

**MAZINAW-LANARK FOREST 2004-2009 INDEPENDENT FOREST AUDIT
ACTION PLAN**

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An Action Plan for the Independent Audit of Forest Management on the Mazinaw-Lanark Forest for the Period 2004 to 2009.

Prepared by Tom Richardson GM, MLFI & Gareth Davies RPF, OMNR Bancroft

An independent audit of forest management was carried out on the Mazinaw-Lanark Forest (MLF) covering the period from April 1, 2004 to March 31, 2009. The final audit report was received May 25, 2010. The MLF was created in 2002 with the signing of Sustainable Forest License (SFL) #542621.

The audit confirmed that the MLF is being managed sustainably. Technical aspects of forest management are completed in a highly satisfactory manner. Communication between the various stakeholders on the forest is very strong and relations are professional, positive and progressive. MLFI is satisfactorily meeting all of the terms and conditions of the SFL. The Ontario Ministry of Natural Resources (OMNR) is meeting its overall responsibilities associated with its role in managing this forest. The audit team confirmed that management of the MLF was in compliance with the legislation, policy, and regulations that were in effect during the 2004-2009 audit term. The audit team recommended that the term of the SFL be extended for an additional five years.

Mazinaw Lanark Forest Management Inc. (MLFI) managed the MLF under two overlapping 20-year forest management plans (the first commencing April 1, 2001 and the second April 1, 2006) with the OMNR. The audit examined MLFI's compliance with the terms and conditions of the SFL agreement and reviewed OMNR's performance in meeting its obligations on the MLF. The audit report identified 15 recommendations aimed at improving the management and administration of the MLF.

Recommendations 3, 7 and 9 are directed to corporate/regional OMNR and are included in the 2009 Provincial Action Plan.

This Action Plan for the Independent Audit of Forest Management on the Mazinaw-Lanark Forest for the Period 2004 to 2009 is being submitted by Mazinaw Lanark Forest Inc. and OMNR Bancroft District.

Recommendations to MLFI and the OMNR Districts

Recommendation 1.

Ontario Ministry of Natural Resources and MLFI shall meet regularly (minimum once a year) with the Algonquin communities to discuss opportunities for more economic benefits on the MLF.

Actions Required:

OMNR District, through the Liaison Specialist, will maintain contact with the Algonquin communities to provide an on-going opportunity for benefits discussions. Additionally, the District will continue to encourage and support involvement in forest management activities through the Local Citizens Committees and the Forest Management Planning Teams to increase awareness of opportunities. The Liaison Specialist will work to arrange a joint meeting to discuss opportunities on an annual basis.

Organization & position responsible:

Ministry of Natural Resources, Resource Liaison Specialist.

Deadline date:

March 15, 2012 and on-going on an annual basis.

Method of tracking progress:

Meeting minutes will be recorded and distributed and follow up action items will be tracked in the minutes. Other discussions/actions outside of the meetings will be file noted and added to the minutes as updates in subsequent meetings.

Recommendation 2.

OMNR, with the participation of MLFI, shall implement the Condition #34 Toolkit on the MLF to assist in documenting current involvement in the forest sector economy as well as defining future objectives and associated strategies.

Actions Required:

OMNR District through the Liaison Specialist with the co-operation of MLFI and the aboriginal communities will document current forest sector economy involvement and define objectives and strategies as per the Condition 34 Toolkit.

Organization & position responsible:

Ministry of Natural Resources, Resource Liaison Specialist.

Deadline date:

March 15, 2012.

Method of tracking progress:

Condition 34 Toolkit templates.

Recommendation 4.

OMNR should inspect bridges that have been assigned as their responsibility and ensure all environmental requirements are met.

Actions Required:

1) Complete inspections: OMNR Southern Region has bridge inspection as the top priority project for 2010/11. Ten bridges within the Bancroft District have been contracted for a complete engineer's inspection. Bridges that are the responsibility of the Crown will be added to an inventory for inspection.

Organization & position responsible:

OMNR, Bancroft Senior Compliance Technician.

2) Prepare reports: Reports will be prepared and submitted with any recommended actions to be taken to achieve compliance with environmental requirements.

Organization & position responsible:

OMNR, Bancroft Senior Compliance Technician.

3) Take actions necessary: Any actions required for environmental compliance will be scheduled and completed. OMNR compliance staff will continue to receive and update bridge inspection training as available.

Organization & position responsible:

OMNR, Bancroft Senior Compliance Technician.

Deadline date:

March 31, 2012.

Method of tracking progress:

Completed reports and summary of actions taken.

Recommendation 5.

