

**USDA-Forest Service Technical Assistance Trip
Liberia**

**In Support of Liberian Forestry Initiative for Assistance in the
Implementation of the National Forest Management Strategy**

Mission Dates: Oct 4-18, 2006

Report Submitted by:

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SCOPE OF THE TECHNICAL ASSISTANCE

The overall goal of this technical assistance mission was to provide assistance to the Forest Development Authority (FDA), in the development of a regional validation framework for implementing the National Forest Management Strategy. There were two objectives of this technical assistance mission. The first was to evaluate, recommend, and agree upon appropriate procedures for implementing the National Forest Management Strategy (NFMS) including National, Regional and localized validation of the land use suitability recommendations. The second objective was to ensure that the implementation strategy for the land use planning logically conformed to the requirements for environmental impact assessments.

I. BACKGROUND

1. Objectives of the Technical Assistance Trip

This technical assistance mission was developed in response to findings from previous technical assistance missions regarding the development of procedures and training in environmental impact assessments. The findings from these reports highlighted the importance of land use planning as a necessary prerequisite to guide land use allocation decisions. The goals, objectives, land suitability determinations, a code of forest practices and monitoring elements developed through a land management planning process are essential decisions that must be made prior to making subsequent decisions on where forest related activities may or may not occur. The new Forestry Law (October 2006) has now codified this framework of planning and decisionmaking. The FDA, in cooperation with the US Forest Service and Conservation International, has recently completed a Land Use Planning process (Nebel, Sept 2006) that resulted in land suitability determinations for commercial forests, protected areas and community forests. Because this land use planning process was developed at a national scale, it is necessary to develop a process in which these suitability determinations are validated at regional and local scales in order to ensure the land use objectives of the area can be achieved.

II. ISSUES, FINDINGS AND RECOMMENDATIONS

Introduction

This technical assistance mission has been invaluable in providing insight into what constitutes an adequate procedure for implementing the National Forest Management Strategy as well as how to conform with the requirements for environmental assessments. To that end, during the mission in Liberia, the USFS technical experts relied extensively on the newly enacted National Forestry Reform Law of 2006, numerous technical documents, as well as had personal communications with representatives of the Forest Development Authority, Environmental Protection Agency, NGOs, and members of the logging industry. The assistance and cooperation of all of these partners were invaluable and greatly appreciated.

Two issues have been presented below. The first issue is directly related to the specific term of reference for this mission and as such has annexes in which the

deliverables are described. The second issue is related to previous mission findings as well as to the overall process for ensuring that forest sector activities are compliant with EIA requirements.

Issue 1 Procedures for implementing the National Forest Management Strategy

Issue 2 Meeting EIA requirements for Forest Sector Activities

Issue 1: Procedures for implementing the National Forest Management Strategy

Finding:

Review of existing documentation and discussions with stakeholders indicated limited development of the National Forest Management Strategy as well as limited development of a plan in which to validate the strategy at different levels.

The development of a validation process for implementing the National Forest Management Strategy is contingent upon agreement at the national level that this strategy satisfies the requirements of Section 4.4 and 4.5 of the National Forestry Reform Law. Section 4.4 of the law requires that the strategy be offered to the public for comment and ultimate approval by the Board of Directors (BOD) of FDA. Section 4.5 requires that the suitability of particular area be validated. Section 4.5 (c) requires the authority to establish a standard process for validating a proposed use of an area. A standardized process for validating the NFMS therefore needs to incorporate national, regional and localized issues prior to the development of a contract prospectus or management plan. Once a concession allocation is authorized for a particular area, locally derived social, economic, and environmental information will again need to be considered by the contract holder during development of the Forest Management Plan and the Environmental Impact Assessment.

Recommendations:

The National Forest Management Strategy should be further developed and validation of the Strategy should occur at three levels: national, regional, and local (figure 1). The strategy as it currently exists also needs refinement to further clarify the predicted effects of the Strategy. The objectives and predicted social, economic, and ecological effects for the three land use allocations of commercial, community and protected areas are not clearly described in the strategy. It is recommended that the predicted outcomes from the strategy be articulated as part of the National Forest Management Strategy. Through our discussions with various stakeholders, it appears that the information is available in various sources but has not been brought together as a part of the strategy. It is also important to more clearly define the three land use allocations to assist in the understanding and implementation of the strategy. Proposed definitions are presented in figure 2.

