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FM-06 April 2007



Forest Management
2008 Annual audit
Report for:

**Downeast Lakes Land
Trust**
in
Grand Lake Stream, ME, USA

Certificate code: SW-FM/CoC-002682
Auditors: Gabe Bolton
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TABLE OF CONTENTS

1. INTRODUCTION	3
2. AUDIT FINDINGS AND RESULTS	3
2.1. AUDIT CONCLUSION.....	3
2.2. CHANGES IN THE FOREST MANAGEMENT OF THE FME	3
2.3. STAKEHOLDER ISSUES	4
2.4. CONFORMANCE WITH APPLICABLE CORRECTIVE ACTION REQUESTS	4
2.5. NEW CORRECTIVE ACTIONS ISSUED AS A RESULT OF THIS AUDIT	10
2.6. AUDIT OBSERVATIONS	11
3. AUDIT PROCESS	12
3.1. AUDITORS AND QUALIFICATIONS:	12
3.2. AUDIT SCHEDULE.....	12
3.3. SAMPLING METHODOLOGY:	13
3.4. STAKEHOLDER CONSULTATION PROCESS.....	13
3.5. CHANGES TO CERTIFICATION STANDARDS.....	13
APPENDIX I: List of visited sites (confidential)	14
APPENDIX II: List of stakeholders consulted (confidential)	15
APPENDIX III: Forest management standard conformance (confidential)	16
APPENDIX IV: Chain of Custody Conformance (confidential)	23
APPENDIX V: FSC Annual Audit Reporting Form:	25
APPENDIX VI: SmartWood Database Update Form	28

Standard Conversions

1 mbf = 5.1 m³
 1 cord = 2.55 m³
 1 gallon (US) = 3.78541 liters

 1 inch = 2.54 cm
 1 foot = 0.3048 m
 1 yard = 0.9144 m
 1 mile = 1.60934 km
 1 acre = 0.405 hectares

 1 pound = 0.4536 kg
 1 US ton = 907.185 kg
 1 UK ton = 1016.047 kg

1. INTRODUCTION

The purpose of this report is to document annual audit conformance of Downeast Lakes Land Trust (DLLT), hereafter referred to as Forest Management Enterprise (FME). The report presents the findings of SmartWood auditors who have evaluated company systems and performance against FSC forest management standards and policies. Section 2 of this report provides the audit conclusions and any necessary follow-up actions by the company through corrective action requests.

DLLT is a non-profit corporation based in Grand Lake Stream, Maine, and dedicated to the long-term economic and environmental well-being of the Downeast Lakes region of Maine through the conservation and exemplary management of its forests and waters. DLLT acquired the 27,080 Farm Cove Community Forest in 2005, thereby permanently protecting 62 miles of lakeshore from development and guaranteeing public recreational access. DLLT received initial FSC forest management certification from SmartWood in October, 2007. This report is a summary of the first annual audit of DLLT's forest management since certification.

SmartWood audit reports include information which will become public information. Sections 1-3 will be posted on SmartWood's website according to FSC requirements. All appendices will remain confidential.

Dispute resolution: If SmartWood clients encounter organizations or individuals having concerns or comments about Rainforest Alliance / SmartWood and our services, these parties are strongly encouraged to contact SmartWood regional or Headquarters offices directly (see contact information on report cover). Formal complaints or concerns should be sent in writing.

2. AUDIT FINDINGS AND RESULTS

2.1. Audit conclusion

Based on Company's conformance with FSC and SmartWood requirements, the audit team makes the following recommendation:	
<input type="checkbox"/>	Certification requirements <u>met</u>, certificate maintenance recommended Upon acceptance of CAR(s) issued below
<input checked="" type="checkbox"/>	Certification requirements <u>not met</u>: Conformance with Major CAR(s) required
Additional comments:	Two minor CARs related to documentation were not completed to the full satisfaction of the auditors. Therefore, consistent with FSC rules, these minor CARs were automatically raised to major CARs. Forest management and silvicultural practices remain consistent with certification requirements.
Issues identified as controversial or hard to evaluate.	

2.2. Changes in the forest management of the FME

DLLT adopted a major addendum to the Forest Management Plan in September, 2008, that fully integrates wildlife habitat and timber management objectives using a Focus Species approach to ensure maintenance of the full range of native wildlife habitats across the landscape over time.

2.3. Stakeholder issues

No stakeholder issues we identified during this audit period.

