

**PUBLIC SUMMARY OF RECERTIFICATION AUDIT OF
KEDAH FOREST MANAGEMENT UNIT
FOR FOREST MANAGEMENT CERTIFICATION**

**Certificate No : FMC 003
Date of Recertification Audit: 23-27 September 2012**

Certification Body:

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1. INTRODUCTION

The Kedah Forest Management Unit (hereafter referred to as 'the Kedah FMU') was awarded the *Certificate for Forest Management* against the MC&I (2002) following the Stage 2 Audit that was conducted on 17 – 22 November 2009. Following the certification, the first surveillance audit was conducted on 1 - 4 November 2010, while the second surveillance audit on 14 - 17 November 2011.

The recertification audit on the Kedah FMU was conducted from 23-27 September 2012. This was an audit to assess the continued overall compliance of the Kedah State Forestry Department (KSFD)'s forest management system and practices of the Permanent Reserved Forests (PRFs) within the Kedah FMU against the requirements of the *Malaysian Criteria and Indicators for Forest Management Certification* [MC&I (2002)]. In line with the transition plan from the use of MC&I (2002) to MC&I (Natural Forest), the recertification audit also included the MC&I (Natural Forest) in its audit scope.

This recertification audit was conducted by a four-member team comprising Mr. Khairul Najwan Ahmad Jahari (Forester), Dr. Samsudin Musa (Forester), Prof Mohd Basri Hamzah (Forester) and Dr. Lim Hin Fui (Sociologist). The audit commenced with an opening meeting on 23 September 2012 at the KSFD's Head Office in Alor Setar.

The scope of the audit was limited to the forest management system and practices of the natural forest within the PRFs of the FMU. In addition to assessing the FMU's compliance to the certification standard, the audit team also verified the corrective actions taken by the KSFD to close the minor Non-Conformity Reports (NCRs) and Opportunity for Improvements (OFIs) which had been raised during the second surveillance audit.

The KSFD had taken the appropriate corrective actions to address the one major NCR, three (3) minor NCRs and four (4) OFIs raised in the second surveillance audit. The audit team was satisfied with the corrective actions taken by the KSFD on 1 December 2013 and had consequently agreed to close all the NCRs and OFIs raised.

In general, this recertification audit has found that the KSFD has continued to comply with the requirements of the MC&I(2002) and the MC&I(Natural Forest). However, lapses were noted which resulted in the raising of four (4) minor NCRs and ten (10) OFIs.

As no major NCR was raised, it was recommended that the *Certificate for Forest Management* awarded to NSSFD be renewed upon the acceptance of the proposed corrective actions from the KSFD by SIRIM QAS International to address the minor NCRs and OFIs within a month from the last day of the recertification audit.

2. GENERAL SUMMARY

2.1 Name of FMU

Kedah FMU

2.2 Contact Person and Address

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2.3 Date of Recertification Audit

23-27 September 2012 (20 auditor days)

2.4 Audit Team

Mr. Khairul Najwan Ahmad Jahari (Trainee Lead Auditor)
Dr. Samsudin Musa (Auditor)
Prof. Mohd Basri Hamzah (Auditor)
Dr. Lim Hin Fui (Auditor)

2.5 Standards Used

Malaysian Criteria and Indicators for Forest Management Certification [MC&I (2002)] and
Malaysian Criteria and Indicators for Forest Management Certification [MC&I (Natural Forest)]

2.6 Stakeholder Consultation

A stakeholder consultation was conducted in May 2012 for a period of one month. The comments by the stakeholders and responses from the audit team are shown in **Attachment 1**.

3. Kedah Forest Management Unit

The Kedah FMU managed by the KSFJ comprises of 300,046 ha of PRFs of the state's total land area of 942,600 ha. The hectareage of the FMU has changed compared to the second surveillance audit in 2011, which was originally 307,046 ha. The KSFJ has decided to exclude a total of 7,000 ha of the PRF from the scope of the certification of the FMU following a decision made by Kedah State government issued to the Kedah State Forestry Department on 17 September 2012 .

