



Public Concerns Registration Process & Procedures

Revised and approved by MFRC on 09/21/2021

- I. **Citizen registers a concern regarding a timber harvesting or forest management practice that potentially deviates from MFRC Voluntary Site Level Forest Management Guidelines (FMGs) in Minnesota by calling the 1-800 number or submitting concern on-line.**

- II. **Council staff obtains the concern and makes initial contact with the citizen.**
 - A. Collects all of the information on the Public Concerns Registration Form (speaking to the concerned citizen if necessary), including the citizen's name, address, and phone number; the description of the concern; detailed information regarding the location of the concern; and the identity of the landowner, logger, and/or timber buyer (if known).
 - B. Sends an information packet back to the citizen including:
 1. Detailed information on the Public Concerns Registration Process including reasonable expectations (PCRP brochure).
 2. Record of the concern information recorded during the call or on the PCRP web form, acknowledging receipt of the concern and explanation of next steps.
 - C. Verifies whether the citizen wants to pursue their concern after reviewing the information.

- II. **If the citizen wants to pursue their concern, Council staff determines whether the registered concern falls within the scope of the PCRP using the following decision tree:**
 - A. Concern includes **ALL** of the following:
 1. Concern pertains to current Voluntary Site Level Forest Management Guidelines (FMGs).
 2. Concern pertains to a current or recent (last 12 months) forest management activity.
 3. A clear description or map of the location of the concern has been provided or can be easily developed.

If yes, continue to B. If not skip to C.
 - B. Concern fits **ALL** of the following descriptions
 1. Concern DOES NOT pertain exclusively to management objectives.
 2. Concern DOES NOT pertain exclusively to a legal issue.
 3. Concern DOES NOT pertain exclusively to a contract dispute.

If no, skip to C. If yes, skip to D.
 - C. Concern is outside the scope of the PCRP.

Council staff will notify the citizen via letter explaining why the PCRP cannot address their concern. Council staff files the information and updates the database to reflect this determination. If the concerned citizen responds in writing to disagree with Council staff's



determination that the concern falls outside the process' scope, Council staff and neutral contractor will review any additional information provided by the citizen.

- D. Concern is within the scope of the PCRCP.
Council staff forwards all information to the neutral contractor for further investigation. Council staff files the information.

Note: If there is debate regarding whether or not the concern is within the scope of the program, a phone call between the citizen and Council staff and the neutral contractor will occur to gather additional information to determine relevancy.

III. **A neutral contractor collects information and identifies the parties directly involved in the concern.**

- A. Information:
1. Involved parties include the landowner, timber permit holder, forester, logger, trucker, SFI Implementation Committee Coordinator.
 2. Names, addresses and phone numbers of the involved parties,
 3. Location and nature of the concern through photos and other documentation (e.g., timber sale sheets, plat maps, public records) collected from the citizen and/or other involved parties.
 4. The logger's status as an MLEP member.
 5. The fiber consumer(s)' SFI certification status.
- B. Neutral contractor contacts all pertinent involved parties so that they are aware of the concern and, if applicable, help formulate a response to the MFRC/citizen. The neutral contractor will:
1. Explain to the parties what the public concern entails.
 2. Explain how the PCRCP works (emphasizing its focus is on communication and education, and clarifying that no punitive measures will be taken).
 3. Provide information on current FMGs if appropriate (i.e., if concern reflects aesthetics, water quality, wetlands etc.).
- C. The neutral contractor and Council staff review the concern and determine if a field investigation/on-site visit is warranted, based on whether at least one of the following exist:
1. ***If it is difficult to discern an accurate location/description of the area of concern.*** This may result if there is no documentation of the activity, the concerned citizen involved will not make documentation available, or there are conflicting accounts of the situation that cannot be resolved.
 2. ***The harvest/forest management concern occurs on a visually sensitive site.*** This may apply to sites that are adjacent to heavily used recreation areas and travel routes.
 3. ***The concern is about a practice(s) that appears to be egregious*** - the degree of the issue needs to be validated on site. This may apply where application of guideline(s) have flexibility, and local factors that determine appropriate application should be assessed.
 4. ***The concern occurs in an area where timber harvesting and forest management are especially controversial.*** Investigation of the site may be considered necessary to alleviate any potential concerns about MFRC's possible actions or inaction. This may be applicable in situations



where high profile individuals raise a concern, or a concern is about a site that has high public visibility.

5. Significant consideration in deciding on whether a field investigation/on-site visit is necessary will be given to *photographs of the site or detailed first-hand observations* from the site.

- D. If a field investigation is warranted, the neutral contractor will request permission from the landowner for a site visit. If permission is received, the neutral contractor will notify and invite all involved parties to accompany the neutral contractor during the visit to the site. The neutral contractor will conduct the site visit, recording feedback from involved parties on the conditions observed, decisions made, and potential remedies suggested (if necessary).

If a field investigation is not warranted, the neutral contractor will document the rationale for not conducting the field investigation in the report about the concern.

IV. Reporting and Follow-up

- A. Neutral contractor contacts the involved parties to determine how they will respond to the concern.
- B. Neutral contractor prepares a report for Council staff within six weeks of receiving each concern. This report will include a description of the management site; an overview of the actions taken; responses from the landowner, logger and citizen; maps and/or photos of the site location; description of how the involved parties will respond; and other information pertaining to individual concerns. This report will not contain the names of the complainant, nor any of the involved parties¹.
- C. Council staff records all of the information gathered into a database, the contents of which will be available to the Council and involved parties on request.
- D. Council staff distributes the report and a cover letter to the citizen and all involved parties and any interested parties (e.g., tribal governments, MLEP, NGOs, etc.).
- E. Council staff determines whether educational materials will improve compliance with FMGs. If so, the Council forwards them to all involved parties and follows up to determine whether they were helpful in making forest management decisions, and to solicit their impressions of the PCRCP.

V. PCRCP Annual Report

- A. The Council staff, in consultation with the neutral contractor, will write an annual PCRCP report, due to MFRC no later than June 30th of each year, that summarizes the concerns that were investigated during the previous fiscal year.
- B. Council staff will make copies of the PCRCP annual report available to all MFRC members and involved and interested parties.
- C. Council staff will post the PCRCP annual report on the MFRC website.

¹. MFRC must comply with the Data Practices Act (Minnesota Statutes Chapter 13.44), which protects the names of individuals who allege violations of state law or local ordinance concerning the use of real property. Therefore, throughout the process, MFRC will keep all names confidential unless available in the public record. Only the MFRC executive director, MFRC staff coordinator and neutral contractor will have information that identifies the parties related to PCRCP concerns.