2020 FOREST CERTIFICATION

MANAGEMENT REVIEW REPORT

First Draft Report
February 20, 2020

Approved by the DNR Resource Bureau Management Team
August 31, 2020

Forest Resources Division
IC4506 (Rev. 08/31/2020)

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For information or assistance on this publication, contact the Forest Resources Division, Michigan Department of Natural Resources, P.O. Box 30452, Lansing, MI 48909-7952.

This publication is available in alternative formats upon request.

MANAGEMENT REVIEW TEAM

Forest Resources Division (FRD)
Jeff Stampfly - Assistant Division Chief
David Price– Forest Planning and Operations Section Manager
Keith Kintigh – Forest Conservation and Certification Coordinator
Scott Jones - Forest Planning Specialist
Keith Magnusson – EUP District Supervisor - ACTING
Tom Seablom – WUP District Supervisor
Steve Milford - ELP District Supervisor
Bill Sterrett – WLP District Supervisor

Wildlife Division (WD)
Steve Chadwick - Assistant Division Chief
Terry Minzey - UP Regional Supervisor
Rex Ainslie - NLP Regional Supervisor
Craig Albright - UP Field Operations Manager
Brian Mastenbrook - NLP Field Operations Manager

Law Enforcement Division (LED)
Lieutenant Brandon Kieft

Fisheries Division (FD)
Darren Kramer - Northern Lake Michigan Management Unit Manager

Parks and Recreation Division (PRD)
Anna Sylvester - Field Coordinator

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EXECUTIVE SUMMARY

The purpose of the Management Review is to evaluate audit results and recommend solutions where warranted, to recommend revisions to the work instructions and recommend management actions that contribute to the continual improvement of forest management in the State of Michigan.

There are three types of certification audits:

1. External audits that evaluate the Michigan Department of Natural Resources (MDNR), forest management program against the Forest Stewardship Council (FSC) and Sustainable Forestry Initiative (SFI) forest management standards;
2. Internal audits that evaluate forest management activities in a given Forest Management Unit (FMU) for conformance to MDNR forest certification work instructions; and
3. Internal theme audits that look for conformance to one or more work instructions across all FMUs.

A summary of the current and unresolved findings from these audits follows:

- The 2019 external audit focused on Gladwin, Gaylord, and Shingleton FMUs. The SFI audit resulted in one new minor Corrective Action Request (CAR) and 2 new opportunities for improvement; and the FSC audit resulted in one new minor CAR and 3 new observations.

- The 2019 internal audit focused on Gladwin, Sault Ste. Marie and Pigeon River Country FMUs. Five (5) opportunities for improvement, 3 minor non-conformances, and 2 multi-unit non-conformances were identified.

- There are several internal audit and theme audit minor non-conformances that remain open, but are expected to soon be closed.

- There will be no internal audits in 2020.

- The 2020 external audit will be a re-certification audit and focus on the Lansing, Traverse City, Atlanta, Newberry, and Escanaba FMUs on October 26, 27, 28, 29, and 30.

SECTION I. BACKGROUND

Michigan's state forest was dual certified in 2005 by the Sustainable Forestry Initiative (SFI) and the Forest Stewardship Council (FSC). Each of these certification systems comes with a set of forest management standards to which the state forest management system is expected to conform, and both standards encourage continual improvement of the forest management system.

The SFI Principle 14 Objective 20 addresses the need for continual improvement and the requirement for an annual management review.

The FSC standard does not explicitly address the concept of 'continual improvement', but it is implied through Principle 8: Monitoring and Assessment, where monitoring is used to achieve continued improvement.

Management Review Process

The Michigan Department of Natural Resources (MDNR) Forest Certification Work Instruction (WI) 1.2 establishes both the management review team and the management review. The review is a systematic process to evaluate forest management practices and to promote continual improvement in the management of the state forest system. The review is based on the results of the internal and external audits and includes:

1. A report of the disposition of 2018 audit results;
2. An evaluation of 2019 audit results;
3. A report of actions immediately taken to address new audit findings;
4. Identification of pending actions needed to address new audit findings; and
5. An assessment of the effectiveness of work instructions.

Focus of Management Review Meeting

Discuss and make management decisions to:

1. Address any SFI and FSC corrective action requests (CARs) and assign implementation responsibility;
2. Address unresolved non-conformance reports (NCRs) from past internal audits; develop strategies to resolve them and assign implementation responsibility;
3. Address pending actions proposed at previous management reviews that are not fully implemented;
4. Identify needed revisions to work instructions; and
5. Identify other actions for continual improvement of state forest operations.

