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**SmartWood**

*Practical conservation through certified forestry*

Forest Management  
**2007 Annual audit**  
Report for:

**The Spanish Forest  
Managed by Domtar**  
in  
**Ontario, Canada**

Certificate code: SW-FM/CoC-2002

Auditors: Tom Clark  
Phil Shantz  
Nick Baggs, RPF

Audit Dates: Oct 1-4, 2007

Report Finalized: March 26, 2008

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## TABLE OF CONTENTS

1. INTRODUCTION .....	3
2. AUDIT FINDINGS AND RESULTS .....	3
2.1. AUDIT CONCLUSION .....	3
2.2. CHANGES IN THE FOREST MANAGEMENT OF THE FME .....	3
2.3. STAKEHOLDER ISSUES .....	4
2.4. CONFORMANCE WITH APPLICABLE CORRECTIVE ACTION REQUESTS .....	4
2.5. NEW CORRECTIVE ACTIONS ISSUED AS A RESULT OF THIS AUDIT .....	11
2.6. AUDIT OBSERVATIONS .....	12
3. AUDIT PROCESS .....	13
3.1. AUDITORS AND QUALIFICATIONS: .....	13
3.2. AUDIT SCHEDULE .....	14
3.3. SAMPLING METHODOLOGY: .....	14
3.4. STAKEHOLDER CONSULTATION PROCESS.....	14
3.5. CHANGES TO CERTIFICATION STANDARDS.....	15
APPENDIX I: List of visited sites (confidential) .....	16
APPENDIX II: List of stakeholders consulted (confidential) .....	17
APPENDIX III: Forest management standard conformance (confidential) .....	18
APPENDIX IV: Chain of Custody Conformance (confidential).....	21
APPENDIX V: FSC Annual Audit Reporting Form: .....	23
APPENDIX VI: SmartWood Database Update Form .....	26

# 1. INTRODUCTION

The purpose of this report is to document annual audit conformance of the Spanish Forest, sometimes to as Forest Management Enterprise (FME). The report presents the findings of SmartWood auditors who have evaluated company systems and performance against FSC forest management standards and policies. Section 2 of this report provides the audit conclusions and any necessary follow-up actions by the company through corrective action requests.

SmartWood audit reports include information which will become public information. Sections 1-3 will be posted on SmartWood's website according to FSC requirements. All appendices will remain confidential.

Dispute resolution: If SmartWood clients encounter organizations or individuals having concerns or comments about Rainforest Alliance / SmartWood and our services, these parties are strongly encouraged to contact SmartWood regional or Headquarters offices directly (see contact information on report cover). Formal complaints or concerns should be sent in writing.

## 2. AUDIT FINDINGS AND RESULTS

### 2.1. Audit conclusion

<b>Based on Company's conformance with FSC and SmartWood requirements, the audit team makes the following recommendation:</b>	
<input checked="" type="checkbox"/>	<b>Certification requirements <u>met</u>, certificate maintenance recommended</b> Upon acceptance of CAR(s) issued below
<input type="checkbox"/>	<b>Certification requirements <u>not met</u>:</b> Conformance with Major CAR(s) required
Additional comments:	
Issues identified as controversial or hard to evaluate.	

### 2.2. Changes in the forest management of the FME

Domtar was in the process of divesting itself from management of this SFL, and transferring that responsibility to Conifex, a new business focused on sawmills. Legal issues in Quebec are delayed this transfer. The day to day business did not appear to be effected in any way, although it would be a major change in business arrangement for the Ontario operations of Domtar. At the conclusion of this process, the deal appeared to be cancelled.

The Canadian Forest sector continues to suffer from low markets and this has had local impacts in this forest. For example, as with the adjacent Pineland forest, the OSB mill which used the Spanish Forest as a supply of hardwood fibre indefinitely closed in 2006 and has not

reopened. Some poplar goes to Norbord which requires veneer quality. Spruce Pine Fir markets are still being supplied, although prices are low.

As a result of unfavourable economic conditions Domtar announced the indefinite closure of the Nairn Centre Woodlands operations on March 17<sup>th</sup>, 2006. This was followed with the indefinite closure of Domtar's Nairn Centre Sawmill on September 18<sup>th</sup>, 2006. Both the sawmill and the woodlands operations are still closed and as a result there has been little harvesting on the southern half of the Spanish Forest.

In the contractor side of the operation, there have been no major changes. Some FN forestry operations have had workers attracted by the mining exploration that is now increasing in the area.