2.4. Conformance with applicable corrective action requests

The section below describes the activities of the certificate holder to address each applicable corrective action issued during the first evaluation. For each CAR a finding is presented along with a description of its current status using the following categories. Failure to meet CARs will result in nonconformances being upgraded from minor to major status with conformance required within 3 months with risk of suspension or termination of the SmartWood certificate if Major CARs are not met. The following classification is used to indicate the status of the CAR:

CAR Status Categories	Explanation
Closed	Certified operation has successfully met the CAR and addressed the underlying nonconformance.
Open	Certified operation has <u>not met</u> the CAR; underlying nonconformance is still present. CAR becomes a Major CAR with a 3 month deadline for conformance

CAR 01/07		Reference to Standard: 1.6.a
Nonconformance		DLLT does not have a written statement of commitment to the FSC P&C.
Major	Minor X	
Corrective Action Request: DLLT shall develop a written statement of commitment to the FSC P&C.		
Timeline for conformance:		By the first annual audit.
Evidence to close CAR:		DLLT Board of Directors (BoD) endorsed a statement of Commitment to the FSC Principles and Criteria. The BoD endorsed statement was made available to the auditor during the audit. This CAR is Closed.
CAR Status:		CLOSED
Follow-up Actions (if app.):		

CAR 02/07		Reference to Standard: 3.3.b
Nonconformance		DLLT has not yet developed formal procedures for cultural resource management and protection.
Major	Minor X	
Corrective Action Request: DLLT shall develop and fully implement a protocol for cultural resource management consistent with SHPO and THPO cultural resource protection guidelines.		

Timeline for conformance:	By the first annual audit.
Evidence to close CAR:	<p>DLLT has developed and implemented a protocol for cultural resource management. The protocol was endorsed by the BoD on September 9, 2008. DLLT consulted with Maine Historic Preservation Commission (MHPC) and the Passamaquoddy Tribal Historic Preservation Officer (THPO) in the development of this protocol. MHPC provided DLLT with GIS shape files of all known locations of prehistoric archeological sites on the Community Forest. These sites have been incorporated into management maps. According to MHPC and Tribal representatives all known locations are located along lakeshores and major streams. In light of DLLT's no cut buffer policy along lakeshores and major streams, MHPC and the Tribal Historic Preservation Officer do not feel that ongoing forest management activities on the Community Forest warrant archeological review.</p> <p>DLLT has incorporated procedures to cease ground disturbing activities in the event that suspected cultural resources are discovered during management activities and to contact MHPC and the Tribal Historic Preservation Officer. The procedure states that no further ground-disturbing activities shall be undertaken until a review of the site has been completed.</p> <p>It is believed that the Penobscot Tribe may have historically used the area in which DLLT's forest is located. DLLT has inquiries outstanding to representatives from the Penobscot Tribe regarding identifying potential cultural resources on the Community Forest.</p> <p>The protocol meets the requirements of Principle 3 criteria and is consistent with MHPC and THPO cultural resource protection guidelines; therefore this CAR can be closed.</p>
CAR Status:	CLOSED
Follow-up Actions (if app.):	

CAR 03/07	Reference to Standard: 4.2.a
Nonconformance	DLLT has not established safety policies and procedures for DLLT employees and contractors.
Major	Minor X
Corrective Action Request: DLLT shall develop and implement a safety program for its employees and safety requirements for its contractors.	
Timeline for conformance:	By the first annual audit.
Evidence to close CAR:	DLLT currently only has three employees; none of whom are field based. DLLT BoD has adopted a safety program for DLLT employees that requires good judgment and safe work practices to include use of safety belts while operating or

	<p>riding in motor vehicles and the use of appropriate safety equipment for any task undertaken.</p> <p>DLLT's forest manager, Orion Timberlands, has a safety program in place for employees and requires in its cut and haul logging contracts that contractors comply with all laws of the State of Maine covering health and safety. Additionally, Orion requires that all logging contractors complete Maine Professional Logger Program (PLP) which includes logger safety in their training curriculum. The auditor did not observe any unsafe practices by DLLT staff, Orion forester or road contractors during the audit. This CAR is closed.</p>
CAR Status:	CLOSED
Follow-up Actions (if app.):	

CAR 04/07	Reference to Standard: 5.3.b	
Nonconformance	DLLT does not have provisions concerning acceptable levels of residual damage included in its operational contracts.	
Major	Minor X	
Corrective Action Request: DLLT shall ensure that provisions concerning excessive residual tree damage and excessive rutting be included in timber sale documents for DLLT lands.		
Timeline for conformance:	By the first annual audit.	
Evidence to close CAR:	The DLLT BoD adopted the Forestry Performance and Evaluation Standards on July 23, 2007. These standards include requirements for acceptable residual stand damage and erosion (including excessive rutting). The management contract with Orion obligates it to implement these standards. DLLT provided the auditor with a statement of commitment from Orion Timberlands to evaluate all harvesting activities on DLLT lands to these standards. The standards have been incorporated into a site inspection form that is completed by Orion foresters during weekly routine inspections of active harvest operations. Copies of the completed inspection forms were provided to the auditor for review. This CAR is closed.	
CAR Status:	CLOSED	
Follow-up Actions (if app.):		