Recommended Timeline for Review of Management Review Report

1. The Forest Certification Coordinator will produce a draft management review report for the management review meeting in St. Ignace on **February 27, 2020**.
2. The Management Review Team will agree on a draft Management Review Report and identify any needed work instruction revisions at the management review meeting. The draft report will be forwarded through the Management Review Team to the Forest Resources Division, Wildlife Division, Fisheries Division, Law Enforcement Division and Parks & Recreation Division management teams for comment by **April 24, 2020**.
3. Management Team comments on the draft report and list of needed work instruction revisions are due on **May 8, 2020** to the Forest Certification Coordinator, who will prepare a final draft of the report.
4. The Forest Certification Coordinator will send the final draft management review report and the list of revised work instructions to the Resource Bureau Management Team for information on **July 29**, with approval desired by **August 12**.

Implementing Program Improvements

1. Whenever possible, immediate changes will be made to remedy identified non-conformances.
2. The Forest Certification Team will be responsible for recommending actions necessary to improve sustainable management of forest resources.
3. Division management teams will review recommended actions specifically regarding impact upon program and field operations.
4. The Resource Bureau Management Team will review and approve management review decisions that identify changes and improvements necessary at all MDNR levels to continually improve conformance with work instructions and standards.
5. Division chiefs will ensure changes and improvements approved by the Resource Bureau Management Team are implemented via delegation to the appropriate manager.

SECTION II. STATUS OF PREVIOUS AUDIT RESULTS & 2019 MANAGEMENT REVIEW REPORT

This section provides status including disposition or extension of open findings from previous external audit and internal audits and actions identified in the 2019 Management Review Report. Details regarding the disposition of audit findings may be found in the published reports summarizing the 2018 external and internal audits.

2018 External Audit Findings

Open findings from the 2018 surveillance audit were addressed, reviewed and closed following the 2018 surveillance audit. Findings from 2018 included one SFI Opportunity for Improvement and one FSC Observation.

Internal Audit Findings

There are no open non-conformances from any internal audits prior to 2016. One minor non-conformance remains open from 2016 internal audits (NCR 71-2016-05 citing Work Instruction 3.1) and is discussed further in Section V. Minor non-conformances remain open from the 2016 Theme Audit of Work Instruction 2.2 and is discussed further in Section V.

Two findings from 2017 (NCR 61-2017-01 and NCR 12-2017-02 citing Work Instruction 1.4) remain open and are discussed further in Section V.

Findings from the 2018 Internal Theme Audit of Work Instruction 1.2 remain open and are discussed further in Section V.

2019 Management Review Report

The 2019 Management Review Report contained 9 recommendations for implementation in 2019, and 3 of 9 were implemented. The detailed implemented recommendations are discussed below and the items that are incomplete have been carried over into Section V.

- Scope of Certification for State Forest campgrounds has been addressed through a Land Use Order submitted in the December 2019 and approved at the January 2020 NRC meeting.
- Closed external audit findings related to inventory of permanent forest road system based on culvert inventory and capital outlay commitments.
- Forest Resources Division has developed and released a Training-by-Position Guide.

SECTION III. SUMMARY OF 2019 AUDIT RESULTS

The internal audit identified 5 Opportunities for Improvement, 3 Minor Non-Conformances, and 2 Multi-Unit Non-Conformances. The 2019 external audit resulted in 2 new Minor CARs and 5 new Observations/Opportunities for Improvement. Actions to address the new findings are outlined in Section V.

2019 External Audit Findings

The 2019 external audit was a surveillance audit for both standards and was carried out from October 15-17, 2019, by Shannon Wilks (SFI) and Kyle Meister (FSC) on the Gladwin, Gaylord, and Shingleton FMUs. The SFI audit resulted in one new minor CAR and 2 new opportunities for improvement; and the FSC audit resulted in one new minor CAR and 3 new observations (OBS). All findings from previous external audits were closed.

Internal Audit Findings

The 2019 internal audit focused on Gladwin, Sault Ste. Marie and Pigeon River Country FMUs. Five (5) Opportunities for Improvement (OFI), 3 Minor Non-Conformances, and 2 Multi-Unit Non-Conformances were identified.