The areas that have been removed from the scope are as follows:

- I. HS Gunung Inas - Compartments 4,5,6,7,8,9 & 10
- II. HS Pedu – Compartments 48 & 50
- III. HS RimbaTeloi – Compartment 1

IV. HS Bukit Perangin – Compartments 27 & 28

The PRFs within the FMU comprise mainly of inland Dipterocarp forests covering an area of 300,845 ha with the remaining PRFs covering 6,201 ha consist of mangrove forests.

The administration of the FMU is divided into three forest districts namely the North, Central and South Kedah Forest Districts. The map of the FMU is shown as **Attachment 2**.

A Forest Management Plan (FMP) covering the period from 2006 to 2015 was presented during the audit. The Kedah FMU continues to be managed on a sustainable basis with the inland PRFs under a Selective Management System (SMS) over on a 30-year rotation period.

4. SUMMARY OF RECERTIFICATION AUDIT FINDINGS

The overall findings of the recertification audit indicated that the Kedah FMU continues to fulfill the requirements of the MC&I(2002) and the MC&I (Natural Forest). A total of four (4) new Minor NCRs and 10 OFIs were raised during the recertification audit.

The audit team has also verified the corrective actions taken by the KSFD on 1 December 2011 to address the one (1) Major NCR, three (3) Minor NCRs and four (4) OFIs raised during the second surveillance audit in 2011. The audit team has verified that the corrective actions taken by the KSFD are appropriate and adequate to address the NCRs and OFIs raised. As such, the audit team had closed out the minor NCRs and OFIs raised during the second surveillance audit. Details of the status of the NCRs and OFIs raised during the second surveillance audit as well as those raised during the recertification audit are shown in **Attachment 3**.

As for the instruction related to indigenous people's rights, there was no recorded civil court case pertaining to legal or customary tenure or use rights within PRF. At the local level, informal and formal consultations between the KSFD and local communities were held from time to time to resolve land use conflicts.

The KSFD had submitted a corrective action plan on 31 January 2013 to address the Minor NCRs and OFIs that was accepted by the audit team leader. The proposed corrective actions to address the Minor NCRs and OFIs shall be verified by the audit team during the next surveillance audit.

As there was no major NCR raised and all the NCRs raised during the second surveillance audit had been satisfactorily closed out, it is therefore recommended that the *Certificate for Forest Management* awarded to the KSFD be renewed.