Planning has commenced for the 2010 plan on this forest, and two meetings have been held. MNR has been leading the contact with the 8 First Nation communities for the new plan. Four communities have accepted so far.

The HCVF report has been updated with some status changes for a few species.

### 2.3. Stakeholder issues

There have been no direct complaints to SmartWood about issues in the forest.

### 2.4. Conformance with applicable corrective action requests

The section below describes the activities of the certificate holder to address each applicable corrective action issued during previous evaluations. For each CAR a finding is presented along with a description of its current status using the following categories. Failure to meet CARs will result in non conformances being upgraded from minor to major status with conformance required within 3 months with risk of suspension or termination of the SmartWood certificate if Major CARs are not met. The following classification is used to indicate the status of the CAR:

CAR Status Categories	Explanation
<b>Closed</b>	Certified operation has successfully met the CAR and addressed the underlying nonconformance.
<b>Open</b>	Certified operation has <u>not met</u> the CAR; underlying nonconformance is still present. CAR becomes a Major CAR with a 3 month deadline for conformance

<b>CAR 01/06</b>	<b>Reference to Standard: # 1.1.4</b>	
<b>Nonconformance</b>	Although Domtar has a generally good compliance record, there is a pattern of recent non-compliances not being dealt with promptly.	
<b>Major</b>	<b>Minor X</b>	
<b>Corrective Action Request:</b>		

Domtar shall reinforce existing mechanisms to respond to identified non-conformances in a timely manner and/or within timeframes identified in non-compliance reports.	
<b>Timeline for conformance:</b>	By first annual audit
<b>Evidence to close CAR:</b>	<p>During the audit the company reviewed the procedure for addressing non-conformances recorded in FOIP including:</p> <ul style="list-style-type: none"> <li>• Monthly compliance reporting; timelines for response; addition to DIMS; significant reports at regular EMS MRC meeting.</li> <li>• SOP non conformance through EMS</li> <li>• Internal audit non-conformances action planning</li> <li>• Potential FOIP non-conformance at EMS performance meetings</li> </ul> <p>A review of the water crossing problems in the priority list showed how the operations are being scheduled.</p> <p>The EMS procedures were reviewed during the audit, related to other items.</p> <p>Comments from outside the company said there has been improvement in addressing non-conformances.</p>
<b>CAR Status:</b>	CLOSED
<b>Follow-up Actions (if app.):</b>	

<b>CAR 03/06</b>		<b>Reference to Standard: # 3.3.1</b>
<b>Nonconformance</b>		First Nations values are not adequately incorporated into forest management.
<b>Major</b>	<b>Minor X</b>	
<b>Corrective Action Request:</b>		
<p>Domtar shall have made a concerted effort to work in concert with the MNR and local First Nations to develop a long-term strategy to ensure that resources are available to strengthen the existing inventory of aboriginal values on the Spanish Forest to:</p> <ol style="list-style-type: none"> <li>i. Ensure that these values are identified and considered in the development of operational forest management plans; and,</li> <li>ii. Where they meet the definition of High Conservation Value Forests, identify these values as HCV and include them in the HCVF report.</li> </ol>		
<b>Timeline for conformance:</b>		By first annual audit
<b>Evidence to close CAR:</b>		There has been limited progress on this CAR since the time of the original assessment, however this has been a result of delays in forest management planning. MNR and Domtar are just embarking on the forest management planning process for the 2010 FMP. In doing so the MNR has tried to clarify which First Nations have an interest on the Spanish Forest.

This is a necessary first step to values collection. It was noted in the original assessment report that MNR offered the Native Consultation Process to 13 First Nations during the preparation of the 2005 FMP. The assessment team and Independent Forest Audit team (who were the same individuals) encouraged MNR to resolve which First Nations had a definite interest in the forest. In preparation of the 2010 FMP MNR has indicated that eight First Nations are being offered the Native Consultation process (and therefore also participate in values collection). These eight are Mattagami, Brunswick House, Chapleau Ojibway, Whitefish Lake, Sagamok, Serpent River, Mississagi and Wikwemikong. Of these eight only four (Mattagami, Brunswick House, Chapleau Ojibway and Wikwemikong) have indicated a definite interest in participating in the next FMP. Despite numerous calls, the other four have not declared whether they have an interest in the forest or participate in the FMP. The audit team is of the opinion that even though they may not participate in this FMP, the other four likely have some connection to the forest and should always be considered as potentially interested and effected First Nations.

