



global witness

Independent Forest Monitoring Pilot Project in Nicaragua.

Mission Report No. 011

Mission of the Independent Monitor

Forest Management General Plan in Broadleaf forest, in communal lands from the Layasiksa II indigenous community, Prinzapolka Municipality, RAAN.

Plan name:	Río Kiwatigni No.3
Forest Harvesting Permit 2007 – 2008:	PAF No. 0000015
Forest Management General Plan:	Authorisation No. 1602 – L03005
Produced by:	Indigenous Forest Management Project – WWF.
Forest Regent:	Valbert Martínez Salgado. (RFP1603040020110)
Plan beneficiary:	Kiwatigni Cooperative
Municipality:	Prinzapolka, RAAN

Mission date: 17 and 18 July 2007

Report date: 25 July 2007

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1. Executive Summary

Within the framework of the Agreement signed between the National Forest Institute (INAFOR) and Global Witness for the implementation of the Independent Forest Monitoring (IFM) Project in Nicaragua, the Global Witness technical team (known as the Independent Monitor), jointly with INAFOR staff, the Masangni¹ forest regent and two members of the Layasiksa community, carried out an IFM mission on 17 and 18 July to the Forest Management General Plan (FMGP) within the 'Río Kivatigni' broadleaf forest, specifically the annual harvesting area No. 03 of the Annual Operational Plan (AOP) 2007 – 2008.

The area under management is located in the Layasiksa II community, in Prinzapolka Municipality, RAAN, and comprises a total of 4,664.09 hectares. The timeframe for harvesting activities is 30 years. The plan was authorised by the INAFOR District Delegation on 12 September 2003 with code number 1602 – L03005 (see Annex 2).

Annual Operational Plan 'Río Kivatigni' is the third area to be harvested, and comprises 155 hectares, with a total volume of 1,535.844 m³ to be extracted - 770 trees of 23 commercial species. The AOP authorisation is based on Forest Harvesting Permit No. 0000015 issued on 22 February 2007.

The mission focused on covering all the perimeter, georeferencing it with GPS devices, as well as georeferencing stumps found near the boundaries; it also looked at the secondary tracks, extraction roads and log ponds; and finally, it assessed the inventory lines in order to corroborate the location of the felled trees, the trees to preserve and seedling trees.

The findings of the fieldwork reflect inconsistencies related to the area of the FMGP and the AOP, as well as inconsistencies in the demarcation of the protection areas and the omission of such areas in the documents presented to INAFOR.

The conclusions and recommendations of the independent monitor regarding this mission are presented below.

Conclusions:

1. The Kivatigni Cooperative and Masangni did not mark the protection areas in annual harvesting area No.3 of AOP 2007-2008. Similarly, this area was not reflected in the relevant document, thus omitting what was established in the FMGP and the relevant technical regulations.
2. The Forest Management General Plan (FMGP) includes a total area of 4,664.09 hectares. However, when the monitor took into account the actual coordinates included in the same document and produced the relevant map, the area generated was 4,929.18 hectares. There is therefore a difference, and an inconsistency, of 265.09 hectares between both.

¹ Masangni is a local organisation working on sustainable forest management in RAAN, and was born from the projects that WWF was implementing in the region.

3. The AOP area produced with the coordinates registered on the ground is 22.02 hectares smaller than the area generated from the coordinates in the AOP document. Therefore, the Kwatigni Cooperative marked an area on the ground that was smaller than the area presented in the documents.
4. The method and tools used to mark the standing trees and stumps does not contribute to allowing an effective monitoring and surveillance in the area under management.
5. The resolution issued by INAFOR during the harvesting period in the AOP area rendered the Kwatigni Cooperative unable to transport 173.22 m³ of timber to the log pond.
6. The volume (m³), number of species and number of trees approved by INAFOR does not correspond with what is reflected in the official forest harvesting permit.