Comments by Stakeholders and Responses from Audit Team

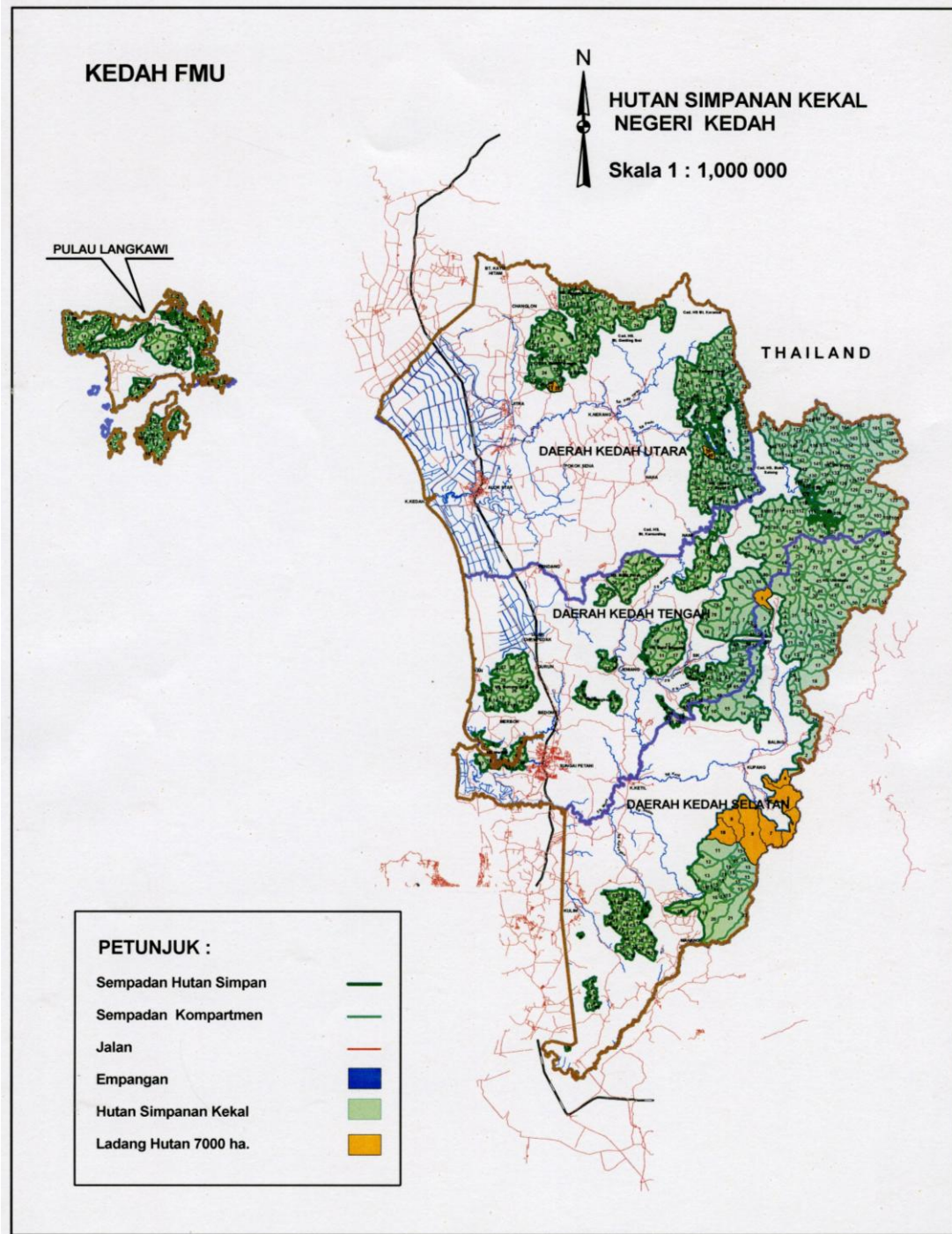
No.	Stakeholder	Comments/Issues Raised	Response by Audit Team
1	Stakeholder 1	<p>Kedah government implemented its Ladang Rakyat rubber (Latex Timber Clone) plantation scheme where logging was carried out at GunungInas FR. Villagers claimed that logging has polluted Sungai Kupang, the main source of water for household consumption (drink, cook, bathe and wash) for 3,000 people from 5 villages (Kg Bukit Iboi, Kg Masjid Iboi, Kg Padang Empang, Kg Bok-Bak). Logging was claimed to affect the livelihood of villagers who grew fruit trees and vegetables like durian, rambutan and petai. The favorite picnic spot was also affected as there was no more visitors.</p>	<p>Immediate action was taken by the government. Logging at the GunungInas FR near Baling has stopped as reported in The Star 20 July 2012 and reiterated in The Star 22 July 2012 by the Natural Resources and Environment Ministry. Logging would cease until a detailed EIA was submitted.</p> <p>KSFD has taken the following steps.</p> <ol style="list-style-type: none"> 1. Kedah State forestry sent a letter to the DFO (Kedah Selatan) PHNK 30-2012 dated 9 August 2012 informing the suspension of logging in Gunung Inas FR. 2. Sent a report to JPSM in letter [PHNK SULIT 208 JD 1(8)] dated 15 August 2012. 3. The Report in (2) entitled Laporan Aduan Berkenaan Artikel Star Online Bertajuk "Too Risky to Allow Logging" stated that consultation was held with villagers and a common decision was reached where the logger agreed to provide new mini-dams (kolam baru) provided to affected villages. 4. Consultation with 24 villagers from Kg Iboi, kg Bukit Iboi, Kg EmpanganIboi, Kg. Tg. Luas, Kg. Bok Bak confirmed that <ol style="list-style-type: none"> (a) the loggers have taken action to provide new mini dams to supply water to the villagers (b) currently no logging took place at the Ladang Rakyat area. (c) livelihood of local villagers was not adversely affected as not many people collected petai (<i>Parkia speciosa</i>) from the