The validation processes should occur prior to concession contracts being approved. A public involvement plan for validating the National Forest Management Strategy at the National, Regional, and local scale is also needed to ensure that comments and concerns are considered at the appropriate intervals. Components of a public

involvement plan have been included as part of the validation process in Appendix A but this aspect may need additional review and development with persons with rural participation skills.

National

At the national scale there needs to be agreement to the general allocation of areas into the three management categories of conservation, community, and commercial forests. The work of Nabel (2006) provides a scientifically sound basis for developing the National land use plan. Discussions with FDA and EPA as well as NGO's resulted in consensus that these allocations are a good first approximation of a national strategy and should be carried forward for approval at the national level. Approval at the national level would involve vetting the plan with the executive, legislative, county governments, NGO's and ultimate approval of the plan by the Board of Directors for FDA. It is recommended that the forest land suitability maps be prepared with the 4 FDA regions clearly depicted as well as a legend with the approximate acreages for the 3 suitability determinations. Accompanying this map could be a short description of the predicted outcomes of these suitability determinations. This information, presented at a national workshop, will be important in obtaining approval of the strategy.

Regional

At the regional scale the areas allocated to these management emphases are validated and necessary adjustments made to meet the management goals for the areas as well as to insure that the areas can be practically managed. The regional scale would be the level at which commercial concessions are validated and the decision (YES/NO) made whether to proceed with the proposed land use. It is recommended that the forest land suitability maps be prepared at the regional scales that include a legend with the approximate acreages for the 3 suitability determinations. Similar to the national level vetting process, it would be helpful for the regional level vetting to have the land use suitability determinations broken out by acreages within the region e.g the total forest area allocated to commercial within the region compared to the total extent of conservation area may be helpful in validating the allocations. County, district, and names of villages would also be necessary to have on these regional maps.

Public involvement at this scale involves discussion and collaboration with legislative representatives from the affected region, county representatives as well as paramount chiefs and interested NGO's and civil society. A simple checklist for the decision matrix for potential commercial areas is presented in appendix A. The regional validation would be conducted by FDA with EPA assistance. Although it is beyond the scope of the present TOR, this checklist could be modified to address the validation of potential conservation and community forest areas.

Local

At the local scale, site surveys to collect information about relevant environmental features, social surveys in villages in or near to proposed harvesting areas, consultation over boundaries of new forest concession and the production of forest concession maps showing all of the above features and demarcating forest land-use zones. Environmental and social data will be collected by a multi-disciplinary team

drawn from FDA staff and local NGOs. Data will be collected in a three-stage process:

- First, the team will hold consultations with local people to explain the process and discuss issues that need to be addressed (e.g. proposed concession boundaries; local use of the forest; potential conflicts over use; and important social and environmental features, such as local water supplies, hunting areas and areas used to collect NTFPs). The starting point for this process will be the proposed concession boundaries (from the National Forest Land-Use Plan).
- Secondly, based on these consultations, the team will refine the concession boundaries to excise areas that should not be used for timber production and include areas that could be used for production. For the area that could be used for production, small field-surveys will be used to assess the need for mitigation measures that are in addition to those specified in the Code of Forest Practices They will also prepare a rough map showing the revised concession boundaries and forest zones where limitations would apply.
- Finally, the team will present the results to local people again, for final refinement and endorsement of the proposed concession boundaries and local forest zoning. Once agreed, final maps and text will be prepared for each concession prospectus.
- We recommend a follow-up mission include a sale preparation specialist that has GPS/GIS capabilities. This recommendation is based upon the need to have a sale preparation person on-the-ground with FDA personnel to train them in basic forest measurement procedures as well incorporate the field information for the development of maps and contract prospectus.