Recommendations

1. INAFOR should guarantee that the Kwatigni Cooperative, jointly with WWF, carries out a proper demarcation of the protection area, and a subsequent review to evaluate the harvesting carried out.
2. The Kwatigni Cooperative and Masangni should provide clarification to INAFOR and to the Layasiksa community about the differences between the FMGP and the AOP areas, through a review of the coordinates registered on the ground in both areas, the production of the relevant map and the calculation of the area.
3. INAFOR should improve the methods to corroborate the demarcation of areas under management at an office and a field level, through the accurate register of geographical or UTM coordinates and the production of electronic maps.
4. INAFOR should guarantee that there are appropriate and homogenous requirements to mark the various categories of trees (trees to preserve, seedlings, trees to fell), protection areas and stumps, with a view to facilitate an effective monitoring and surveillance of the areas under management.
5. INAFOR should improve the communication and coordination mechanisms with logging companies, with an end to be provided with information about their performance and thus prevent problems in their harvesting operations.
6. The Kwatigni Cooperative and Masangni should take precautionary measures with a view to protect the felled timber locate in log ponds and thus avoid further losses.
7. INAFOR should provide clarification about the total volume of timber authorised in forest harvesting permit No. 0000015 and establish or improve the procedure to register volumes of timber when they exceed the space provided in the official form.

2. Composition of the monitoring team

Noel Castrillo. District 2 Delegate, INAFOR.

Kirk Smith. Prinzapolka Municipal Delegate, INAFOR.

Humberto Méndez Reyes. Responsible for the Forest Monitoring section, INAFOR.

Valbert Martínez Salgado. Forest Regent, responsible for the AOP.

Rojas Conrado. President of the Board of Directors of the Kivatigni Cooperative.

Rolando Campos. Member of the Layasiksa II community.

Arturo Avila Osejo. Independent Forest Monitoring Technical Staff, Global Witness.

César Zelaya Blandón. Independent Forest Monitoring Technical Staff, Global Witness.

3. Positive aspects

The mission was supported by INAFOR staff in coordination with the beneficiaries of the plan, and the information of the visited area was made available.

The willingness of the members of the Layasiksa II community, as well as that of the forest regent, member of the technical team of Masangni, was instrumental for the success of the mission.

4. Constraints

There were no constraints during the implementation of the mission. On the contrary, there was a clear willingness from INAFOR and the beneficiaries of the plan to guarantee the appropriate conditions to carry out the fieldwork.

5. Description of the fieldwork

Fieldwork focused on the monitoring of Annual Harvesting Area No. 3 (AOP 2007 - 2008). In order to do that, the first day (17 July) comprised the following activities:

- Interviewing the members of the mission team.
- Reviewing the documents related to the area.
- Covering the perimeter of the area and registering the coordinates of its boundaries.
- Covering the secondary tracks and log ponds.
- Measuring the area of the log ponds and registering their coordinates.

The second day (18 July) comprised the following activities:

- Covering four inventory lines and verifying the existing species according to the commercial survey carried out.
- Covering the existing infrastructure of primary and secondary tracks, and of log ponds.

- Measuring the area of the log ponds and registering their coordinates.

In order to carry out these activities, two working groups were formed, which comprised INAFOR staff, beneficiaries of the plan and the independent monitor.

Once the fieldwork activities finished, the information gathered was processed and analysed. Several documents were reviewed, and these are listed below:

1. Forest Management General Plan Kiwatigni (FMGP).
2. Annual Operational Plan Río Kiwatigni No. 3 (AOP).
3. Forest Harvesting Permit.
4. Forest authorisation of the FMGP.
5. Map of the FMGP from the Kiwatigni cooperative.
6. Map of the FMGP produced by the independent monitor.
7. Map of the AOP produced by the independent monitor.
8. Nicaraguan Obligatory Technical Regulations (NTON).
9. Administrative regulations.
10. Law for the Conservation, Promotion and Sustainable Development of the Forest Sector (Law 462).
11. Special Law for Crimes against the Environment and Natural Resources (Law 559).

6. Results of the mission

6.1. Description of the area under management

The Annual Operational Plan (AOP) 'Río Kiwatigni 3' constitutes the third harvesting intervention carried out by the Kiwatigni Cooperative during the period 2007 – 2008. Such plan was produced in 2005. However, its implementation was hindered by economic reasons, which resulted in it being delayed.

This area belongs to the third compartment of the 'Río Kiwatigni' Forest Management General Plan (FMGP), which was produced in 2003 within the framework of the Indigenous Forest Management Project implemented by WWF through a Collaboration Agreement with the Layasiksa community. The area according to the document presented to INAFOR is 4,664.09 hectares, with a total of 30 compartments, and a protection area of 925.28 hectares, that is, 19.83%, comprised by forest in steep slopes, lower lands and water courses.