SECTION IV IMPLEMENTED ACTIONS TO ADDRESS AUDIT FINDINGS

Following the external and internal audits, there is a concerted effort to expeditiously address and close each of the CARs, non-conformances, observations, and opportunities for improvement.

The SFI Minor CAR, one OFI, and one FSC OBS have been closed or addressed. The FSC Minor CAR, one OBS, and one SFI OFI remain open and are discussed in Section V.

All 2019 Internal Audit findings remain open and are discussed in Section V.

SECTION V PENDING ACTIONS TO ADDRESS AUDIT FINDINGS

The content of this section drives the main discussions at the management review meeting, as it requires the identification of recommended actions to resolve audit findings and the assignment of a manager for implementation. The section is organized by work instruction group.

Work Instruction Group 1: Plan, Monitor and Review

1.1 Strategic Framework.

- SFI Minor NC 2019.1: Review of SFI website confirmed the 2018 Michigan DNR Public Summary Audit Report was not posted on the website.
- SFI OFI 2019.2: DNR website not updated with current monitoring reports, SFI Annual Audit Reports and other various reports used for reporting information on progress to FM standards.
    - **Discussion Points**: Findings corrected. However, findings highlighted absence of reporting responsibilities in work instructions.
    - **Recommended Decision**: Add additional language to work instruction on annual reporting responsibilities for SFI Public Summary and SFI and FSC Audit Reports.
    - **Responsible Manager**: Keith Kintigh, Forest Certification Coordinator.
    - **Due Date**: May 1, 2020.

- OFI 63-2015-01: The MDNR uses the work instructions to guide planning, operations and review of state forest management. Currently, the work instructions seem to be lacking in providing guidance on invasive species management; especially management practices related to early detection, rapid response and decontamination. The decontamination guidelines for FRD staff have been disseminated, but despite a reporting form that was developed as part of the Quality of Life material for aquatic ecosystems, there does not appear to be any direction on early detection rapid response for terrestrial ecosystems.
    - **Discussion Points:** There needs to be more and better direction for field staff with respect to invasive species on state forest land while further direction is developed.
    - **Recommended Decision:** Identify CISMAS by FMU, ID MDNR points of contact, and develop MOUs between MDNR and each of the Cooperative Invasive Species Management Areas which will clarify priorities, roles, and responsibilities. There is also a need to revisit voluntary

decontamination policy. Further action pending filling of vacant Terrestrial Invasive Species Coordinator position.
    - **Responsible Manager:** David Price, Planning and Operations Section and Sue Tangora, Forest Health Section.
    - **Due Date:** December 31, 2020

1.2 Management Review Process

- OFI MU 45-53-2019-01: While Burn Reports for prescribed fire are required (per Policy and Procedure 33.42-08 – Prescribed Fire Use) and provide details of the prescribed fire, follow-up monitoring of the effects is rarely being done. There is no policy or guideline for specific follow-up monitoring to assess the success, failure or degree of either with respect to the burn objective(s).
    - **Discussion Points**: Without monitoring, there is no way to determine why a fire was successful or a failure resulting in an inability to improve forest management. Adaptive management is not possible.
    - **Recommend Decision**: Work to apply improved objective development and structured follow-up/monitoring process to prescribed burns. Possible topics include prescribed burn effectiveness on control of invasives and regeneration of red pine and/or oak.
    - **Responsible Manager**: Jeff Stampfly, Glenn Palmgren, Fire Management Specialist
    - **Due Date**: December 31, 2020

- The 2018 Theme Audit focused on two specific areas in need of evaluation - governance including teams and team membership and internal audit format and focus. The audit was based on interviewing three categories of staff with a separate but similar set of questions for each group.
    - **Discussion Points**: The audit resulted in several recommendations that could be implemented immediately, as well as some that will need further discussion and a recommended course of action from the Resource Bureau before proceeding.
    - **Recommend Decision**: The Resource Bureau approved changes to the FCT, the Internal Audit process and structure, and associated changes to the Work Instructions have been implemented. The recommendations on restructuring the Management Review Team and implementation of Effectiveness Monitoring, including the identification of monitoring topics and the creation of an Effectiveness Monitoring Technical Team, and subsequent Work Instruction changes, are awaiting review by Resource Bureau.
    - **Responsible Manager**: David Price, Planning and Operations Section.
    - **Due Date**: July 31, 2020