In Ontario, forest management planning has a required values identification, collection and protection process with First Nations. When this process is completed successfully it can fully meet the intent of criterion 3.3 of the FSC NBS. MNR has already gone through the required values collection process for both the 2000 and 2005 FMPs. That being said, there has been a recognition in Ontario that the values collection process met with mixed success in the first round or two of forest management planning. Stakeholders including First Nations and MNR gradually recognized that values collection probably should not be seen as a one shot process but rather should be more on-going from Plan to Plan. This is for a number of reasons including: the limited funding provided to do this work; adoption of new approaches (and different individuals) to improve values collection; better understanding and trust within First Nations on engaging in values collection with MNR and forest products companies; and other reasons.

As indicated above, MNR is in the initial steps of planning for the 2010 FMP and the identification of values will occur in this process. The values identification process has already occurred during two previous FMPs but as indicated in the assessment report, there was lingering concern that values collection to date was not complete or as robust as it should be. No doubt, the uncertainty with respect to which First Nations actually had an interest in the Spanish Forest contributed to this problem. Based on interviews conducted with MNR and First Nations the following appears to be the

	<p>status of values collection.</p> <p>Mattagami First Nation has done an extensive amount of work on values collection (throughout their forests of traditional interest) and has a values set for the Spanish Forest. Serpent River, Mississagi and Sagamok all provided point values during the 2005 FMP. While Chapleau Ojibway does appear to have a connection to a portion of the Spanish Forest it doesn't appear that they would be able to identify point values on the landbase at this point but may at some future time. Whitefish Lake, Wikwemikong and Brunswick House are all located further from the Spanish and have forests of higher interest to them. While these First Nations still have an interest in the Spanish it is not clear whether they will have an easy time identifying point values on the forest.</p> <p>The intent of the CAR was to strengthen the work already done to date. This opportunity presents itself again with the new FMP and with the First Nations who have clearly indicated an interest. The Spanish Forest will have in place for this FMP process a First Nations Task Team which can focus on how to improve the existing values collection process. This includes a pot of funds from both MNR and Domtar, which if used collectively by the First Nations end up with more end results than if separated into sections of a pie.</p> <p>The audit team believes that for Domtar to address the values collection process and this CAR in this past year was not in their control and more importantly would have been very premature, confusing and an unwise use of resources. At the same time, the intent of the original CAR was still correct. The timing is right in this next year to address this condition. Therefore this condition remains open for another year.</p> <p>The audit team believes it will be important for Domtar to meet with the MNR and First Nations interested values collection on the Spanish Forest and explain the meaning and intent of FSC's identification and protection of values and High Conservation Values (cultural). At that point, the First Nations may be better able to provide input to the Strategy.</p>
<b>CAR Status:</b>	OPEN
<b>Follow-up Actions (if app.):</b>	Extended to second annual audit, due to extenuating circumstances.

<b>CAR 6/06</b>	<b>Reference to Standard: 6.1.6</b>
<b>Non-conformance</b>	More effort is needed to meet the Standard's requirements for making

<b>Major</b>	<b>Minor X</b>	elements of management of the forest available to the public
<b>Corrective Action Request:</b>		
Domtar shall have developed and implemented a mechanism to make documents identified in the NBS readily available to the public; these documents include: the PIC Report, the Monitoring Plan, the HCV Report, and the review of the HCV report.		
<b>Timeline for conformance:</b>		By the first annual audit
<b>Evidence to close CAR:</b>		<p>This CAR is a collection of findings which noted that the company was deficient in sharing information about the forest. The documents mentioned are all FSC related, although they share much source material with FMP documents:</p> <ul style="list-style-type: none"> <li>• PIC report,</li> <li>• HCVF report</li> <li>• HCVF review material</li> <li>• Monitoring plan (a collection of documents)</li> </ul> <p>The standard says only that the documents must be “available”. The company has met this requirement by putting the names of staff on a web site and telling the public that a copy of the report can be had by contacting one of the staff. This CAR is met.</p>
<b>CAR Status:</b>		Closed
<b>Follow-up Actions (if app.):</b>		

<b>CAR 7/06</b>		<b>Reference to Standard: 6.1.6</b>
<b>Non-conformance</b>		No effort has been made to have the PIC Analysis peer-reviewed, as is required by the Standard.
<b>Major</b>	<b>Minor X</b>	
<b>Corrective Action Request:</b>		
Domtar shall obtain a peer review of its PIC report by at least one qualified individual.		
<b>Timeline for conformance:</b>		By the first annual audit
<b>Evidence to close CAR:</b>		An excellent review of the PIC analysis was obtained by the company. The reviewer provided detailed comments and indicated a number of additional sources for improving the interpretation of the data. The intent of this CAR is met and it is closed, however the comments should be incorporated into the report. A new observation is made to that effect.
<b>CAR Status:</b>		Closed
<b>Follow-up Actions (if app.):</b>		Observation 02/07: Domtar needs to update the PIC report to address the comments made by the reviewer.