Figure 1. Proposed public involvement strategy for three levels of National Forest Management validation

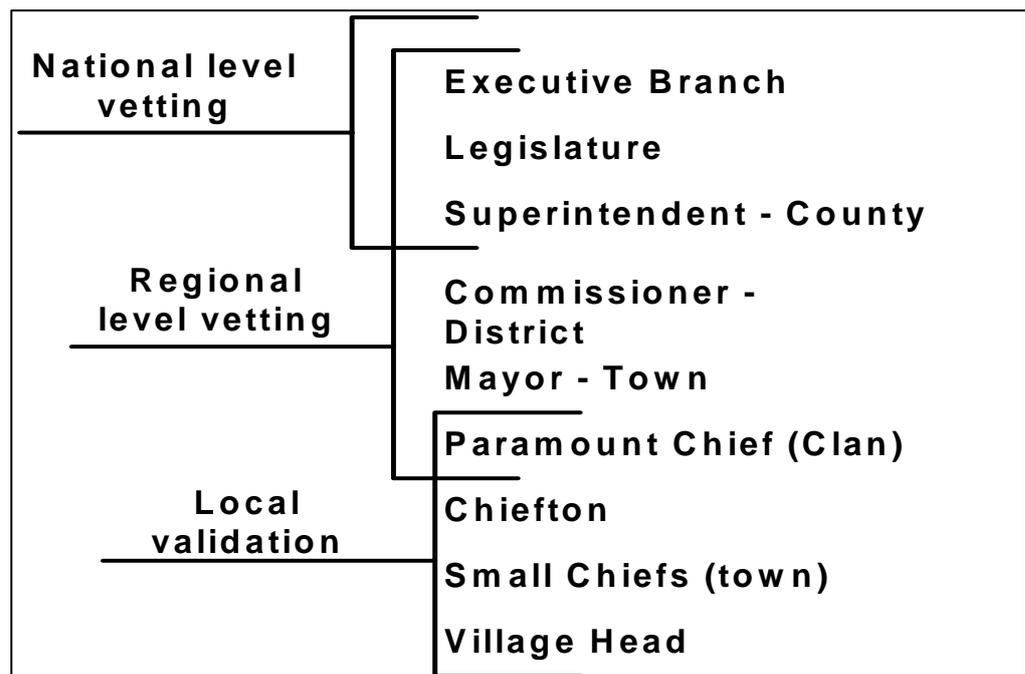


Figure 2. Definitions of Forest Management Allocations

Community Forests – Management of these areas would emphasize the production of wood and non-wood forest products, plus the use of forests for other purposes such as: cultural rituals; future farmland and settlement areas; and the protection of sacred sites. Community forests would serve the interests of people who live in and on the fringes of forest areas. These areas are adjacent to or in close proximity to communities.

Commercial forestry–These are areas that would be allocated to the long term sustained yield of commercial timber These areas are allocated to the production and processing of wood and non-wood forest products for profit. The aim of commercial forestry is the sustainable production of forest products and the development of viable forest-based industries. Revenues from forest taxes and charges can be used to finance public sector administration of the sector and government expenditure on public goods and services.

Protected Areas – These are areas set aside for non-timber purposes These areas focus on the management of specific sites of high conservation value. The strategy for forest conservation will focus on wildlife and protected area management, management of wetlands and mangroves and the development of ecotourism and nature tourism. This category could include a number of sub-categories of land allocations from national parks, to biodiversity reserves, to areas managed for non-timber forest products.

Issue 2: Meeting EIA requirements for Forest Sector Activities Strategy

Finding:

Meeting EIA requirements will be the responsibility of the concession operator after the forest management plan is completed.

Previous technical assistance missions and review of EIA requirements in light of the public procurement requirements indicated a need to conduct EIA prior to allocating concessions.

Recommendations:

The validation process of the National Forest Management Strategy highlighted above in Issue one and articulated in Appendix A, combined with a MOU between FDA and EPA to cooperatively work together to ensure that comments and concerns are appropriately considered should allow for sufficient information to be considered and included in concession prospectus. The contractor would then be required to meet the requirements for environmental review based upon its forest management plan.

Appendix A

Validation Process for Implementing the National Forest Management Strategy for Commercial Forestlands¹

Overview of Process

1. Transpose National level zoning (Nabel) to Regional Scale maps.

The 4 FDA regions have been decided as a basis for further delineating the National Forest Management Strategy. Individual maps of the regions should be made available that include roads, communities, rivers, topographical information, and the land use designations from the National level zoning. The following maps should be developed and made available throughout the validation processes:

- The national validation workshop could be assisted by having a map of the forest cover with the land use designations overlaid on top. This map should also include the FDA regions, county and district boundaries, major roads, communities, rivers and topographical information. The scale for this map should be 1:500,000 or 1:1,000,000.
- The regional validation workshop could be assisted by having the four different maps depicting the respective FDA Regions displayed with the forest cover and land use designations overlaid on top. This map should also display county and district boundaries, all roads, communities, rivers and topographical information. The scale for this map should be 1:250,000 or smaller depending upon the size of the region.
- The local validation workshop should have a map available displaying the specific area identified for local validation. This map should display the forest cover, perhaps even ortho photos as a base with all roads, communities, rivers and topographical information highlighted. The scale for this map should be 1:100,000 or smaller depending upon the size of the area being validated.