			<p>forest reserve.</p> <p>Audit assessment visit to Compartment 8, Gunung Inas FR confirmed the above.</p>
2	Stakeholder 2	Refer attachment (1)	Refer to Comment no. 9
3	Stakeholder 3	Refer attachment (2)	Refer to Comment no. 9
4	Stakeholder 4	Refer attachment (3)	Refer to Comment no. 9
5	Stakeholder 5	Refer attachment (4)	Refer to Comment no. 9
6	Stakeholder 6	Refer attachment (5)	Refer to Comment no. 9
7	Stakeholder 7	Refer attachment (6)	Refer to Comment no. 9
8	Stakeholder 8	Refer attachment (7)	Refer to Comment no. 9
9	Stakeholder 9	<p>Our recommendation are:</p> <p>All forest that function as water catchments but currently not gazetted as Water Catchment Forest under Section 10 (1) (e) of the National Forestry Act 1984</p> <p>The Kedah Forestry Department's good efforts in classifying HCV areas are welcomed. However, based on the Kedah Forestry Department website, only an area of 2 ha comprising Tualang trees in Kompartment 36, HSK Pedu, Kedah Utara has been identified as High Conservation Values. We recommend that all High Conservation Value Forests in Kedah State are suitably identified and the list as well as clear maps of these areas are made available to the public.</p>	<p>These areas are still part of the permanent reserved forests (PRF) but has been removed from the scope of the audit prior to the conduct of the audit. The compartments involved were compartments 48 and 50 of Pedu FR. This was evident in a letter dated 17 Sept 2102 which included a map showing areas of PRF that excluded from the FMU.</p> <p>The areas that have been removed from the scope are as follows:</p> <ul style="list-style-type: none"> • HS Gunung Inas - Compartments 4,5,6,7,8,9 & 10 • HS Pedu – Compartments 48 & 50 • HS Rimba Teloi – Compartment 1 • HS Bukit Perangin – Compartments 27 & 28 <p>The total area of PRF removed from the FMU and the scope of the audit amounted to 7000 ha. The map is attached as Annex 1.</p> <p>The area is not an HCVF. The HCVF signboard was an old signboard which had been placed in 2007 where the compartment was proposed as a HCVF . However, the area was not established as HCVF by KSFDF as the area was found to be encroached. However, signboard was not</p>

			<p>removed.</p> <p>A written report has been prepared by the FMU on this issue.</p>
10	Stakeholder 10	<p>Although the forest in Kedah has long been encroached, the problem was still under control. The most encroached forest reserves were those in the Kubang Pasu and Pending districts especially after the end of the arm struggle of the Communist Party of Malaya along the Malaysian-Thailand border.</p> <p>The most important issue confronting the State was the excision of forest areas in the middle of the remote Sungai Badak and Bukit Perangin Forest Reserves for agricultural land. Forest rehabilitation should have been undertaken to sustain the stability of catchment areas. The question was then why the excision was made by the previous State Government and which company was given the permission to log the trees during the cleaning up of the area.</p> <p>Has the State Government been fairly compensated in relation to the forest areas being lost. (This question could be directed to the State Development Office, State Finance and State Land and Minerals)</p> <p>It was believed that the development of agricultural land (FELDA and State Government) in the Bukit Tangga Forest Reserve, construction and development of the University Utara Malaysia (UUM), Sintok within the Sungai Badak Forest Reserve as well as the exploitation of the Bukit Perangin Forest Reserve were the main reason for the flood problem in the towns of Jitra and Kubang Pasu since the past few years. The problem</p>	<p>The area is not part of the FMU but stateland forest and thus not under the scope of this audit.</p>

		<p>was due to the fact that all tributaries in the said Forest Reserve flow into the Tanjung Pauh River in Jitra.</p> <p>The State Agriculture Department is one of the technical agencies directly involved in the evaluation committee to submit an evaluation report on the impact of an implementation of a project on the surrounding community. Application for exploration/mining by any company should be made to the State Land and Mineral Office. The latter would then make reference to several technical agencies to conduct site inspection and submit a technical report before an approval is given.</p>	
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A Map of the Kedah State FMU



Status of NCRs and OFIs issued during Second Surveillance Audit in 2011 against the MC&I(2002)

