benchmarks in this third round of consultation.

To summarize, our concerns are that:

- The public consultation process is flawed
- LEED and the standards it references should follow international standard development protocols.
- The benchmarks have narrow, prescriptive language that excludes standards that achieve the same outcome
- Some certification systems are built on top of the legal requirement where they are applied, in which case the legal framework must be clearly recognized as part of meeting the benchmarks.
- Standards require compliance with law and must recognize the mandate and authority of governments
- Benchmarks should be ecologically appropriate

Benchmarks that allow a fair shot for all at recognition within LEED will lead to the use of more certified wood, and greener buildings.

Prior to the USGBC beginning this benchmark process to consider forest certification systems based on a select set of performance requirements, CSA was included in the first technical draft of LEED for new construction in Canada. The document, "Part II – LEED Canada Guide, 2002" clearly includes CSA along with FSC as certification programs eligible for the certified wood credit. We would appreciate an explanation as to why this was suddenly removed from subsequent drafts.

A meeting between the CSA SFM User Group and people within the USGBC responsible for the Benchmarks is requested. We would appreciate the opportunity for true two-way communication and building of some understanding around these issues and perspectives. This would be far more effective than continuing to miscommunicate publicly on topics of key importance to both organizations.

We appreciate your consideration of this request and the attached comments, and very much look forward to a response from you.

Sincerely,

A handwritten signature in black ink, appearing to be 'John Dunford', written in a cursive style.

John Dunford, Chair
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cc Mr. Steve Baer. MR TAG Chair
Mr. Lee Gros. MR TAG Vice-Chair

CSA SFM User Group – General Comments Benchmarks for LEED Certified Wood Credit – Round 3

CSA SFM User Group is frustrated and disappointed with the USGBC's latest (third) request for public comment on the recognition of certified wood products in LEED. That the LEED steering committee approved this latest version of the Benchmark criteria to evaluate forest certification schemes without any explanation as to why they dismissed the thousands of comments received through the first two requests for public comment is appalling.

The USGBC has now restricted comments to just 5 of the 80 benchmark criteria, without any rationale for why the other 75 benchmarks did not change and why the associated comments from the second round of public comments were dismissed. This is hardly the transparency outlined in USGBC's guiding principles, nor does it meet the expectations the USGBC is demanding from the forest certification schemes in this Benchmark process.

CSA submitted general and specific comments during the second public review in October, 2009. USGBC has not responded to these comments other than a general reply that was not much more than an acknowledgment of receipt. None of our detailed comments or requests for further clarification were responded to. For example, a note to correct the inaccuracies in Footnote 5 (the role of forests in carbon storage) was completely ignored. And while we accept that it is up to the USGBC how they will incorporate detailed comments into the Benchmarks, we certainly expect a response that explains how comments were considered and the rationalization for not incorporating them. With the vested interest that our certification standard has, all of the above has us questioning how much our comments were reviewed and considered in the process.

The LEED Green Building Standard, and the standards it references should be subject to international standard development protocols such as ANSI and ISO. This would help ensure the processes befitting an organization aimed at responsibly transforming markets are in place.

There are numerous examples where the Benchmarks use narrow and prescriptive language that would hopefully achieve a desired outcome, rather than specifying the desired outcome itself. As an example, Benchmarks Ap5 and Ap6 require process steps for certification schemes to mandate advance notice and consultation with stakeholders during the audit process. The desired outcome is to have respectful ongoing communication with local public to ensure their interests are adequately considered, and the benchmark should be to ensure this requirement is included in the standard. To some degree Sp23 requires this although we believe it remains somewhat weak in requiring ongoing dialogue. Once the results based requirement for ongoing public communication is included in the benchmark (and thus the standard) then auditors will be obligated to confirm this occurs. In this particular case we suggest Benchmarks Ap5 and Ap6 be removed in favor of a strengthened Sp23.

At times the prescriptive language within the benchmarks is taken directly from a specific certification standard. As an example, Ap7 requires specific audit summary report details as required by the FSC standard. As previously recommended, simpler wording of the general intent of the audit summary is required in order to make it possible for standards that don't contain this exact wording to meet the benchmark. In the Canadian context, it is extremely frustrating to see the USGBC attempt to exclude nearly 80% of the more than 155 million hectares of certified forests in Canada with narrow and prescriptive benchmarks.

Recognition of Canadian Laws. The benchmarks are not written in a way that recognizes the provincial and federal laws that all organizations in Canada must adhere to. The USGBC has yet to provide clear assurance that legal requirements do not need to be explicitly repeated in a certification standard. If USGBC agrees that compliance with laws is appropriate for all certification systems, then it should explicitly state that Benchmark requirements can be met either by demonstrating that legal requirements or language in the standard meet the intent of the requirement. This again was previously recommended in CSA's response to the second request for comments. We reiterate that failing a general statement in this regard, the wording for Benchmarks such as Sp12, Sp16, Sp21 be begin with "Certification schemes or the laws under which they are applied...".

Mandate and Authority. We also re-emphasize that the Benchmarks must respect and recognize the role of governments in managing the over 93% of forests in Canada that are owned by the public. There are benchmark requirements that are simply outside the scope and mandate of any certification standard. Examples are Sp1 (prohibiting land use conversion) and Sp3 (requiring ecosystem representation in protected areas).

With respect to Sp1 (prohibiting land use conversion), it is not the jurisdiction of voluntary certification schemes or the organizations using them to circumvent government land use planning processes. Land use changes within that overall area are fine as long as the extent of the forest remains stable, and may in fact be necessary to meet social or economic considerations.

With respect to Sp3 (requiring ecosystem representation in protected areas) the organization's role must be focused around cooperating with and respecting government land use decisions. The public forestlands in Canada are under the authority of the Crown (provincial or federal governments), who must consider all uses and act in the interest of all Canadians.

Ecological Appropriateness. We highlight a final example of the lack of response and action to a previous comment, which is of key importance to Canada. The requirement under Sp5 is that the certification scheme maintain the current abundance of old growth forest. This actually contradicts the Sp4 requirement to maintain the structure and composition of forests within their natural range of variation. In parts of Canada low harvest rates and successful fire protection measures have created an imbalance and the forest age class distribution is skewed to artificially high levels of older forests. Thus a requirement to retain the current abundance may well be ecologically unsuitable to the site and outside natural ranges of variation. Again we recommend that the word "current" be removed from benchmark Sp5

Benchmarks allowing all standards a fair shot at recognition within LEED will lead to the use of more certified wood and greener buildings. The use of wood (period) makes a green building greener. The use of wood certified as meeting higher forest management standards provides the ability to green a building even further. Recognizing all credible forest certification brands will make more certified wood available and increase its use in buildings. Benefits include:

- Ability to use more local or regionally grown supplies. In turn this reduces environmental impact of shipping certified wood in from farther away, and supports the local forest industry
- Provides choice
- Keeps prices competitive

The intent of the certified wood credit should be to expand the use of certified wood, rather than restricting it. We should all be rallying for the ability to design buildings that are as green as possible.