<b>CAR 8/06</b>		<b>Reference to Standard: 6.1.6</b>
<b>Non-conformance</b>		Natural regeneration reporting is not adequately incorporated into silvicultural monitoring on the forest.
<b>Major</b>	<b>Minor X</b>	
<b>Corrective Action Request:</b>		
Domtar shall develop a process to ensure that requirements for natural regeneration reporting will be met for each FMP period.		
<b>Timeline for conformance:</b>		By the first annual audit
<b>Evidence to close CAR:</b>		<p>Evidence has been provided to confirm that Domtar is now reporting natural regeneration annually instead of at the end of each five-year term. The 2005 Annual Report for the Spanish Forest, submitted on November 15, 2006 identified 15,298 ha as being naturally regenerated.</p> <p>From the original report: "The 2005 IFA report indicated that FMP targets for silvicultural operations were met, with the exception of the reporting of natural regeneration. Domtar conducts surveys annually on the Spanish Forest to determine the areas within harvested blocks that will be regenerated by natural means. For the period from 2000-2005, natural regeneration reporting was completed for approximately 60% of the required area. Accordingly, we have identified a CAR (CAR 8/06 ) to address this shortcoming." Discussion with MNR indicates that this has been a problem.</p> <p>The FMP period required for completion by the CAR is 2000 2005. The last Annual Report indicates that in 2006, 7,750 ha were assessed of which 3,150 ha were extensive silviculture. For reference 3,800 ha were harvested showing that the company is catching up on regeneration surveys. This is no doubt helped by a very low harvest this year. Regardless, the intent of the CAR is met.</p>
<b>CAR Status:</b>		Closed
<b>Follow-up Actions (if app.):</b>		

<b>CAR 12/06</b>		<b>Reference to Standard: 6.5.1</b>
<b>Non-conformance</b>		Field inspection revealed a number of instances in which maintenance and/or repair issues existed with culverts.
<b>Major</b>	<b>Minor X</b>	
<b>Corrective Action Request:</b>		
Domtar shall identify and implement a process for setting priorities for culvert repair and/or replacement.		
<b>Timeline for conformance:</b>		By the first annual audit

<b>Evidence to close CAR:</b>	<p>This is related to CAR 1/06. The audit team reviewed the EMS and the priority list for water crossing repairs. Currently the list contained 8 crossings, 6 of which had been repaired. In the filed the auditors inspected two culverts. These were well repaired, with small discrepancies (one pipe was slightly lifted, some swirling of water).</p> <p>There are two partnership arrangements with the government. The Min of Transport partners with partial payment for repairs on some crossings. MNR now provides roads funding which includes bridge repairs. New inspection standards mean that any crossing &gt;3 m has to be inspected annually. This ensures a shorter turn around time for repairs on water crossings.</p> <p>The company has prepared a priority list and is implementing repairs as required by the CAR. The CAR is closed.</p>
<b>CAR Status:</b>	Closed
<b>Follow-up Actions (if app.):</b>	

<b>CAR 16/06</b>	<b>Reference to Standard: 9.3.2</b>
<b>Non-conformance</b>	Although several aspects of management of the forest take into account effects on, and effects from surrounding forest lands, additional effort is required to ensure that the HCVF analysis takes into account surrounding forest lands.
<b>Major</b> <b>Minor X</b>	
<b>Corrective Action Request:</b>	
Domtar shall develop a strategy for incorporating consideration of all surrounding forest lands into its management of the Spanish Forest, with emphasis on identification, evaluation and management of HCVFs.	
<b>Timeline for conformance:</b>	By the first annual audit
<b>Evidence to close CAR:</b>	<p>In response to this CAR the management team prepared a strategy aimed at the activities that should be undertaken during preparation for the 2010 plan. There are nine items on the list, eight of which are normal procedure during planning. The final item is “possible” meetings with adjacent managers.</p> <p>This item included a commitment to attempt to obtain digital files of HCVs and marten cores from the adjacent landbase managers,</p> <p>For a similar CAR on the adjacent Pineland forest the company provided the following rationale as evidence of compliance :</p> <ul style="list-style-type: none"> <li>• General landscape</li> <li>• Parks</li> </ul>