NCRs

Indicator	NCR No.	Non-Compliance	Corrective Action Taken	Verification by Auditor
6.5.4	1 (Major)	During an inspection made in Compartment 9D of the Bukit Perangin FR (Logging licence No. KU 01-41-2011), it was found that three (3) untagged trees in the buffer zone had been felled and removed. It was also observed that there was damage being done in the buffer zone.	The KSFD had immediately suspended the logging licence and compounded the contractor for these offences. The logging contractor had taken action to pay the compound. A corrective action report was submitted by KSFD on 1 st December 2011. There is evidence of a letter sent to the logging contractor on 1 st December 2011 on stop work order with a RM 17,384 fine.	The evidence of a letter sent to the logging contractor on 1 st December 2011 on stop work order with a RM 17,384 fine was sighted during the audit. During the inspection of active logging sites in Compartment 77B and 76C Ulu Muda FR as well as closed area in Compartment 38 A Ulu Muda FR found the buffer zone was well maintain. Status: closed
5.3.1	2 (Minor)	During an inspection in Compartments 9C and 9D of the Bukit Perangin FR (Logging licence Nos. KU 01-22-2011 and KU 01-41-2011), it was observed that the construction of two skid trails has not been made according to that which has been approved in the forest harvesting plan or Rancangan Pengusahaan Hutan (RPH).	The KSFD had briefed the contractor involved regarding the non-compliance and had issued a RM10,000 fine. The KSFD will undertake a monthly monitoring of logging activities.	Logging operations are being undertaken in accordance with the Guidelines on Reduced Impact Logging 2003. During the inspection of active logging sites in Compartment 77B and 76C Ulu Muda FR as well as closed area in Compartment 38 A Ulu Muda FR. There was no wastage during the audit. It was found that KSFD has generally complied with the RIL Guidelines. Status: closed
6.5.3	3 (Minor)	The specification on drainage along skid trail as prescribed in the 'Guidelines for Forest	A letter has been sent to all District officers reminding the need to	During this recertification audit, site visit has been conducted at the same

		Roads 2010' or Garis Panduan Jalan Hutan 2010 has not been followed. It was observed that the closed skid trail 1 in the first log landing in Compartment 38 (A) of the Ulu Muda FR in the South Kedah Forest District was constructed with steep gradient and had no water bunds to prevent excessive erosion.	construct bunds in closed out areas.	Compartment 38A of the UluMuda FR found bund has been constructed. Status: closed
5.5.1	4 (Minor)	It was observed during an inspection in Compartment 38 (A) of the Ulu Muda FR in the South Kedah Forest District that there was no culvert being built over a stream within the riparian buffer.	A letter has been sent to the contractor on this non-compliance and culverts had been constructed in the affected site.	The same compartment was revisited in this audit and it was observed that culverts have been constructed and water is flowing freely. Culverts were also constructed in Compartment 77B Ulu Muda FR and Compartment 45A Bukit Perak FR. Status: Closed

OFIs

Indicator	OFI No.	Summary of OFI	Verification by Auditor
4.2.4	OFI 1	The KSFD had taken action to improve the format of safety record to capture information on the occurrence of accident. Monthly records had been instituted. Although the safety records for forest workers of the KSFD had been properly maintained, the number of accidents (minor or major) for the workers of the contractors had not recorded.	It was observed that The KSFD had taken action to improve the format of safety record to highlight information on the occurrence of accident. Monthly records had been instituted. The safety records for forest workers of the KSFD had been properly maintained. In this audit, it was found that records of accidents were being kept by the contractors. Status: closed
5.3.2	OFI 2	The amount of wastage was relatively low in the harvesting sites inspected. Directional felling has been implemented and only good quality	It was found that during the site visit to Compartment 38A of the Ulu Muda FR, there was no wastage of logs left after logging.