According to the signs located in the area, the plan is certified on the basis of FSC criteria.

The area of the AOP is 155 hectares, and a total of 1,535.844 m³ of 23 commercial species, adding up to 770 trees, was harvested. It is divided into two blocks, each of which presents seven inventory lines at a distance of 100 meters, and two log ponds.

INAFOR's approval of the AOP was made through Forest Harvesting Permit No. 0000015 issued on 22 February 2007, under the name of the Kivatigni Cooperative of the Layasiksa II community, with a total volume of 1,535.84 m³ of 23 species and 770 trees (see Annex 3).

6.2. Main findings

The forest monitoring mission verified some positive aspects related to the building of perimeter tracks and inventory lines, as well as a commercial survey, building of log ponds, secondary tracks and sewers. However, some negative aspects were also found, which are described in more detail below.

6.2.1. Demarcation of protection areas

According to the map from the Kivatigni Cooperative (Strata of the Management Unit - see Map 3), and the map locating the harvesting areas, there is a total of 925.28 hectares of protection forests, under the category of forests in steep slopes (D) and lower lands and rivers (E) (see Annex 4).

Annual harvesting area No.3 includes part of the category E protection forests, a fact corroborated by the independent monitor through the production of its own version of the AOP map (see Annex 5), and the definition of a 50m protection area both sides of the 'Kiwias' affluent. It is also worth noting that inventory lines 3, 4, 5 and 6 of block No. 1, where harvesting took place, cut across the protection area.

While covering it became apparent that there was a lack of marking of the protection area aforementioned, which questions the legality of the operations carried out. Similarly, the protection area was not included in the 'Río Kivatigni No. 3' AOP. This breaches what was established in the FMGP and the pertinent Obligatory Technical Regulations.

6.2.2. Demarcation of the FMGP and the AOP

The area of the FMGP according to the Kivatigni Cooperative is 4,664.09 hectares. However, according to the coordinates included in their map and in the map produced by the independent monitor, the area is 4,929.18 hectares, that is, there is a difference of 265.09 hectares (see Annex 6).

Another difference worth noting is the shape of the map, mainly the northern part of it. According to the document there are between 10 and 14 points. However, as can be seen in the map produced by the monitor, there are only 8 points with defined coordinates.

Regarding the AOP area according to the Kivatigni Cooperative, there is a difference of 22.02 hectares, since, according to the coordinates included in the Annual Operational Plan and the map produced by the independent monitor, the area is 157.67 hectares, which is different from the 135.65 hectares resulting from the coordinates taken on the ground by the independent monitor and the subsequent map (see Annex 5). Furthermore, points A, B and C were not marked with a sign including their coordinates.

The above evidence shows inconsistencies with the documents signed by the Layasiksa Community regarding the area allocated as a concession. The same applies to documents signed by INAFOR. On the other hand, the different figures presented for the total area have an impact on the calculation of other relevant parameters, such as the number of trees per hectare, the volume per hectare or the base area. All these aspects should therefore be reviewed by the competent authority and by the beneficiaries of the plan.

6.2.3. Marking of standing trees and stumps

The review of the four inventory lines in blocks I and II shows weaknesses in terms of enabling the identification of some of the standing trees and stumps of felled trees. On the one hand several types of paint have been used to mark stumps, and on the other hand, there is an evident lack of clarity in the marking, as the figures are very small and are located in places where it is difficult to see them.

Despite the location of the standing trees and stumps being correct in relation to the commercial survey, the methods and equipment used to mark them hinders any effective monitoring and surveillance done by the independent monitor, the forest authority or the beneficiaries of the forest.

6.2.4. Timber felled in log ponds

Logging operations began in February and ended in May. A total volume of 1,535.84 m³ of round wood was extracted, out of which 1,362.62 m³ were transported to the main log pond and the remaining volume (173.22 m³) was left in the mountain log ponds of the AOP area. The latter is currently subjected to a risk of being wasted due to the damage caused by the climate conditions it will be subjected for approximately nine months, when the summer returns and they can be extracted.