CAR 05/07	Reference to Standard: 6.3.c.5	
Nonconformance	Several areas were observed on DLLT lands that were not in full conformance with state water quality BMPs; primarily as a result of problems pre-existing DLLT's acquisition of the property. Several failed culverts were discovered during the assessment. Sediment in several areas was also observed entering high-quality waters.	
Major	Minor X	
Corrective Action Request: DLLT shall develop a schedule to conduct a complete inventory of their road system (including secondary roads) for sediment-control and erosion problems. DLLT shall generate a priority list of corrective-action measures needed based on the road inventory that includes a tentative schedule of when corrective actions will be taken. DLLT shall correct the runoff problems observed by the Team at the secondary-road crossing of the		

small tributary of Belden Brook and at Fourth Lake Rd between Pocumcus and Wabassus Lakes.	
Timeline for conformance:	By the first annual audit.
Evidence to close CAR:	<p>DLLT has completed an inventory of their road system, including secondary roads, for sediment –control and erosion problems. A priority list of corrective action measures needed has also been developed and implementation of this action plan commenced during the summer of 2008. The action plan details remediation activities for erosion control through 2010.</p> <p>The two problem areas identified by the assessment team were evaluated during this audit.</p> <ol style="list-style-type: none"> 1. The secondary road crossing of the small tributary of Belden Brook: This problem area is located on a State of Maine managed ATV trail. Initial erosion control work has been completed which included the installation of broad based dips and shaping of the trail to move water off the trail and prevent further sedimentation. As this is an active ATV trail erosion control will be an ongoing issue at this location. 2. Fourth Lake Road between Pocumcus and Wabassus Lakes: DLLT has completed this remediation work per their road maintenance and water quality work plan. Three additional cross drain culverts have been installed and ditches and outlets have been restored. <p>Based on the completed road inventory and work plan developed by DLLT and the remediation work completed to address the sedimentation issues identified during the assessment this CAR is closed.</p>
CAR Status:	CLOSED
Follow-up Actions (if app.):	Evaluate ongoing execution of road maintenance and water quality work plan during future annual audits.

CAR 06/07		Reference to Standard: 6.7.a
Nonconformance		DLLT has not developed and implemented hazardous material response procedures.
Major	Minor X	
Corrective Action Request: DLLT shall develop and implement hazardous material spill response procedures to be used on their lands for containment, reporting, and remediation of spills, as well as provide training on these procedures for DLLT managers and contractors.		
Timeline for conformance:		By the first annual audit.
Evidence to close CAR:		<p>On August 12, 2008 the DLLT BoD approved DLLT's Hazardous Materials Policy. The policy states that only licensed and trained contractors will be used for the application of chemicals required for the management of the Community Forest.</p> <p>Additionally DLLT has implemented the use of the Land</p>

	<p>Management – Environmental Incident Report and Investigation Log to be completed by Orion foresters and contractors in the event of a hazardous material spill. This reporting log includes information on what is to be done in the event a spill occurs and the phone number for the Maine Department of Environmental Protection to report spills. The Orion forester responsible for management of DLLT’s lands and the sole contractor working on the property were familiar with proper spill containment, clean-up and reporting requirements. Orion Timberlands requires all contractors to possess a spill response kit. DLLT reported that no spills have occurred on the property since acquisition. The auditor did not observe any spills during the site visit</p> <p>The auditor observed the installation of a stream crossing culvert while on site. The project foreman had to leave the site during the installation and the spill response kit was in his truck. DLLT and Orion should consider requiring that the spill response kit remains onsite during active construction and harvesting so as to be available in the event of a spill. See OBS 03/08.</p> <p>DLLT has adequately addressed this non-conformance. This CAR is closed.</p>
CAR Status:	CLOSED
Follow-up Actions (if app.):	