		trees were tagged for felling to prevent wastage and also damages to residual stand. However, it was observed during a site visit to Compartment 38A of the Ulu Muda FR that there was some Merbau log being left in the logging area.	Status: closed
6.6.1	OFI 3	The storage of chemical herbicide (Timer 41) and sprayers in the chemical store at the Jeniang Range Office could be improved by segregating the chemicals and equipment and enhancing the understanding the correct usage of these chemicals.	The implementation of guidelines and/or procedures on the use of chemicals in the forest approved by relevant regulatory authorities has not been followed. The condition of chemical herbicide and sprayers in the Chemical Store at the Jeniang Range Office has not improved. Therefore the OFI raised from the previous audit has been upgraded to Minor NCR# NAI-1 indicator 6.6.2
8.3.1	OFI 4	In general, the documentation for identifying all forest products leaving the certified forest had been properly maintained. However, the documentation of logs at the mobile checking station in Weng at the entrance to Compartment 38(A) of the Ulu Muda FR could be enhanced by avoiding mistakes of recording the sequence of number of the logs measured for the Removal Passes. For example, log number 3 was recorded as log number 4.	In this audit the same forest checking station in Pendang was again visited and it was found that such mistakes were not repeated. Status: closed

**Issuance of New NCRs and OFIs during Recertification Audit in 2012 against the MC&I(Natural Forest)
NCRs**

Indicator	NCR No.	Status	Summary of Non-Compliance
6.5.1	SAM-2	Minor	<p>a) Availability and implementation of harvesting procedures to protect the soil from compaction by harvesting machinery and erosion during harvesting operations</p> <p>b) Garis Panduan Jalan Hutan 2010 (Guidelines for Forest Roads 2010)</p> <p>c) Guidelines for Reduced Impact Logging in Peninsular Malaysia 2003.</p> <p>The implementation of harvesting procedures to protect the soil from compaction by harvesting machinery and erosion during harvesting operations did not follow the requirement.</p> <p>The construction of access roads in the active logging sites in Compartment 77B Ulu Muda Forest Reserve and Compartment 45A Bukit Perak FR did not adhere to the specifications as follows;</p> <ol style="list-style-type: none"> 1. The bridges constructed in the Compartment 77B Ulu Muda FR had no retaining wall to prevent soil from being washed into the rivers. 2. Drainage needs to be improved in Compartment 45A Bukit .Perak FR with more lead off drain (parit lencong) 3. Additional sumps needs to be constructed and maintained in both the above site
6.6.2	NAJ-1	Minor	<p>Availability and implementation of guidelines and/or procedures on the use of chemicals in the forest approved by relevant regulatory authorities</p> <p>The implementation of guidelines and/or procedures on the use of chemicals in the forest approved by relevant regulatory authorities has not been followed</p> <ol style="list-style-type: none"> 1. The storage of chemical herbicide and sprayers in the Chemical Store at the Jeniang Range Office could be improved further by segregating the chemicals and equipment and enhancing the understanding the correct usage of these chemicals.
7.2.1	SAM-3	Minor	<p>Implementation of procedures to periodically revise the forest management plan, incorporating the results of monitoring or new scientific and technical information, the frequency of which shall be</p>

			<p>appropriate to the scale and intensity of forest management operations, so as to respond to changing environmental, social and economic circumstances</p> <p>A mid-term review was not completed for the Forest Management Plan 2006-2015 and results of monitoring or new scientific and technical information was not incorporated.</p> <p>1) A draft mid-term of the FMP was made available. However, it was found to be incomplete and not finalised.</p> <p>2) The revised FMP would have to incorporate all the results from the monitoring conducted as well as new technical information. All the sections described in Criterion 7.1 to be included.</p>
4.4.1	LIM 1	Minor	<p>Forest managers shall evaluate, through consultations, social impact of forest operations directly affecting communities, and the people and groups directly affected by the forest operations shall have access to information on the results of the social impact evaluations.</p> <p>Forest planning and management practices have yet to consider and incorporate the results of such evaluations.</p> <ul style="list-style-type: none"> • A report on the outcome of social impact evaluation was yet to be prepared by the two forest districts after social evaluations were conducted. • Since no report was prepared, the findings were not incorporated in forest planning and management practices.