The timber currently located on the mountain log ponds has not been moved because of the issuance of relevant resolutions² by INAFOR and the arrival of the rainy season, all of which impacted on the transport of the timber to the permanent log pond. This in turn resulted in revenue losses for the beneficiaries of the permit and discontentment about the lack of will and readiness of INAFOR to coordinate effective actions with a view to resolve the situation.

The aforementioned illustrates the weaknesses of the competent authority in monitoring and making appropriate decisions about the approval of management plans. There is therefore a lack of control over the harvesting activities carried out by the beneficiaries of the plan, which results in a lack of knowledge about whether companies are operating legally and what experience the latter have in forest management.

² This refers to resolutions INAFOR approved, which prohibited the transport of round wood and sawn wood in District II, until a forest evaluation process was completed (see Annex 1).

6.2.5. Issuance of the forest harvesting permit

Forest Harvesting Permit No. 0000015 was issued on 22 February 2007, and shows some evident weaknesses, especially regarding the total figures shown for the number of species, number of trees and volume. The figures included are: 15 species, 558 trees and 1,096.623 m³.

The main reason for this is that the volume, number of species and trees included, exceeds the space provided in the official form of the harvesting permit. Despite this being an uncommon occurrence, showing a total result that does not correspond to the list is not acceptable. It is equally inappropriate to refer to a different page for the remaining figures.

Although it appears as if there is no procedure established for this situation, the way in that this has been handled by the municipal delegation could lead to a mistrust and lack of transparency. Thus, the said situation needs to be resolved and the procedures need to be improved for future similar cases.

7. Conclusions and recommendations

After having analysed and processed the information resulting from the fieldwork and the relevant documents, the independent monitor presents the following conclusions and recommendations:

Conclusions:

1. The Kivatigni Cooperative and Masangni did not mark the protection areas in annual harvesting area No.3 of AOP 2007-2008. Similarly, this area was not reflected in the relevant document, thus omitting what was established in the FMGP and the relevant technical regulations.
2. The Forest Management General Plan (FMGP) includes a total area of 4,664.09 hectares. However, when the monitor took into account the actual coordinates included in the same document and produced the relevant map, the area generated was 4,929.18 hectares. There is therefore a difference, and an inconsistency, of 265.09 hectares between both.
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4. The method and tools used to mark the standing trees and stumps does not contribute to allowing an effective monitoring and surveillance in the area under management.
5. The resolution issued by INAFOR during the harvesting period in the AOP area rendered the Kivatigni Cooperative unable to transport 173.22 m³ of timber to the log pond.

