



## SILVA FOREST FOUNDATION CERTIFICATION PROGRAM

P.O. Box 9, Slocan Park, British Columbia, Canada V0G 2E0

Phone 250-226-7222 Fax 250-226-7446

Canadian Charitable Registration No. 0902676-52



### **SFF Eco-Cert Policy on Public Consultation**

*February 2000*

#### **Who to Contact**

Generally, consultation shall take place with all peoples and groups directly affected by management activities of the applicant. These include:

- First Nations whose traditional territories include the applicant's managed land
- Government bodies including the Ministry of Forests and the Ministry of Environment, Lands and Parks
- Neighbours of the applicant, including adjacent timber management operations, residents, and all other land uses
- Environmental groups with an interest in the area
- Heritage groups with an interest in the area
- Water users whose water supply depends upon the integrity of the applicant's forests
- Recreational users such as hiking clubs, guides, and outfitters
- Employees and contractors working for the applicant, both past and present
- Business relations with the applicant, including buyers of wood products, suppliers of equipment, and representatives of any association of which the applicant is a member
- Trapping, hunting, and range licensees with interest in the applicant land
- Ecologists or researchers with a professional interest in the area, or who have worked in the area in the past
- FSC members in at least the FSC region within which the applicant lands are located

Each stakeholder contacted is asked to suggest names of other stakeholders that may have an interest in commenting on the certification evaluation. These additional names are also followed up on. As well, notification in the appropriate local newspaper of the evaluation is necessary at least two months prior to planned dates for field evaluation.

#### **Meaningful Consultation**

There are four necessary and interconnected aspects to meaningful consultation.

##### **1. Provide Relevant Information**

Certification is a fairly new concept, and most stakeholders do not fully understand it. The necessary beginning of meaningful consultation therefore is a clear presentation of the following information:

- who the Silva Forest Foundation is
- what certification is
- what the SFF Eco-Cert program and the Forest Stewardship Council are



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- how the certification process works
- a summary of the standards used for evaluation
- some basic information about the applicant, including the specific location of the forest lands being evaluated
- the timeline for evaluation
- notification that the full set of standards used for evaluation are available
- notification that an appeal process exists
- a list of public documents available from SFF
- that all information provided by the stakeholder is confidential

In most cases this information can be included in a letter or facsimile sent to the stakeholder prior to the request for comments.

Stakeholders are asked to comment on the following:

- the standards being used for certification evaluation
- the applicant's performance relative to the standards
- the applicant's performance in general
- any concerns with the applicant's plans, operations, or activities
- any issues related to forest use in the area that are important in understanding the context of the evaluation
- any other issues that bear on the evaluation or on timber management in the area

### **2. Allow Adequate Time for Response**

Once the relevant information has been sent to stakeholders, the onus is on SFF to solicit feedback. In many cases there will be no response to the initial letter, and SFF must follow-up with repeated telephone calls, faxes, and emails until the stakeholder either declines to comment or provides feedback of some kind. This process may take significant time. The initial contact letter must be sent out at least two months prior to commencement of the field evaluation, and shall continue for a duration of at least three months.

Stakeholders raising substantive issues may request to meet with the evaluation team, and time for such meetings should be scheduled prior to the field evaluation if possible. Meetings with First Nations and local stakeholders should be scheduled to take place during period of time allocated for the field evaluation.

### **3. Incorporate Requests for Changes**

Significant issues raised during the consultation process shall be addressed in a meaningful fashion. All issues raised during the consultation process shall be taken into account when designing the field evaluation. Valid concerns and requests for



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changes to planning or operations shall be evaluated by SFF, and may be incorporated into the certification evaluation in two ways:

- a) The applicant may revise plans or operations to address the concerns or to incorporate the requested changes.
- b) SFF may assign recommendations, conditions, or pre-conditions

Regardless of the method by which stakeholder concerns are incorporated into changes, SFF shall ensure the stakeholder is notified of any changes made as a result of consultation.

#### **4. Ensure an Ongoing Opportunity to Participate**

During SFF's annual monitoring visit, First Nations and stakeholders may be contacted, and any ongoing concerns from stakeholders will be taken into account. Whether or not any assigned conditions of certification that originally arose via stakeholder concerns, will be monitored in part through consultation with appropriate stakeholders.

Stakeholders shall have a clear means of regularly communicating with the timber management operation. Mechanisms shall be in place so that ongoing concerns from stakeholders are addressed by the applicant in a timely and meaningful fashion, and that plans and activities are modified accordingly. The results of applicant's monitoring activities shall be made publicly available.

#### **First Nations**

Meaningful consultation, as outlined above, with First Nations is the only way to evaluate compliance with FSC Principle #3. Criterion 3.1 states that: "Indigenous peoples shall control forest management on their lands and territories unless they delegate control with free and informed consent." This criterion necessitates the active consent of First Nations, and SFF must ensure that this consent has been given. This is a very different requirement than a passive requirement of ensuring there is no objection by First Nations to the applicant's plans or operations.

The requisite consent can be indicated to SFF via either:

- a) a letter to the applicant or to SFF stating that they give consent to the applicant to conduct timber management activities on their traditional territory, or
- b) verbal confirmation from the First Nation