1.3 Regional State Forest Management Plan Implementation and Review

- Minor NCR 53-2019-01: Red Pine cover type management within the PRC often deviates from standard red pine silvicultural practices and RSFMP Management Area rotation length of 80 years.
    - **Discussion Points**: Four broad red pine silvicultural systems are being employed within the unit: 1) Big Tree Management; 2) Extended Rotation Seed Tree/Natural Regen; 3) Production/Plantation; and 4) Conversion. A CONCEPT OF MANAGEMENT FOR THE PIGEON RIVER COUNTRY (2007) provides broad strategic direction on pine management including a basis for extended rotations (140+). Big Tree management is also discussed in THE CONCEPT, but only for the Northern Hardwood cover type, not pine. Some successful results are being demonstrated, yet specific strategic and operational guidance and measures of success are lacking.
    - **Recommend Decision**: Specific Red Pine management guidance for the PRC will be addressed in the RSFMP revision within the Management Area writeup covering the PRC. Monitoring/follow-up will be incorporated as well.
    - **Responsible Manager**: David Price, FPO Section Supervisor; Cody Stevens, PRC Unit Manager - Acting
    - **Due Date**: December 31, 2020

1.4 Biodiversity Management

- FSC OBS 2019.2: ERA and/or Natural Community Monitoring Reports have not been updated on the DNR's webpage since 2014. Per interviews with staff, a request to update these on the webpage has

been placed. FME staff also noted other issues with lack of documents on the website. This should be updated by the 2020 recertification assessment to avoid a potential nonconformity.
    - **Discussion Points**: Completed. Delayed because of accessibility issues with MNFI reports that have now been resolved.
    - **Recommended Decision**: Completed.
    - **Responsible Manager**: Keith Kintigh
    - **Due Date**: December 31, 2019

- FSC OBS 2019.3: FME is in the process of initiating its 5-year review process for evaluation and ranking of Ecological Reference Areas (ERAs). There are at least five documents that include the description of ERAs, their goals/objectives, and activities that are consistent with their maintenance and/or enhancement. In the quantity of documents and areas that may qualify as FSC HCVs 1-6, there is risk that the management system could become overly complex or inconsistent. There is also risk that the FME could improperly define which designated areas meet the six FSC HCV designations (if at all).
- SFI OFI 2019.1: Indicator 1.1.5: Observations of field sites and documentation confirmed all plans matched ground conditions with exception of one ERA-Mesic Forest ERA #18768.
    - **Discussion Points**: DNR ERA management guidance may be overly complex. There is an opportunity to streamline planning resources to help ensure better consistency in ERA plan quality and content. The FSC US Forest Stewardship Standard revision is likely to impact inclusion of Representative examples in Michigan's ERA network,
    - **Recommended Decision**: Revise guidance on ERA Planning Processes and network as part of 5 year review within RSFMP Update to improve plan content and consistency and to conform to updated FSC US Forest Stewardship Standards. Revise the Walloon Lake ERA Plan to address issues identified in audit.
    - **Responsible Manager**: Lucas Merrick, Gaylord FMU Unit Manager, Keith Kintigh, Forest Conservation and Certification Specialist.
    - **Due Date**: May 18, 2020 for Walloon Lake Plan Revision, December 31, 2020 for statewide planning guidance revision.

- NCR 61-2017-01 cited Work Instruction 1.4 involving the Lake Dubonnet flooding with respect to its status as a State Wildlife Management Area and whether it is In-scope or Out-of-scope for forest certification. The solution needs to come from Wildlife Division.
- NCR 12-2017-02 cited Work Instruction 1.4 and concerned inconsistencies in many State Wildlife Management Areas and whether they were appropriately included as In-scope or Out-of-scope for forest certification purposes. The solution needs to come from Wildlife Division.
    - **Discussion Points**: A Wildlife Division working group was formed to develop a new policy and procedure for review of status of Wildlife Management Areas. Upon completion of the status review, necessary boundaries revisions and determination of In-scope or Out-of-scope statuses for the purposes of certification will be determined.
    - **Recommended Decision**: Complete policy and procedure, revise communications to the public and field staff, and update in-scope/out-of-scope list and associated boundary representations in SCA layer.
    - **Responsible Manager**: Keith Kintigh, Forest Conservation and Certification Specialist and Mike Donovan, Management Information Unit Supervisor
    - **Due Date**: September 30, 2020