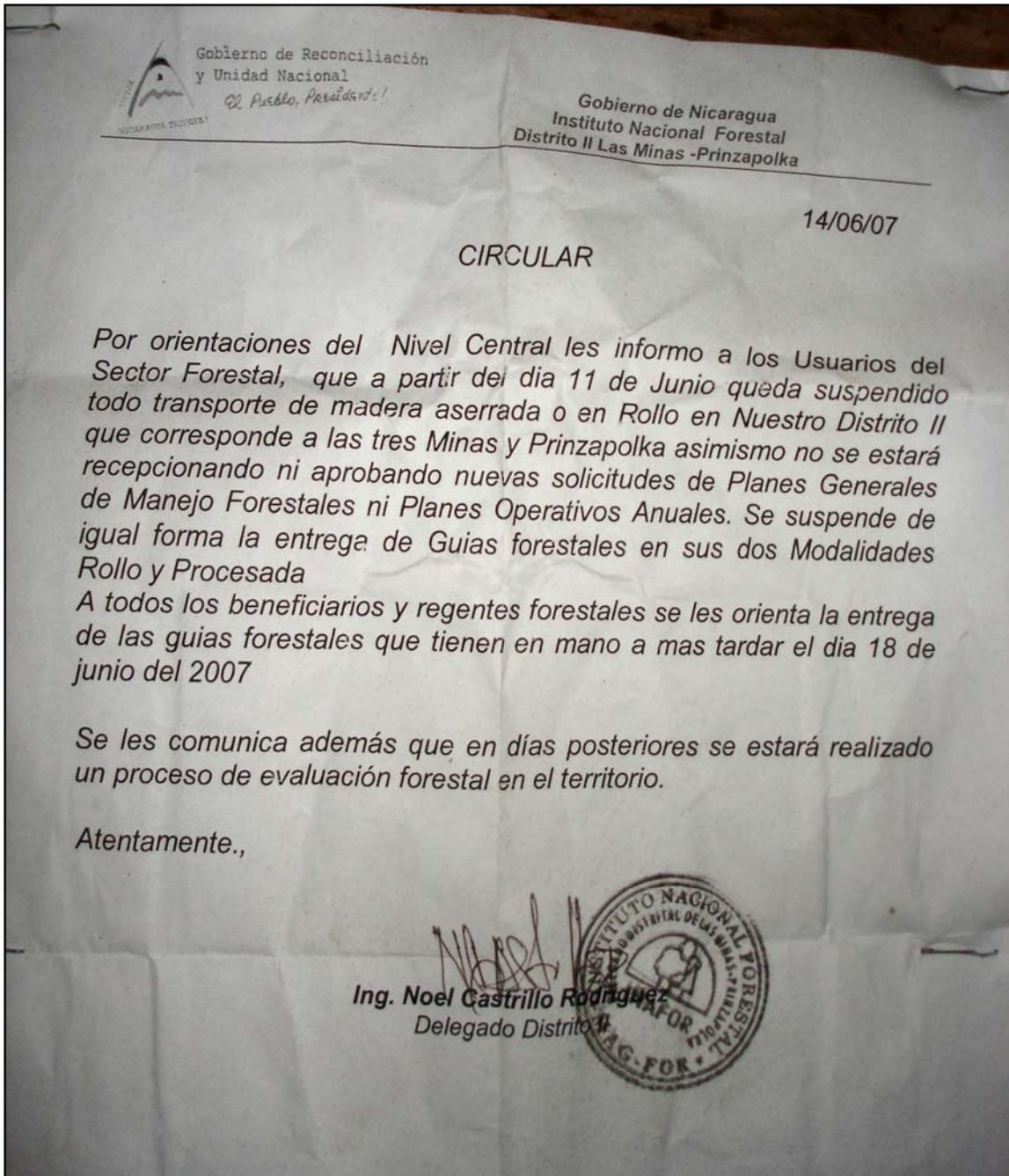
6. The volume (m³), number of species and number of trees approved by INAFOR does not correspond with what is reflected in the official forest harvesting permit.

Recommendations:

1. INAFOR should guarantee that the Kiwatigni Cooperative, jointly with WWF, carries out a proper demarcation of the protection area, and a subsequent review to evaluate the harvesting carried out.
2. The Kiwatigni Cooperative and Masangni should provide clarification to INAFOR and to the Layasiksa community about the differences between the FMGP and the AOP areas, through a review of the coordinates registered on the ground in both areas, the production of the relevant map and the calculation of the area.
3. INAFOR should improve the methods to corroborate the demarcation of areas under management at an office and a field level, through the accurate register of geographical or UTM coordinates and the production of electronic maps.
4. INAFOR should guarantee that there are appropriate and homogenous requirements to mark the various categories of trees (trees to preserve, seedlings, trees to fell), protection areas and stumps, with a view to facilitate an effective monitoring and surveillance of the areas under management.
5. INAFOR should improve the communication and coordination mechanisms with logging companies, with an end to be provided with information about their performance and thus prevent problems in their harvesting operations.
6. The Kiwatigni Cooperative and Masangni should take precautionary measures with a view to protect the felled timber locate in log ponds and thus avoid further losses.
7. INAFOR should provide clarification about the total volume of timber authorised in forest harvesting permit No. 0000015 and establish or improve the procedure to register volumes of timber when they exceed the space provided in the official form.