CAR 07/07	Reference to Standard: 8.1.b
Nonconformance	DLLT does not have a monitoring plan for the full suite of monitoring variables on its forest.
Major	Minor X
Corrective Action Request: DLLT shall implement a Monitoring Plan in conformance with Principle 8 that includes monitoring of cold-water fisheries and beaver.	
Timeline for conformance:	By the first annual audit.
Evidence to close CAR:	<p>The DLLT BoD approved the Focus Species Forestry Management Plan Addendum (FSFMPA) on August 12, 2008. This addendum addresses the issues raised by the assessment team related to potential conflicts between management for cold water fisheries habitat and beaver habitat. The addendum identifies the areas that are to be managed for cold water fishers and beaver habitat and the habitat features to be monitored. There is no overlap between these areas so the potential conflict identified by the assessment team does not exist and DLLT can successfully manage for both habitat types simultaneously.</p> <p>It is not the intent of the FSC Principles and Criteria to require FME’s to monitor wildlife population numbers, but rather to ensure for protection of habitat types through management</p>

	activities. The auditor concludes that the proposed management and monitoring plan are adequate to comply with the requirements of Principle 6, 7 and 8 as they relate to cold-water fisheries and beaver. This CAR is closed.
CAR Status:	CLOSED
Follow-up Actions (if app.):	

CAR 08/07	Reference to Standard: 8.5.a
Nonconformance	DLLT has not produced a publicly available annual summary of their monitoring results.
Major Minor X	
Corrective Action Request: DLLT shall develop and maintain a summary of their monitoring results and shall make this information publicly available.	
Timeline for conformance:	By the first annual audit.
Evidence to close CAR:	DLLT's Farm Cove Community Forest Management Plan Focus Species Addendum, adopted in September, 2008 includes a section detailing the suite of monitoring elements to be collected and reported. DLLT indicated that it will produce this summary report on an annual basis and plans to complete the 2008 report at year end. This is not consistent with indicator 8.5.a which requires DLLT to maintain an up-to-date summary of monitoring results that is publicly available. Therefore, the CAR cannot be closed and has been raised to a major CAR as required by FSC rules.
CAR Status:	OPEN
Follow-up Actions (if app.):	See Major CAR 08/07.

CAR 09/07	Reference to Standard: CoC 5, 8.3
Nonconformance	DLLT does not have procedures for including their certification code and product descriptions on sales documentation for FSC-certified products.
Major Minor X	
Corrective Action Request: DLLT shall develop and implement a system to include the DLLT FSC certificate code and certified description of products on sales documentation.	
Timeline for conformance:	By the first annual audit.
Evidence to close CAR:	Trip tickets (or load tickets) function as DLLT's shipping and sales documentation for sales of certified wood to customers. DLLT has revised the trip tickets used by Orion Timberlands to include DLLT's FSC certification code. DLLT submitted this trip ticket to SmartWood for review of appropriate use of the FSC logo. While all DLLT land is FSC-certified, and forest products harvested from the Farm Cove Community Forest is FSC Pure, FSC requires that this information (FSC product description) be included on shipping and sales documentation. Trip tickets reviewed by the auditor did not include the FSC product description (e.g. FSC Pure).
CAR Status:	OPEN

Follow-up Actions (if app.):	See Major CAR 09/07. DLLT shall develop and implement a procedure to include the FSC certified product description on shipping and sales documentation (trip tickets).
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2.5. New corrective actions issued as a result of this audit

CAR 08/07	Reference to Standard: 8.5.a
Nonconformance	DLLT has not produced a publicly available annual summary of their monitoring results.
Major X Minor	
Corrective Action Request: DLLT shall develop and maintain a summary of their monitoring results and shall make this information publicly available.	
Timeline for conformance:	By April 1, 2009
Evidence to close CAR:	
CAR Status:	OPEN
Follow-up Actions (if app.):	

CAR 09/07	Reference to Standard: CoC 5, 8.3
Nonconformance	DLLT has submitted to SmartWood for review and approval a revised trip ticket that includes their FSC certification code. However DLLT has not been including the certified product description on trip tickets, which serve as their shipping and sales documentation.
Major X Minor	
Corrective Action Request: DLLT shall develop and implement a system to include the DLLT FSC certificate code (this part of the CAR is closed) and certified description of products on sales documentation.	
Timeline for conformance:	By April 1, 2009
Evidence to close CAR:	
CAR Status:	OPEN
Follow-up Actions (if app.):	

CAR 01/08	Reference to Standard: 5.3.b, 6.1.d, 6.5.b
Non-conformance	DLLT's FMP provides policy guidelines to evaluate the short-and long term environmental impacts of harvesting operations. However, formal assessments of short and long term impacts have not been produced for road maintenance activities. As evident from observations and interviews made during the audit, DLLT and their forest managers are not consistently conducting assessments of the impacts of all management activities and identifying mitigation measures. Examples include sedimentation occurring during installation of culvert at the "carwash" on Fourth Lake Landing Rd. and residual stand damage observed along main skid trails in the Summer 08 harvest located at the north end of Farm Cove Mountain Road. Damage was limited almost entirely to trees located along main skid trails and resulted from rough ground conditions and large hitches.
Major Minor X	
Corrective Action Request: DLLT shall develop and implement a procedure to evaluate the potential short-term environmental impacts and their cumulative effects prior to commencing management activities and incorporate the results of these assessments into operational	

plans. Results of these assessments shall be incorporated into operational plans and ensure adequate supervision to ensure adverse impacts are minimized.	
Timeline for conformance:	Prior to next annual audit
Evidence to close CAR:	Pending
CAR Status:	OPEN
Follow-up Actions (if app.):	