2. Develop a legend with acreage of forest land suitability for national and regional maps.

This legend is necessary to evaluate the outcomes of the land use suitability determinations at a national and regional basis. It may also be helpful to assign acreage information to individual polygons in order to preliminarily determine priority for further validation.

¹ The validation process outlined here is primarily related to a scaleable (national-regional-local) process for ensuring that areas identified as potentially suitable for commercial timber harvest activities are appropriately considered. Validation processes for community forests and protected areas may have similarities (i.e., national level validation) but it is not the intent of this paper to address these processes.

- 3. Develop information regarding predicted outcomes from strategy at national and regional levels.**
 In order to validate the strategy, it will be necessary to develop some basic information regarding predicted outcomes at the national and regional scales. For example, predicted revenue from the allocation of the commercially suitable areas or benefits from community or conservation areas. This information may be helpful in ensuring agreement of the strategy at the regional scale.
- 4. Hold National Forest Management Strategy Workshop.**
 The National Forest Management Strategy requires that the strategy be offered to the public for comment and ultimate approval by the Board of Directors (BOD) of FDA. The workshop is intended to inform the executive, legislative, county governance, NGO's, and civil society with the opportunity to comment on the land use allocations.
- 5. Refine National Forest Management Strategy based on National Workshop.**
 Refine land use maps and strategy based on feedback. FRMC approve taking strategy to Regions for vetting.
- 6. Hold Regional Forest Management Strategy Workshops in 4 Regions**
 Regional workshops held in the 4 FDA regions to consider regional context of the National Forest Management Strategy.
- 7. Refine Forest Management Strategy based on Regional Workshop.**
 Refine land use maps and strategy based on feedback. FRMC approve taking strategy to specific commercially suitable areas for vetting.
- 8. Selection of proposed commercially suitable area for further validation**
 Selecting a particular commercial area within a region to begin further validating should be done on the basis of attempting to select an area for its apparent lack of significant controversy. This could be typified of an area that has adequate access, lack of significant population centers, and easily definable boundaries. Refer to Proposed Commercial Land Use Validation Checklist for additional items that need to be addressed.
- 9. Identify Affected Counties/communities**
 At the regional scale identify the counties and major communities that are potentially impacted by the commercial allocation. At the regional scale it is not possible to conduct public involvement with all potentially affected communities and villages. Therefore the thrust of public involvement at the regional scale should focus on the political representatives and primary traditional representatives.
- 10. Publish notice of proposed commercial allocation in affected communities. Send notice to county/community leaders, NGO's, civil society etc.**
 Notice should be designed to reach as many potentially affected people as possible. In addition to specific written notice of proposed commercial use

being sent to those known to have an interest, ie county superintendents, elected representatives of affected areas, mayors and paramount chiefs more general notice such as newspaper publication and radio broadcasts should be utilized to make people aware of the propose use.

11. Hold meetings in affected communities, present proposed commercial allocations, hold meetings with affected interested parties-NGOs, civil society etc.

Public meetings should be held in major affected communities at which the proposed use is presented and comments received. There should be a reasonable but fixed period of time to submit comments on the proposed use. We recommend a 30 day comment period

12. Identify specific mitigation/monitoring/social contract needs (beyond Code of Forest Practices) that must be included in prospectus. Based on feedback from public involvement, refine boundaries of areas commercial/community/preservation.

Boundaries of commercial areas may need to be adjusted in order to address the issues identified during the public involvement process. If there are specific mitigation /monitoring or social contract needs that are identified during the public involvement process that need to be reflected in the prospectus in order for prospective contractors to clearly understand what is required then these adjustments need to be made prior to issuance of the prospectus. Examples could include deleting specific cultural use areas or sacred sites from the concession. Those mitigations that are included in the Code of Forest Practices need not be reflected in the prospectus since the basis for the bid is compliance with the Code of Forest Practices.