MLFI, with the assistance of district OMNR staff, should review their operations manual requirements to ensure that information about sensitive values is provided only to those required to know for implementation purposes.

Actions Required:

MLFI to develop protocols, in consultation with OMNR, to address: communications (including details of sensitive value to be protected), layout of Areas of Concern, distribution of information.

Organization & position responsible:

Mazinaw-Lanark Forest Inc. General Manager.

Deadline date:

March 31, 2012.

Method of tracking progress:

Completed protocols.

Recommendation 6.

OMNR needs to re-examine, with MLFI, the prescriptions for sensitive values and evaluate alternative prescriptions (which may still be under development) that will comply with the intent of the Endangered Species Act (ESA). This should include consideration of the risk to conservation of the sensitive values that occurs through planning procedures that may inadvertently make sites known.

Actions Required:

All Area of Concern prescriptions will be evaluated through a joint OMNR and Industry task team involving the three Forest Management Units in the Bancroft and Pembroke Districts. This task team will provide consistent direction to incorporate re-evaluated prescriptions for sensitive values that comply with the intent of the ESA into the 2011-21 Forest Management Plans, which also include consideration of the risk to sensitive sites becoming known.

District OMNR and MLFI will jointly propose an FMP amendment, which will comply with the ESA, to allow for hauling along forest access routes in Blanding's turtle habitat. Conditions in the amendment will include driver awareness training, speed limits, mandatory reporting of sightings and fencing of some known turtle areas.

District OMNR will support MLFI's ESA harm/harass permit application to allow site preparation activities in some Blanding's turtle habitat, under the "net benefit" category.

District OMNR and MLFI will jointly propose an FMP amendment to allow landings to be constructed on a case-by-case basis within the Blanding's turtle habitat.

Organization & position responsible:

OMNR Bancroft Planning Biologist and MLFI General Manager

Deadline date:

March 31, 2012 and ongoing re-evaluations.

Method of tracking progress:

Task Team meeting minutes and completed prescriptions incorporated into Forest Management Plans.

Recommendation 8.

MLFI shall enter into discussions with MFMC for the purpose of considering refinements to the harvest allocation process that will promote greater efficiency and minimize apportioning single harvest blocks into smaller parcels.

Actions Required:

1. MLFI will discuss the harvest allocation process with Mazinaw-Lanark Forest Management Company (MFMC) and determine revisions to allocation principles to promote greater efficiency and minimize block splitting in the new FMP.

2. Determine block allocation for each MFMC licensee. Rationale for any split blocks will be documented.

Organization & position responsible:

1 and 2. Mazinaw-Lanark Forest Inc. General Manager.

Deadline date:

1. Nov 30, 2011.
2. March 31, 2012.

Method of tracking progress:

1. Minutes of meeting and documentation of principles.
2. Documentation of block allocations and rationale for any split blocks in MLFI licensing proposals to OMNR.

Recommendation 10.

District OMNR should petition the authors of the Madawaska Highlands Land Use plan to establish a more realistic red oak renewal objective.

Actions Required:

OMNR will enter into discussions with Madawaska Highlands Land Use Plan (MHLUP) committee during MHLUP Plan review period to incorporate stand and site guide recommendations with the intent to establish a more realistic red oak renewal objective.

Organization & position responsible:

OMNR Bancroft Forester and OMNR PIM Supervisor.

Deadline date:

Initiate discussion by December 1, 2011. Completion dependent upon MHLUP planning schedule.

Method of tracking progress:

Incorporation of OMNR proposals into new MHLUP.

Recommendation 11.

MLFI shall examine if there are additional opportunities for chemical tending to increase the effectiveness of regenerating high risk and high investment areas.

Actions Required:

MLFI will review silviculture operations, silviculture risk level and possibility of chemical tending on specific sites. When review is completed, a ranked list will be compiled of areas available for chemical tending to increase regeneration.

Organization & position responsible:

MLFI Silvicultural Forester.

Deadline date:

Initiate review by March 31, 2012. Ongoing.

Method of tracking progress:

Results of initial review. Records of where and when additional chemical tending has been used to increase effectiveness of regenerating high risk and high investment areas. Records of silvicultural areas and treatment methods will be reported in Annual Reports.

Recommendation 12.

MLFI must verify that operators have staff that are aware of the requirements of the operations manual prior to the start of operations on each block.

Actions Required:

1. Provide training at scheduled operator workshops.
2. Verify that licensees and/or foreman (and operators) are aware of operations manual requirements prior to operations through operations start-up reviews with licensee and/or foreman and operators.
3. Carry out compliance monitoring to ensure that operators are following operations manual requirements.

