



June 16, 2014

Attn: Ms. Marlyter Silbanuz
Agriculture and Forestry Unit FSM
P.O. Box PS-12
Palikir Pohnpei, FSM 96941

Dear Ms. Silbanuz:

The Council of Western State Foresters (CWSF) appreciates the opportunity to provide comments for consideration by the Kosrae Island Resource Management Authority (KIRMA) on the draft Protected Area (Forest Management) Regulations pursuant to Kosrae State Code, Title 19, Section 19.102(14) and 19.802. The CWSF is comprised of the 23 State, Territorial, and Commonwealth Foresters of the West and American affiliated islands of the Pacific. The mission of the CWFS is to promote science-based forest management that serves the values of society and ensures the health and sustainability of western forests.

We are encouraged by the actions taken by the KIRMA to complete a regulatory framework for the harvest and collection of trees and other resources from State-owned forests, allow the creation of community forestry plans, and the establishes of codes of practice that will provide for the sustainable management of Kosrae's forest resources. The following comments offered by the CWSF apply only to the framework and construct of the draft Protected Area (Forest Management) Regulations as the CWSF recognizes that the on-the-ground forest managers and experts in Kosrae are highly experienced and knowledgeable on mangrove and other native trees in the local area and there management needs.

Remarks and observations concerning the draft regulations:

- While the draft regulations establish a regulatory framework for State-owned forests, there is ambiguity as to if and how the identified regulations will apply to any state lands that may be transferred back into private ownership in the future. Providing clarity and consideration for the future sustainability of these forests is key. The privatization of upland forest lands in future years without appropriate regulatory authorities and guidelines could result in significant damage to fragile watersheds, marine resources, water quality, and biodiversity.
- The establishment of Best Management Practices (or equivalent) should be considered for private land forest management.

- Capacity, staffing ability, and available funding are common limiting factors for many States and Pacific Islands. If the legal authority exists for Kosrae forestry staff to enforce forest management regulations, it is important that the KIRMA consider and examine how it will monitor and carryout enforcing these regulations. While this information may not need to be listed in the formal regulations it should be discussed to ensure success once the regulations are finalized.
- The CWSF had several comments relating to the specified sections and subsections in the draft regulations:
 - Part 3, Definitions:
 - It may be beneficial to consider including ecological elements of mangrove forests in Part 3(g) “Mangrove Forest.” The definition appears to spatially define the forest type but does not address individual plant communities within the inter-tidal ecosystems.
 - Part 5.1, Permit Required for Commercial Harvest of Trees and Other Forest Resources:
 - Part 5.1(3) “Additional information to be provided by applicant” is well drafted and addresses the critical components needed within a harvest plan for forest products. If capacity and sufficient funds are available, consider the addition of monitoring requirements in Part 5.1(3)(g) to ensure that adequate stocking levels and timeframes are met.
 - Part 5.2, Non-commercial Use. Exemption from Permit Requirements:
 - The appropriate timeframe for harvest of single mangrove trees for traditional and customary personal non-commercial use without a permit needs to be determined by KIRMA before finalization of the Protected Area (Forest Management) Regulations. The establishment of a cap on harvest for personal use to define “from time to time” by the KIRMA in Part 5.2(1) will relieve the residents of possible pressures to harvest more frequently if the discretion lies with the individual.
 - Part 9.2, Seizure:
 - The CWSF suggests adding the terms lumber or sawn cants to the items that can be seized by authorized representatives or employees of the KIRMA. This would allow “seizure” to encompass logs illegally cut in the forest as well as through log transportation.

The CWSF appreciates the opportunity to comment. Thank you for your consideration.

Sincerely,



David Groeschl
 President
 Council of Western State Foresters