13. Prepare Prospectus/competitive bids/award contract

14. Successful Bidder (contract holder prepares forest mgt plan Approval by FDA)

15. Comply with EIA requirements. EPA approves

16. Company prepares Annual Operating Plans

17. Logging begins

Appendix B

Commercial Land Use Validation Checklist

This checklist is intended to be used by the FDA in order to ensure that commercial forest activities are suitable for a given area. The checklist is designed as a yes/no checklist but appropriate rationale should be included in a justification document to indicate how the yes/no responses were developed. The sources of information are not intended to represent the entirety of resources that can be consulted but do represent potential sources of information to consider.

1. Is the proposed commercial area, outside of designated protected areas?

Sources of information

- Regional Land use maps
- Existing forest management contracts, timber sale contracts.

Manner of presentation

- Regional land use map showing location of commercial area in relation to other land allocations.

2. Is there sufficient volume to support a viable concession(s)?

Sources of information

- Aerial photographs
- Forest inventory
- Information from prior concessions

Manner of presentation

- Vegetation map (scale 1:100,000)
- A table showing estimated commercial volume per hectare

3. Does the area contain known commercial mineral deposits that should be excluded from the concession area?

Sources of information

- Ministry of lands
- Reconnaissance surveys
- Geologic maps

Manner of presentation

- Regional or concession area map excluding incompatible mineral development

4. Have deeded or tribal lands been excluded?

Sources of information

- Ministry of lands

Manner of presentation

- Map of proposed concession area showing deeded and tribal lands

5. Are the boundaries of the area easily identifiable on the ground (e.g., rivers, roads, ridgelines)?

Sources of information

- Appropriate maps, satellite or aerial imagery

- Surveys

Manner of presentation

- map of proposed concession area
- Metes and bounds description of concession area

6. Have public meetings been held in affected areas to provide notice and comment? Have minority or underrepresented persons been contacted? Have elected representatives, civil society, NGO's, industry etc been notified and provided opportunity to comment?

Sources of Information

- Public meetings
- Meetings with elected and traditional representatives

Manner of presentation

- Description of where, when, and how public involvement has been conducted.

7. Based on outcome from public involvement are there ecological considerations which warrant modifying the boundary and/or the addition of specific contract provisions?

Sources of information

- Record of public involvement

Manner of presentation

Description of how and why modifications were made.

8. Based on outcome of public involvement are there modifications to the boundary and/or the addition of specific contract provisions that are appropriate?

Sources of information

- Record of public involvement

Manner of presentation

Description of how and why modifications were made.

9. Are there economic considerations for an area which warrant modifying the boundary and/or the addition of specific contract provisions?

Sources of information

- Aerial photographs
- Forest inventory
- Information from prior concessions

Manner of presentation

- Description of how and why modifications were made

Appendix C

Mission Terms of Reference: Environmental Impact Assessment – Planning process workshop and working group

Mission Team: Joe Kruger, USFS
Alan Campbell, US Attorney Generals Office

Travel Dates: October 4th – 18th, 2006

EIA program specialists

In an effort to generate needed revenue for the long-term stability of Liberia, the Liberian Government, through the FDA, is anxious to restart the commercial forest industry. However, the GoL also recognizes the need for restarting using environmentally sensitive methods to determine appropriate concession location and harvesting techniques that will ensure sustainable use of forest resources and protect unique species and habitats. To ensure this happening the FDA will determine where concession will be located and use a competitive bidding process to allocate all concessions on public lands.

The FDA has proposed three planning activities that will ensure sensitive habitats will be protected.

The first process is an overall National Forest Land Planning exercise that classifies all forest lands in Liberia based on their relative suitability. According to the new law (forthcoming) all forest land use allocation decisions must be based on this initial analysis.

The second process requires regional level validation of any initial proposed land use allocation decisions. If a forest land is determined suitable for commercial activities through the National Forest Land Planning process the FDA may elect to propose this area for future commercial logging. However, before initiating the competitive bidding process the FDA must complete a regional validation of the area based on forest inventory, biological and socio-economic information. The ensuing justification document should justify pursuing the proposed use or reason why it should not be pursued. In the case of commercial logging activities the justification should be based on verification of a set of criteria. **One of the key end results of the Justification Document should be to identify any environmentally or socially sensitive issues and require any future logging company to address these issues in their EIA and Management Planning before the FDA approve logging activities.**

The third process required to protect sensitive environmental habitat requires the forest manager to prepare an Environmental Impact Assessment before commencing management activities. For the example of a logging site, the logging company winning the bid for the area would be required to complete the EIA and provide justification for any mitigating measures proposed in the Management Plan.