- Minor NCR 45-2019-01: An experimental harvest (Beaver Tail Hardwoods 45-008-18-001) was conducted with the stated goal of improving the quality of a Mesic Northern Forest ERA (Element Occurrence Identification 13253, Last Observed 2006, Quality Rank C). There is no ERA plan in place, nor has the ERA been surveyed recently. Informal discussions were carried out with a Michigan Natural Features Inventory Ecologist but no on the ground interaction took place.
    - **Discussion Points:** The harvest plan was experimental using a number of specifications, yet there is no project proposal or experimental design to assess the results of this harvest. In addition, the treatment design did not account for the fact that this site is located within an Obligate Deer Wintering Complex (DWC) and as a result achieving sufficient regeneration may

be difficult. Furthermore, red oak, white oak and white pine were planted in gaps within this treatment, though it is not clear how these under-planting treatments are improving the quality of the element occurrence. White oak in particular is not even a species native to this area or part of mesic northern forests. Finally, there is no protocol in place to assess the impact of the harvest on the ground flora, nor is there active systematic invasive monitoring program for the treatment area. Garlic mustard is present within the vicinity of the sale with no treatments to control it coded into the MiFI database in the current area of infestation.
    - **Recommended Decision:** Conduct a quality assessment survey of the ERA to evaluate current status**,** and develop an ERA plan as necessary. Log experimental management project in Great Lakes Silviculture Library (http://silvlib.cfans.umn.edu/) as per WI 5.1.
    - **Responsible Manager:** Karen Rodock – Unit Manager, Sault Ste. Marie FMU, and Keith Kintigh, Forest Conservation and Certification Specialist.
    - **Due Date:** September 30, 2020.

- Disagreement between what is represented in the Cold-Water Lakes and Streams SCA layer and local knowledge of Fisheries staff has been discussed in detail resulting in the identification of varying understanding of cold-water/high priority trout streams and the application of buffers.
- OFI 45-2019-01: Access to accurate aquatic information including lake and river classification and regulatory and protection status has been a consistent challenge on state forest lands (see 2019 Management Review Report). Fisheries Division's Institute for Fisheries Research developed the Aquatic Habitat Viewer, an ArcGIS Online application useful for accessing accurate aquatic information. However, the tool currently has restricted access and is only available to Fisheries Division staff.
    - **Discussion Points**: SCA layer should clearly identify areas where FRD field staff need to engage with Fisheries Division staff on proposed treatments or project planning. Further discussion with SCA/HCVA committee also identified the broader need for similar clarification of areas of co-management with PRD (e.g. rail trail corridors and State Forest campgrounds).
    - **Recommended Decision**: Reinforce Fisheries Division's ability to provide expertise and engage in state forest decision-making. Correct cold-water and high priority trout stream representations in Enterprise GIS based on accurate sources including the Institute of Fisheries Research AGO app.
    - **Responsible Manager**: Dave Forstat, Manager, RAS.
    - **Due Date**: September 30, 2020

1.5 Social Impact and Public Participation

- **Discussion Points:** No issues identified for discussion.

1.6 Management Unit Analysis

- **Discussion Points:** No issues identified for discussion.

Work Instruction Group 2: Forest Regeneration and Chemical Use

2.1 Reforestation

- Minor NCR 73-45-2019-01: Failure to identify potential natural regen problems prior to harvest and staff not consistently following natural regen evaluation requirements.
    - **Discussion Points:** Examples illustrate a lack of understanding on specific guidance related to difficult to regenerate stands and demonstrate that current regeneration guidance may be unclear or that more training may be required.
    - **Recommended Decision:** Conduct additional training and develop additional communication on updated regeneration guidance.
    - **Responsible Manager:** David Price, FPO Section Supervisor, Jason Hartman, State Silviculturist
    - **Due Date: September 30, 2020**

2.2 Use of Pesticides and Other Chemicals

- 2016 Theme Audit addressed Work Instruction 2.2 and resulted in one non-conformance for each of the four regions which have yet to be closed. Due to the broad nature of the root cause, a centralized

solution has been proposed and is being pursued that will result in complete closure. In addition, Work Instruction 2.2 will need to be revised to conform to centralized solution.