	<ul style="list-style-type: none"> <li>• Application of “guidelines” and manuals</li> <li>• Treatment of HCVs</li> <li>• Core area and Intact patches</li> <li>• Evolving landscape approach</li> </ul> <p>The discussion is an overview of generic approaches that are taken to planning and implementation of the plan on the SFL, and consideration of land use direction (such as Living Legacy) as required by the planning system. They also review the approach to HCV management including moose habitat, general AOCs, and the coordination of core areas with the adjacent Pineland Forest. The involvement in the development of the landscape guide is also provided as support for the concept.</p> <p>The managers correctly point out that given the timing in the planning cycle, the second year of the current plan, it is very difficult to address a planning issue fully.</p> <p>Discussion with MNR indicated that there is some coordination already, with the example of Natural Trout Lakes which require coordination of prescriptions between Sudbury Northshore and Spanish forests. There is more natural affinity to the south because the watershed is more connected (e.g. Trout). Regional coordination allows for synchronizing the prescriptions already.</p> <p>These findings are sufficient to close this CAR. In the next round of planning, which commences in a year, and which is a ten year plan, the auditors will review this again. An Observation is issued.</p>
<b>CAR Status:</b>	Closed
<b>Follow-up Actions (if app.):</b>	Observation 01/07: In the next round of planning, Domtar should more fully consider surrounding forest lands (e.g. Martel and Romeo Malette), into management of the Spanish Forest with emphasis on establishment of core areas and High Conservation Value Forests.

**2.5. New corrective actions issued as a result of this audit**

<b>CAR 03/06</b>		<b>Reference to Standard: # 3.3.1</b>
<b>Non-conformance</b>		First Nations values are not adequately incorporated into forest management.
<b>Major</b>	<b>Minor X</b>	
<b>Corrective Action Request: Corrective Action Request:</b> Domtar shall have made a concerted effort to work in concert with the MNR and local First Nations to develop a long-term strategy to ensure that resources are available to strengthen the existing inventory of aboriginal values on the Spanish Forest to: <ul style="list-style-type: none"> <li>i. Ensure that these values are identified and considered in the development of operational forest management plans; and,</li> <li>ii. Where they meet the definition of High Conservation Value Forests, identify these values as HCV and include them in the HCVF report.</li> </ul>		
<b>Timeline for conformance:</b>		By the next annual audit
<b>Evidence to close CAR:</b>		Pending
<b>CAR Status:</b>		OPEN
<b>Follow-up Actions (if app.):</b>		

<b>CAR 01/07</b>		<b>Reference to Standard: # 3.3.1</b>
<b>Non-conformance</b>		In reviewing the evidence provided for the adjacent forest, the Pineland, the audit team noted that there is no peer review for the GAP analysis as required by the NBS. As a result a CAR is placed to complete this.
<b>Major</b>	<b>Minor X</b>	
<b>Corrective Action Request: Corrective Action Request:</b> Domtar shall complete the peer review of the protected areas gap analysis, and shall approach the government to discuss completion of the protected areas network.		
<b>Timeline for conformance:</b>		By the next annual audit
<b>Evidence to close CAR:</b>		Pending
<b>CAR Status:</b>		OPEN
<b>Follow-up Actions (if app.):</b>		

## 2.6. Audit observations

**Observations** are very minor problems or the early stages of a problem which does not of itself constitute a non-conformance, but which the auditor considers may lead to a future non-conformance if not addressed by the client. An observation may be a warning signal on a particular issue that, if not addressed, could turn into a CAR in the future (or a pre-condition or condition during a 5 year re-assessment).

<b>OBS 1/07</b>	<b>Reference Standard &amp; Requirement: 7.1</b>
Stems from a timing issue with the next planning exercise. A CAR could not be written for the time frame, so an observation was made to address this when the time comes.	
<b>Observation:</b> In the next round of planning, Domtar should more fully consider surrounding forest lands (e.g. Martel and Romeo Malette), into management of the Spanish Forest with	

emphasis on establishment of core areas and High Conservation Value Forests.