8. Annexes

8.1. Annex 1. INAFOR Resolution



8.2. Annex 2. Forest Authorisation of the Forest Management General Plan.

 República de Nicaragua Instituto Nacional Forestal INAFOR	
AUTORIZACION FORESTAL	
1602 L03005	
<p>El Instituto Nacional Forestal, aprueba el Plan General de Manejo Forestal (P.G.M.F.) : <u>Kiwatigni</u>, por haber cumplido con los requisitos Técnicos, Legales y Administrativo que para tal efecto se requieren. Al propietario: <u>Comunidad Layasiksa</u>, Ubicado en el departamento de: <u>R.A.A.N</u>, en el municipio: <u>Prinzapolka</u>. Para que durante periodo <u>2003-2032</u>, realice operaciones de manejo sostenible al recursos forestal, en el sitio conocido como: <u>Layasiksa</u>, Que para tal efecto deberá ser presentado el correspondiente PLAN OPERATIVO ANUAL (POA). Dado en la ciudad de <u>Prinzapolka</u>, a los <u>12</u> días del mes <u>Septiembre</u> de <u>2003</u>.</p>	
  Director Departamental INAFOR	
Forma 981202-046	

8.3. Annex 3. Forest Harvesting Permit of the Annual Operational Plan 2007.



REPUBLICA DE NICARAGUA
INSTITUTO NACIONAL FORESTAL
PERMISO DE APROVECHAMIENTO FORESTAL

0000015



1.- Datos Generales

Expediente: 1602L07022 Número: 0000015

El Instituto Nacional Forestal otorga la presente autorización al señor (a): Cooperativa Kiwatingni
 Cédula: _____ para que realice las actividades de Corte, Extracción y Transporte de árboles, del
 bosque ubicado en el sitio conocido como Kiwatingni del municipio Pinzapolka
 del Departamento RAAN

2.- Detalle del Permiso de Aprovechamiento Autorizado

CODIGO	NOMBRE CIENTIFICO	NOMBRE COMÚN	TOTAL ARBOLES	VOLUMEN (M3)	VOLUMEN POR ARBOL
15	<i>Carapa guianensis</i>	Cedro Macho	254	554.505	2.183
	<i>Dryosia sp</i>	Carolillo	16	26.081	1.630
	<i>Lechoepfia Vaccini</i>	Arend	8	14.609	1.826
010		Chilamate	7	22.772	3.253
233	<i>Dialium guianense</i>	Comenegró	53	76.032	1.435
043	<i>Tabebuia chrysantha</i>	Cortez	14	21.409	1.529
011	<i>Leucaena Salvadorensis</i>	Prigolillo	19	35.086	1.847
	<i>Pithecolobium saman</i>	Gomizero	19	68.755	3.619
53	<i>Hymenaea Couribasil</i>	Guapinol	5	19.035	3.807
	<i>Terminalia sp</i>	Guayabo	67	97.741	1.459
12	<i>Bursera Simarubá</i>	Jino Cuabo	19	27.938	1.470
		Jobo	11	29.851	2.714
		Kerosen	18	19.680	1.093
201	<i>Zanthoxylum sp</i>	Lagarto	8	15.778	1.972
546	<i>Symphonia globulifera</i>	Leche Maria	40	67.352	1.684
TOTAL APROBADO			770	1,635.894	1.995

Esta autorización es Válida Hasta: 22-02-2008
 Dado en la Ciudad de Pinzapolka A los 22 Días del Mes de Febrero del 2007

Para transportar la madera debe hacerse con la guía de transporte de madera en rollo

3.- Datos del Regente

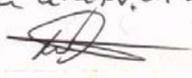
Nombre: Valbert Martínez Salgado
 Numero de Registro: RFP 1603090020110

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 2da. Copia Color Celeste Inafor Central
 3ra. Copia Color Rosada Inafor Distrital