- **Discussion Points**: Progress has been made on development of a centralized ArcGIS online application to streamline and improve process and tracking related to the application of chemicals on State Forest land. Development is being overseen by a team and application is scheduled for field testing in 2020 with full implementation for 2021 field season.
- **Recommended Decision**: Allow development to continue to field testing with full implementation planned for 2021.
- **Responsible Managers**: David Price, FPO Section
- **Due Date**: December 31, 2020.

2.3 Integrated Pest Management and Forest Health

- **Discussion Points**: No issues identified for discussion.

Work Instruction Group 3: Best Management Practices

3.1 Forest Operations:

- NCR 71-2016-05 cited Work Instruction 3.1 and concerned an oil well lease that was "out-of-compliance" with the conditions of the lease and with EGLE requirements. This non-conformance will be held open to provide time for the operator of the well site to carry out the necessary actions to bring the operation into full compliance.
  - **Discussion Points:** This non-conformance identified a host of issues with well sites in the area and resulted in a meeting between EGLE and DNR staff to iron out differences and form a plan to move forward to clean-up. The lessee has been conducting the necessary fixes to bring the operation into conformance with EGLE and DNR requirements.
  - **Recommended Decision:** Allow unit staff to continue to work with lessee to ensure that compliance is gained.
  - **Responsible Manager:** Bill Sterrett, FRD WLP District Supervisor, Patrick Mohney, Acting Roscommon FMU Unit Manager.
  - **Due Date:** December 31, 2020

3.2 Best Management Practices

- Minor NCR 73-45-53-2019-02: The goal of forestry Best Management Practices is to minimize the effect of non-point source (NPS) pollution caused by logging. NPS pollution is caused by the conveyance of mineral or organic sediment, nutrients, chemicals, heat or debris into ground or surface water, or otherwise damage streams, lakes and wetlands. Forestry Best Management Practices also seek to maintain forest productivity during logging by minimizing soil rutting and compaction. Resource Damage Reports are intended to capture instances of non-conformance to forestry Best Management Practices. Staff continue to demonstrate confusion over the definition of Best Management Practices non-conformances (Resource Damage Reports). In additions, staff report challenges with the current reporting format and database.
  - **Discussion Points:** There are 2 points: 1) what constitutes reportable resource damage; and 2) problems with the current database. There are other activities beyond forestry that can create NPS and loss of soil productivity like ORVs.
  - **Recommended Decision:** Clarify definitions on what constitutes an RDR, e.g. Handbook of examples; update/Revise RDR database (building upon culvert app may be an efficient option).
  - **Responsible Manager:** Dave Forstat, Manager RAS, David Price, FPO Section Supervisor
  - **Due Date:** December 31, 2020

3.3 Road Closures

- **Discussion Points**: No issues identified for discussion.

Work Instruction Group 5: Research

5.1 Coordinated Natural Resource Management Research

- Minor NCR 45-2019-02: An experimental harvest (Beaver Tail Hardwoods 45-008-18-001) was conducted with the stated goal of improving the quality of a Mesic Northern Forest ERA (Element Occurrence Identification 13253, Last Observed 2006, Quality Rank C). There is no ERA plan in place, nor has the ERA been surveyed recently. Informal discussions were carried out with a Michigan Natural Features Inventory Ecologist but no on the ground interaction took place.
    - **Discussion Points:** The harvest plan was experimental using a number of specifications, yet there is no project proposal or experimental design to assess the results of this harvest. In addition, the treatment design did not account for the fact that this site is located within an Obligate Deer Wintering Complex (DWC) and as a result achieving sufficient regeneration may be difficult. Furthermore, red oak, white oak and white pine were planted in gaps within this treatment, though it is not clear how these under-planting treatments are improving the quality of the element occurrence. White oak in particular is not even a species native to this area or part of mesic northern forests. Finally, there is no protocol in place to assess the impact of the harvest on the ground flora, nor is there active systematic invasive monitoring program for the treatment area. Garlic mustard is present within the vicinity of the sale with no treatments to control it coded into the MiFI database in the current area of infestation.
    - **Recommended Decision:** Log experimental management project in Great Lakes Silviculture Library (http://silvlib.cfans.umn.edu/) as per WI 5.1.
    - **Responsible Manager:** Karen Rodock – Unit Manager, Sault Ste. Marie FMU
    - **Due Date:** September 30, 2020

Work Instruction Group 6: Recreation and Education

6.1 Implementing Public Information and Educational Opportunities

- **Discussion Points**: No issues identified for discussion.