OFIs

Indicator	OFI No.	Summary of OFI
1.1.1	1	<p><u>Records and availability of up-to-date applicable federal, state and local laws, and regulations and policies, in particular those related to forest management</u></p> <p>Collection of documents (copies) on all relevant laws, policies and regulations stipulated in the MC&I (Natural Forest), fundamental for the management of the FMU in the KSF in Alor Setar was not updated. For example, Environmental Quality (Scheduled Wastes) Regulations, 2005, Fisheries Act, 1985, Human Rights Commission of Malaysia Act, 1999, International Trade in Endangered Species Act, 2008, Occupational Safety and Health (Notification of Accident, Dangerous Occurrence, Occupational Poisoning and Occupational Diseases) Regulations, 2004, Pesticides Act, 1974, Waters Act, 1920 and Wildlife</p>

		Conservation Act, 2010, were not included in the collection.
1.3.1	2	<p><u>Forest managers are aware of all binding international agreements relevant to forest management</u></p> <p>Some recent additions of international agreements relevant to FMU management were not included in the document collection of the KSFD in Alor Setar. These included the United Nations Convention on Biological Diversity, 1992 and United Nations Declaration on Rights of Indigenous Peoples, 2007. The recent documents are necessary in ensuring awareness among forest managers on updates of binding international agreements.</p>
8.3.1	3	<p><u>Forest managers shall provide relevant documents for identifying all forest products leaving the area to be certified so that their origin could be easily determined.</u></p> <p>Field information on some felled trees in Sub-compartment 77-B of Ulu Muda PFR, under licensee KS 01-54-2011, differed from records examined in the <i>Tree Tagging and Timber Production Control Book</i> in Weng mobile checking station. The field information on three felled trees and corresponding record in the tree tagging control book (in bracket) are as follows: 1. KCE5715, Kempas, (Kembang Semangkok); 2. KCE5755, Tulang Daing, (Gerutu); and 3. KCE5712, Meranti Sarang Punai, (Meranti Tembaga).</p>
6.2.1	4	<p><u>Availability and implementation of guidelines to identify and protect endangered, rare and threatened species of forest flora and fauna, including features of special biological interest such as seed trees, nesting and feeding areas in the PRFs</u></p> <p>Selection of mother trees in Compartments 77B Ulu Muda FR and Compartment 45A of Bukit Perak FR should be improved with better quality trees with good form and full crowns marked as mother trees.</p> <p>During the document review it was found that WWF had identified two salt licks present in the FMU namely Sira Batu dan Sira Air Hangat in Ulu Muda FR.</p> <p>During the consultation with PERHILITAN it was found that they have information on salt licks as potential HCVF sites.</p> <p>There was no evidence of efforts to protect both these areas or to assess if such areas may be identified as potential HCVF sites.</p>

6.3.1	5	<p><u>Availability and implementation of management guidelines to assess post-harvest natural regeneration, and measures to supplement natural regeneration, where necessary, in the FMU</u></p> <p>Document on the analysis of post F and pre-F was available. Detailed pre-F and post F data for 10 compartments was compiled. Preliminary analysis conducted was found to be inadequate and biased. A more comprehensive analysis needs to be carried out to assess the changes in stocking and species composition</p>
8.2.1	6	<p><u>Forest manager shall gather the relevant information appropriate to the scale and intensity of the forest management operations.</u></p> <p>Wildlife/ biodiversity inventory analysis and research should be conducted with relevant stakeholders.</p>
9.2.1	7	<p><u>Forest managers shall consult with relevant stakeholders on the options to maintain or enhance the identified HCVFs</u></p> <p>The relevant stakeholder was consulted during the establishment of HCVF sites, however the stakeholder list had not properly updated and records of consultations should be presented.</p>
9.4.2	8	<p><u>Forest managers should incorporate the results and findings of the HCVFs monitoring activities into the implementation and revision of the forest management plan.</u></p> <p>Results obtained from monitoring HCVF sites should be incorporated in the revision of the FMP 2006-2015</p>
7.3.2	9	<p><u>Forest workers shall be trained as to their respective roles in the implementation of the forest management plan.</u></p> <p>Training records for contractors' workers of Compartment 77B, Ulu Muda FR and Compartment 45A Bukit Perangin FR should be more systematically presented.</p>
8.1.2	10	<p><u>Forest managers shall identify and implement appropriate monitoring procedures, in accordance with the scale and intensity of the forest management operations, for assessing social, ecological, environmental and economic impacts. (New Requirement under MC&I (Natural Forest))</u></p> <p>Social, ecological, environmental and economic impact evaluation could be improved with standard procedures.</p>

End of public summary