Organization & position responsible:

1., 2. and 3. MLFI Senior Compliance Tech.

Deadline date:

1., 2. and 3. March 31, 2012.

Method of tracking progress:

1. Attendance records at operator workshops.
2. Documented in Forest Operation Inspection Program (FOIP) inspection reports.
3. Documented in FOIP inspection reports.

Recommendation 13.

MLFI shall amend its 2006-2011 Compliance Plan Strategy to indicate that the General Manager shall be responsible for reviewing and approving all compliance monitoring reports filed by company compliance inspectors.

Actions Required:

Procedure FOR 07 03 05 in the Forest Compliance Handbook provides direction on report approval processes and specifies that SFL holders are to "...determine their individual report approval process (even if that is to be the inspector who completed the report)..." In the context of this recommendation, MLFI will review the current approach to approving compliance inspection reports in the Forest Operations Information Program (FOIP) and will determine a report approval process that will ensure that quality inspection reports are being submitted to the Forest Operations Inspection Program, consistent with the direction in the Forest Compliance Handbook. If any changes to the current approach to approving compliance inspection reports (i.e. the inspector who completes the inspection report also approves the inspection report) are identified, the appropriate compliance planning components in the Forest Management Plan or Annual Work Schedule will be amended/revised accordingly.

Organization and Position Responsible:

MLFI General Manager.

Deadline Date:

November 30, 2011.

Method of Tracking Progress:

Documentation of review. Amendment to FMP or Compliance Plan or revision to AWS if required.

Recommendation 14.

OMNR Bancroft shall utilise the full remedial provisions of the *Forest Compliance Handbook*, including the suspension and/or cancellation of harvest licenses, or consider applying other innovative remedies, where orders and/or monetary penalties are not resulting in corrective actions from operators with consistently poor compliance records. OMNR and MLFI shall ensure all licensees are aware of their obligations to supervise operations and ensure that all operators are provided with the most up-to-date maps and information. MLFI shall also utilize the provisions available under the Unanimous Shareholders Agreement to induce better compliance performance.

Actions Required:

1. Procedure FOR 07 06 03 in the Forest Compliance Handbook specifies how remedies are to be determined and applied. OMNR will review each instance of Not In Compliance and determine remedy and enforcement response as directed by the Handbook. The compliance history of the licensee will be carefully considered as one of the six elements in assessing which enforcement actions may be undertaken and which remedies are to be applied for each particular situation with the objective of improving compliance performance and values protection.
2. OMNR and MLFI will hold meetings with licensees prior to start-up and ensure that all licensees are aware of their obligations to supervise operations and provide all operators with the most up to date maps and information prior to start-up.
3. MLFI will review with licensees, MLFI requirements under the Unanimous Shareholders Agreement where necessary (e.g. multiple compliance issues.)

Organization & position responsible:

1. OMNR Senior Compliance Tech.
2. OMNR Senior Compliance Tech and MLFI General Manager.
3. MLFI General Manager.

Deadline date:

1, 2, and 3. March 31, 2012.

Method of tracking progress:

1. Documentation will be recorded through FOIP reports which should have appended to them the results of the Issue Management process used in each case of Not in Compliance as well as the documentation associated with how the remedy was determined as per FOR 07 06 03.
2. Documentation of meetings held and attendance of licensees recorded.
3. Record of discussions with licensees.

Recommendation 15.

MLFI shall ensure that adequate resources are available to align more closely the level of silviculture assessment monitoring to the level projected in the approved FMP.

Actions Required:

1. Review silviculture assessment target levels in the approved FMP.
2. Schedule assessments in appropriate AWS.
3. MLFI General Manager and Silviculture Forester will meet to determine the level of resources required to implement the level of monitoring in the AWS and the MLFI General Manager will incorporate these requirements into budget and human resource planning.
4. Implement assessments as scheduled in AWS.
5. Monitor assessment levels throughout implementation of the FMP and report assessment results in AR.

Organization & position responsible:

1. MLFI Silvicultural Forester.
2. MLFI Silvicultural Forester.
3. MLFI General Manager and Silviculture Forester.
4. MLFI Silviculture Forester.
5. MLFI Silviculture Forester.

Deadline date:

1. Review by March 31, 2012.
2. Schedule in AWS by April 1 each year.
3. Increased assessments by June 30 each year.
4. Implement assessments by July 1 each year.

5. Report assessment results in AR April 1 each year.

Method of tracking progress:

1. FMP.
2. Annual Work Schedule.
3. AWS and Budget.
4. AWS.
5. Annual Reports.