6.2 Integrating Public Recreational Opportunities with Management

- OFI 53-2019-01: The table within part 4 of WI 6.2 outlines division-level responsibilities by state forest recreation activity; yet there is a demonstrated need to continue to clarify specific roles, responsibilities, expectations and coordination regarding dispersed camping and maintenance of pathways within the PRC.
    - **Discussion Points:** Additional clarification is required regarding the management of state forest recreation facilities and activities.
    - **Recommended Decision:** A new State Forest Campground MOU was approved in January 2020. Revise WI 6.2 to reflect changes and associated recommendations.
    - **Responsible Manager:** Jeff Stampfly, FRD Assistant Chief
    - **Due Date:** July 31, 2020

6.3 Sustainable Forestry Initiative Involvement and the Implementation Committee

- **Discussion Points**: No issues identified for discussion.

Work Instruction Group 7: Integrated Implementation and Contracting

7.1 Timber Sale Preparation and Administration Procedures

- FSC Minor CAR 2019.1: The FME's logging contract requires that logging contractors adhere to MIOSHA requirements, some of which are detailed here: https://www.michigan.gov/documents/CIS_WSH_part51_51263_7.pdf. MIOSHA R408.15114 Injuries, first aid, and first aid training: Rule 5114 of MIOSHA-STD-1135 includes the minimum requirements for First Aid kits and training, as well as how many people on the job site must be trained.
    - **Discussion Points:** For timber sale contracts on State Forest land, MDNR is categorized as a Controlling Employer under Federal and State Occupational Health and Safety rules. This means MDNR has general supervisory authority over the worksite, including the power to correct safety and health violations or require others to correct them. This authority is established through the timber sale contract, the General Conditions and Requirements of which state that the purchaser, his agents, and subcontractors must comply with all MIOSHA safety standards and that failure to comply with the standards is a violation of the contract. As a

controlling employer, MDNR must exercise “reasonable care” to prevent and detect MIOSHA violations on the site. MDNR has met with MIOSHA to clarify our safety enforcement responsibilities.
    - **Recommended Decision:** Work with the SFI-IC to emphasize the MI Logger Safety Standard requirements into future SFE training offerings and to promote additional CPR and first aid classes. In addition, MDNR will: 1) include a reminder of first aid/CPR requirement as part of the timber sale opening meeting checklist; 2) have training officers send out note on state vehicle first aid kit check and order replacement kits as appropriate; 3) verify that first aid kits are part of quarterly inspection/maintence logs; 4) verify requirements in Logger Safety Standard on boots (i.e. 6-8” leather boot) and update the WI as needed; and 6) verify which processes are already in place with other divisions and wrap in Department Safety Team as needed.
    - **Responsible Manager:** David Price, FPO Section Supervisor; District Supervisors/Unit Managers, Department Safety Team.
    - **Due Date:** September 30, 2020

- OFI 73-2019-01 & FRD Policy and Procedure No. 213: Portions of a contracted sale (Center Sterling Mix 73-005-18-01) contained significant amounts of blowdown where unaddressed firewood trespass was occurring.
    - **Discussion Points:** The management unit has proposed the following solution: The unit will work to block access to closed sales more effectively in order to deter illegal firewood cutting from occurring. We will also work closely with Law Enforcement Division when illegal firewood cutting is observed.
    - **Recommended Decision:** The unit will work to block access to closed sales more effectively in order to deter illegal firewood cutting from occurring and will also work closely with Law Enforcement Division when illegal firewood cutting is observed.
    - **Responsible Manager:** Patrick Mohney, Gladwin Unit Manager
    - **Due Date:** July 31, 2020

- OFI 73-2019-02: The auditors questioned the appropriate role of the MDNR in supervising logging contractors with specific concerns around potential liabilities to the State of Michigan should an accident or something unplanned occur. The distinction between contractor and MDNR employee roles was not clear.
    - **Discussion Points:** Through review of Timber Sale Inspection notes (R4050) and on-site interviews, it was evident that MDNR Sale Administrators expended a great deal of time and effort to assure fulfillment of contractual requirements. It appeared that a large amount of semi-direct supervision of the equipment operators by MDNR staff was required as conditions changed on the work area. MDNR staff reported these directions to the sale purchaser in phone conversations, and the purchaser advised his equipment operators to do whatever the MDNR Sale Administrator directed them to do. In one instance, MDNR Sale Administrators also needed to train equipment operators on proper operation on wet ground conditions as the crew was inexperienced. These activities, though benefitting the resource, blur the authoritative and liability lines between contractor and contracting agency.
    - **Recommended Decision:** The unit will work directly with the company owner/contract holder to direct any on the ground operations of timber sales. This will eliminate any confusion or complications that could occur by going direct with the people working on the site
    - **Responsible Manager:** Patrick Mohney, Gladwin Unit Manager
    - **Due Date:** July 31, 2020