To complete the environmental planning outlined above the FDA has requested assistance from the US Forest Service and other partners. To assist with this process will require a complement of personnel and probably several missions.

The US Forest Service has provided initial assistance to complete the first phase of National Forest Land Planning and has developed a series of suitability maps. The set of maps have been cross referenced and a final recommended suitability map has been developed.

The second US Forest Service will also provide assistance to the FDA to tackle the second process – establish a regional validation framework and provide initial assistance to guide them through the process. The primary issue should initially be defining the decision criteria for accepting or rejecting logging activities in any given area. Three specialties would be addressed to complete this process:

EIA program specialist and Legal advisor
Ecologist/EIA specialist
Socio-Economic/EIA specialist

The **EIA Program Specialists** will assist the US Forest Service Representative to define a basic assessment process to determine feasibility for proposed land use actions. Specific trials will be first initiated in areas defined most suitable for commercial forest management operations based on the national forest land suitability analysis. The **EIA program specialist (preferably the whole team)** would be required during an initial mission in early October and at least one more subsequent mission with the entire team to:

- Assess work to date on defining a “Regional Evaluation Check-list” that will form the basis of the decision process to “log or not log” in any given area.
- Assist FDA staff to finalize the check-list and develop methodologies for implementation.
 - i. prepare list of data available for yes/no decision
 - ii. identify additional data needs for yes/no decision
 - iii. identify methodology for additional data collect
 - iv. identify what constitutes a community for reasons of stakeholder involvement
- Develop basic data analysis and organizational techniques.
- Develop a basic structure for the “justification document”
- Serve as team leader for initial data evaluation and draft write-up of a trail justification document.

Ideally, the team leader would work with the US FS representative to guide the initial work of the establishing data needs and directing the work of the FDA evaluation and data collection teams.

During a subsequent mission, the full team would be required to assist the FDA in data organization and analysis, and the writing of an initial justification document.

Specific requirements of the Ecologist:

- Define key ecological criteria for the decision process
- Define data collection procedures options based on local knowledge and skill levels
- Develop a database with which to analyze data.
- Develop local skills to evaluate the data and develop decision recommendations.

Special requirements of the Socio-economist:

- Define key social and economic criteria for the decision process
- Assist the FDA to determine scope and scale of social interventions per regional validation process (ex. what constitutes a community)
- Define data collection procedures options based on local knowledge and skill levels
- Develop a database the FDA can use for data evaluation.
- Develop local skills to evaluate the data and develop decision recommendations.

Mission Program:**Wednesday, October 4th**

1800 h Arrival at RIA

1930 h Dinner with Robert Simpson

Thursday, October 5th

900 – 1100 h LFI/FDA briefing and update on EIA/Planning procedures

1400 – 1500 h Courtesy call with FDA Managing Director at FDA

1600 – 1700 h Courtesy call with EPA Managing Director at EPA

Friday, October 6th

930 – 1200 h Introduction to mission terms of reference, work program and planning – all participants should attend

1200 -1400 h Lunch

1400 – 1700 h Afternoon work session – discussion on the validation process and EPA law and requirements.

Saturday, October 7th

Present Justification Document outline at EPA with working group

Monday, October 9th

Field mission – Departure 700h from EPA for forest lands outside of Bokay Town
Field discussion of initial Justification Document outline

Overnight in Buchanan....

Tuesday, October 10th

Visit to a former Salvage contract area

1800 h – Return to Monrovia

Wednesday, October 11

1000 – 1200 h Work session

Afternoon-Meet with Conservation International and Protected Area Management
Working group to assess status.

Thursday, October 12

Afternoon-Meet with FFI to discuss National Forest management strategy

Friday, October 13

Afternoon-Meet with EIA/validation working group to discuss National Forest
management strategy

Saturday, October 14

Rest

Sunday, October 15

Refine implementation strategy and working group discussion

Monday, October 16

Refine implementation strategy and working group discussion with John Kantor

Tuesday, October 17

Refine implementation strategy and working group discussion with FRMC
Discuss Regulations on land use planning

Wednesday, October 18

Debrief with Bob Simpson
Return to U.S.