Delegado Municipal
 Firma y Sello Autorizado

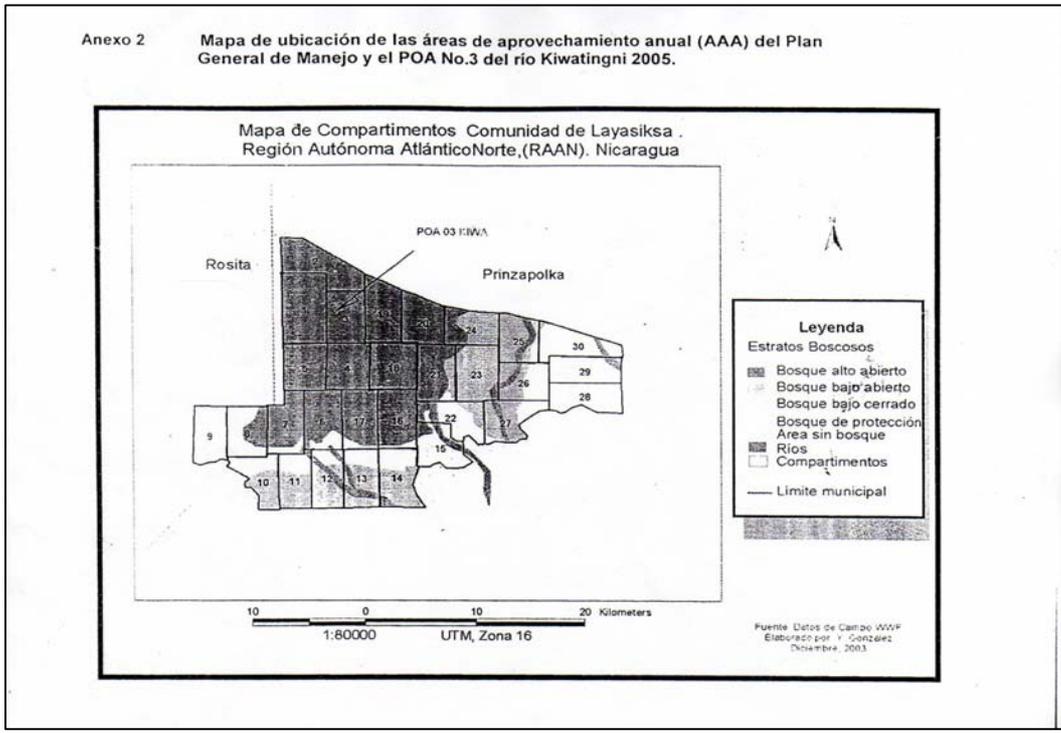
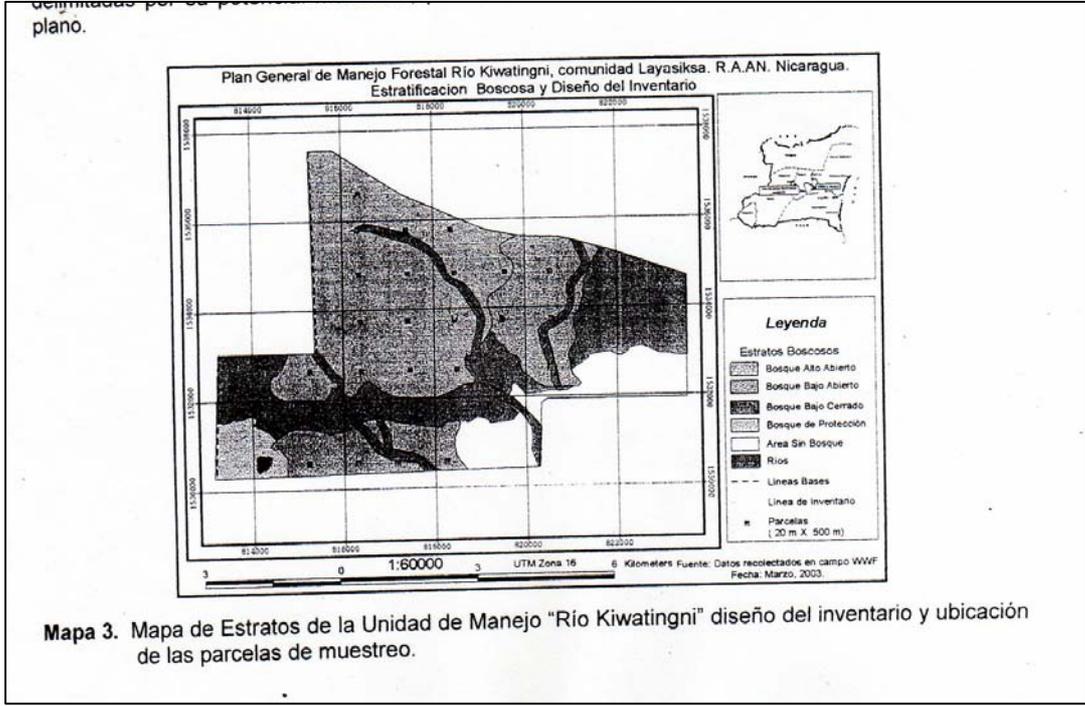