<b>OBS 2/07</b>	<b>Reference Standard &amp; Requirement:</b>
The PIC report has not been updated to address the comments by the reviewer. This is an important step to show commitment to considering the PIC report findings.	
<b>Observation:</b> (6.1.6): Domtar needs to update the PIC report to address the comments made by the reviewer.	

### 3. AUDIT PROCESS

#### 3.1. Auditors and qualifications:

**Tom Clark, B.Sc., M.Sc. Zool.** Tom has spent twenty-five years as a consulting ecologist focused on wildlife ecology and forest management. He has completed over 40 FSC assessments and audits across Canada. His work on High Conservation Value Forest has led the evolution of that concept in Canada. Achievements include: assessment team member for the first FSC certification in Canada; consultant to the first public License (SFL) certified in Canada (Westwind) and author of the first HCVF report in Canada. Other responsibilities include working as a consultant to environmental groups, government and forest management companies.

**Phil Shantz** – Phil Shantz is registered professional planner, auditor and socio-economist who has specialized in resource management projects across Northern Ontario. Since 2000, Phil has led or participated in approximately 25 forestry audits in Canada and the US. This included being part of the team that field tested the Draft FSC Ontario Boreal Standard and the assessment of the wood supply, biodiversity and community socio-economic effects of the National Boreal Standard. Phil has also led some of the largest resource economic studies in Northern Ontario and is currently managing a variety of environmental assessments of hydro-electric projects throughout the North. Phil is a shareholder and member of the environmental assessment and auditing groups at SENES Consultants Limited. Phil was part of the team that conducted the original FSC assessment of the “Pineland-Martel” Forest when it was a Domtar licence

**Nick Baggs, R.P.F.** – Nick is a forestry consultant specializing in policy review, audit and prescription services. He has worked in forest management planning and operations since 1982. Nick has performed Independent Forest Audits (IFA) on eighteen Ontario Forests since 2000. This work has been performed with seven firms so he has knowledge of the range of approaches that may be employed for audits. Nick has participated in numerous SmartWood assessments and audits in Ontario using the FSC standard. In addition, he has performed ISO 14001 internal Environmental Management System (EMS) audits and integrated Sustainable Forestry Initiative (SFI) program components in an existing EMS. In 2001, Nick was on the team that performed a comprehensive review of Ontario’s IFA Program and later that year he was retained to update the Ontario Forest Industries Association (OFIA) Guiding Principles and Code of Forest Practices.

### 3.2. Audit schedule

Date	Location /Main sites	Principal Activities
Oct 1, 2007	Domtar Timmins Office	Office review of CARs; develop field visit.
Oct 3, 2007	Spanish site visits	Stop 1 Harvest '05 first on Spanish
	Stop # in field notes	Stop 2 New water crossing GPS UTM 40411 5263917
		Stop 3 GPS 0400845 526 4413 MTO primary rd
		Stop 4 Block 403 CTL active operation/ site prep challenge w CTL
		Stop 5 Block -- new area Forwarder 900ft
		Stop 6 Measure AOC for moose; discuss rutting
		Stop 7 Block 411 harvest 2007, lowland spruce, AOC 30 m
		Stop 8 Temp bridge GPS UTM 406507 5259897 cost
		Stop 9 Block 453 harvest 2006 Nest site
		Stop 10 Planting, Black Spruce transition site
Oct 4	Domtar Timmins Office	Collect evidence/ interviews Closing meetings
October 16	Domtar Office, Timmins	Interviews and Review of Documentation
October 17	Mattagami First Nation	Interview
March 7, 2008		Draft report submitted to Domtar for review
March 20, 2008		Comment received from Domtar
March 26, 2008		Report finalized and SmartWood's decision

Total number of person days used for the audit: 3.5 days of preparation and field work. Three auditors involved, but two on site.

### 3.3. Sampling methodology:

Field sites were selected after a review of CARs after the opening meeting. Five stops were planned and several random stops were made on the route.

### 3.4. Stakeholder consultation process

Stakeholder type (i.e. NGO, government, local inhabitant etc.)	Stakeholders notified (#)	Stakeholders consulted or providing input (#)
ENGO	4	1
First Nation	4	2
Government	1	1

### 3.5. Changes to Certification Standards

Forest stewardship standard used in audit:	
Revisions to the standard since the last audit:	<input checked="" type="checkbox"/> No changes to standard. <input type="checkbox"/> Standard was changed (detail changes below)
Changes in standard:	
Implications for FME:	Conformance to new requirements verified