- OFI 45-2019-02, (WI 3.1): A contracted sale (Cranberry Hardwood Take II #45-001-16-01) includes a payment unit (6b) within a Riparian Management Zone (RMZ). Appropriate harvest accommodations and justification were used for treatment within the RMZ, yet this information was not properly documented within section 22 of Timber Sale Proposal Checklist.
    - **Discussion Points:** Appropriate RMZ accommodations were demonstrated in sale prep, however none of the decisions were documented in the associated paperwork.
    - **Recommended Decision:** Amend the timber sale paperwork as appropriate. Re-emphasize procedures for documenting RMZs in next timber sale admin/BMP training.

- **Responsible Manager:** Karen Rodock, Sault Ste. Marie Unit Manager, David Price FPO Section Supervisor.
- **Due Date:** July 31, 2020

7.2 Legal Compliance and Administration of Contracts

- **Discussion Points**: No issues identified for discussion.

Work Instruction Group 8: Training

8.1 Staff Training for State Forest Management

- Minor NCR 45-2019-03: New forest technician has been on staff since November 2018 and only became aware of the work instructions the week before the audit. She was unaware of the significance of the work instructions to her work and the role that work instructions fulfill in Michigan in relation to certified forest lands.
- NCR 72-2017-06 cited Work Instruction 8.1 and was related to a lack of familiarity with training needs, training plans and inconsistencies between official and unofficial training records. This non-conformance has been partially closed.
- NCR 12-2017-09 cited Work Instruction 8.1 with respect to incomplete performance appraisals and incomplete documentation of training needs for unit staff.
- Some years ago, there was a listing of required training for foresters that was largely focused on technical training. It is uncertain as to what became of this list as no one seems to recall it or has a copy. Do we need to resurrect or recreate this list, and do we need to address the additional topic of professional training for foresters?
  - **Discussion Points**: Non-MDNR trainings should be reported to the training officer and included in centralized training record. There is a need to have the training officers send out a reminder to all staff of the requirements of the work instruction and how, when and to whom the training records should be reported. Fisheries Division has an interactive database that is easy to use – may serve as an example of what FRD and WD could develop. Each division has a different process.
  - **Recommended Decision**: FRD has developed and released the *Training by Position Guide*. The MDNR training team will develop a memo to remind staff of the requirements of reporting training. In addition, the Training Team is participating in a Department-wide initiative to implement the existing Civil Service Training. Implementation date is still uncertain.
  - **Responsible Manager**: Erika Sundberg, HR Manager, Forest Resources Division
  - **Due Date**: September 30, 2020 (Memo only)

Work Instruction Group 9: Tribal

9.1 Collaboration with Tribes Regarding Management of State Forest Land

- **Discussion Points**: No issues identified for discussion.

SECTION VI ASSESSMENT OF THE EFFECTIVENESS OF WORK INSTRUCTIONS

The implementation of forest management and operations on the Michigan state forest is governed by a suite of 20 work instructions that are divided into eight categories. Internal audits assess management and operations against the requirements of all work instructions. External audits assess management and operations against the indicators in the two certification standards which are aligned with the work instructions.

No internal audits were conducted in 2018. Refer to the 2018 Management Review Report for last assessment.

SECTION VII 2020 AUDIT SCHEDULE

Internal Audits

A statewide theme audit related to effectiveness monitoring is tentatively scheduled for summer or fall 2020 but may be cancelled or delayed as impacted by Covid-19 considerations.

External Audits

The 2020 Forest Stewardship Council and Sustainable Forestry Initiative audit will be a re-certification audit from October 26 through October 30 and will focus on Lansing, Atlanta, Traverse City, Newberry, and Escanaba. Covid-19 considerations may require the external audit to be conducted remotely or to be delayed by up to 6 months as per State of Michigan protocols and SFI and SFC guidance.