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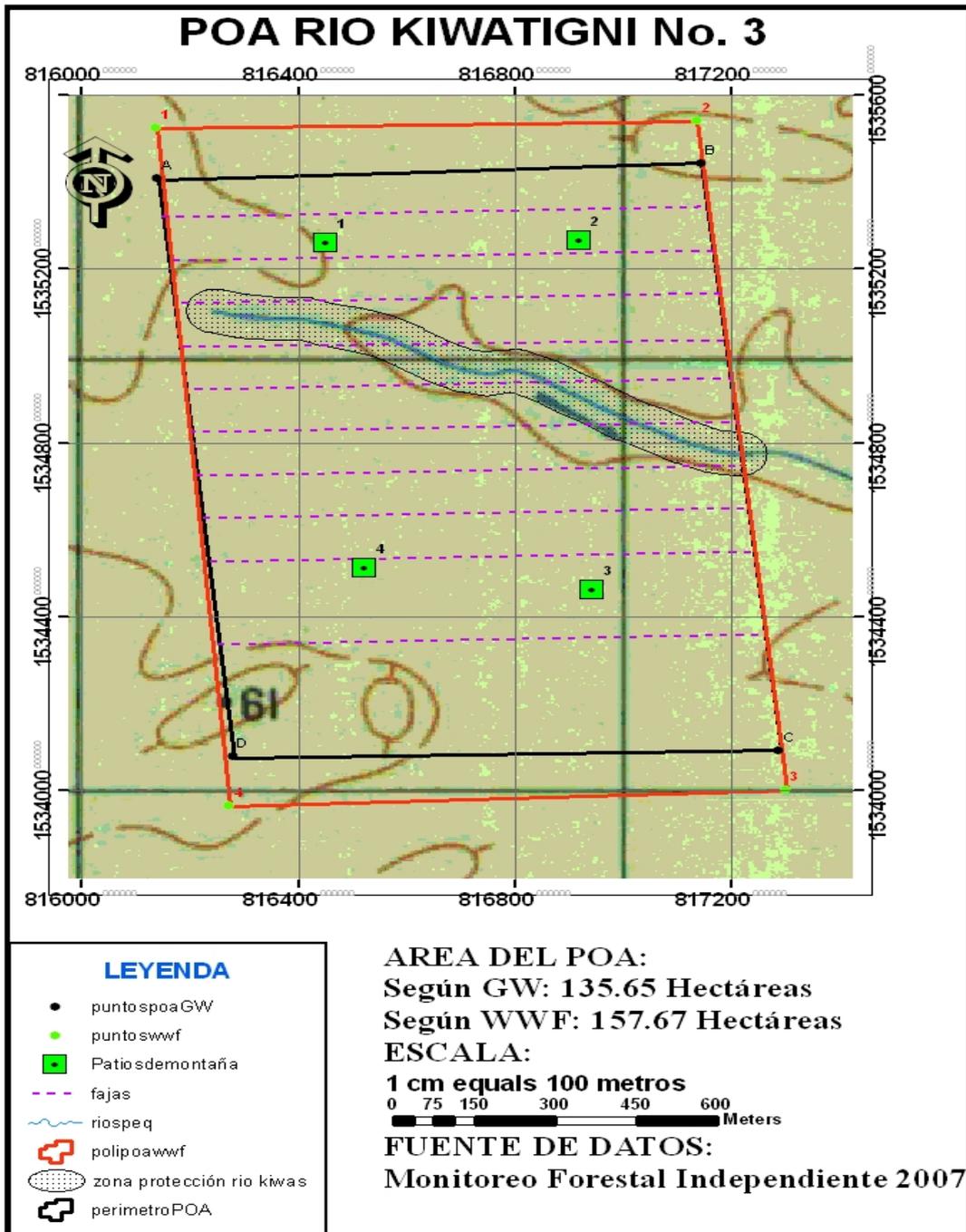


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 IMPRESO POR FOLIO, S.A. - 9-000023 TEL.: 2881 220 010 - 2881 001 002

8.4. Annex 4. Strata map of the Management Unit and map of the location of compartments



8.5. Annex 5. Map of the 'Río Kivatigni' Annual Operational Plan 2007 – 2008.



8.6. Annex 6. Map of the location of the FMGP with coordinates according to WWF.