CAR 02/08		Reference to Standard: 8.3, COC 1
Non-conformance		DLLT has not provided clear definition of the forest gate. Forest management contracts state that standing timber is sold to Orion as stumpage while DLLT and Orion representatives informed the auditor that DLLT retained ownership of material until transferred to customers upon delivery to mill.
Major	Minor X	
Corrective Action Request: DLLT shall clearly establish and document at what point ownership of certified products are transferred (“forest gate”) to customers.		
Timeline for conformance:		Prior to next annual audit
Evidence to close CAR:		Pending
CAR Status:		OPEN
Follow-up Actions (if app.):		

CAR 03/08		Reference to Standard: 8.3, COC 5
Non-conformance		All sales and shipping documentation for certified sales that occurred during the audit period were not readily available for auditor review during the audit, as Orion maintains these files at their office in Bangor, ME. While DLLT was able to provide a sample of documentation related to certified sales, FSC requires that all records be made readily available for review.
Major	Minor X	
Corrective Action Request: DLLT shall ensure that all documentation related to the shipping and sales for certified products are readily accessible for review during audits.		
Timeline for conformance:		Prior to next annual audit
Evidence to close CAR:		Pending
CAR Status:		OPEN
Follow-up Actions (if app.):		

2.6. Audit observations

Observations are very minor problems or the early stages of a problem which does not of itself constitute a non-conformance, but which the auditor considers may lead to a future non-conformance if not addressed by the client. An observation may be a warning signal on a particular issue that, if not addressed, could turn into a CAR in the future (or a pre-condition or condition during a 5 year re-assessment).

OBS 01/08	Reference Standard & Requirement: 6.5.c
<p>DLLT forest managers indicated that harvest lay-out has occurred during snow cover conditions. Conducting harvest layout when the ground is covered in snow increases the likelihood that sensitive features are not identified and can be adversely impacted during harvest operations.</p>	
<p>Observation: DLLT should consider implementing a policy that requires all harvest layout to occur during bare ground conditions to ensure that sensitive features meriting protection can be located and marked prior to initiating harvest operations.</p>	

OBS 02/08	Reference Standard & Requirement: 6.7.a
<p>DLLT's forest managers, Orion Timberlands have a policy that requires all contractors operating on DLLT lands to possess a spill response kit. The auditor observed the active installation of a culvert at a wetland area on Fourth Lake Road. The foreman left the site with the spill response kit in his truck while work was ongoing.</p>	
<p>Observation: DLLT should consider making it a requirement that spill response kits remain on site during active operations (harvesting or road work).</p>	

OBS 03/08	Reference Standard & Requirement: 7.3
<p>DLLT has developed a robust Forest Management Plan (FMP) that is based in sound ecological and forestry principles. To date DLLT and their forest managers have done a lot of good work on the ground; however, interviews and some observations made during the audit raise potential concerns regarding the implementation of some of the technical aspects of the FMP.</p>	
<p>Observation: DLLT should consider providing formal training on details of the FMP to all contractors responsible for implementation of the FMP.</p>	

3. AUDIT PROCESS

FSC Surveillance Audit:

This audit served as an FSC surveillance audit conducted by Accreditation Services International (ASI) led by **Guntars Languns**, Accreditation Program Manager, Accreditation Services International. Additionally the audit was observed by **Jon Jickling**, SmartWood Associate Director.

3.1. Auditors and qualifications:

Gabe Bolton, SmartWood Certification Quality Manager, Forester.

Education: Bachelors of Science in Forestry from the University of Vermont (1996). Experience: Twelve years of experience working as a forester in the Northeastern US and eight years of experience related to forest certification. Worked for four years as an inventory forester and 6 years as an operations forester for a private forest management company and has been with SmartWood since 2006. Licensed professional forester in Maine and New Hampshire and has participated in 17 CoC and 12 FM audits and assessments in addition to completing SmartWood CoC and FM Lead Assessor Training.

3.2. Audit schedule

Date	Location /Main sites	Principal Activities
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9/25/2008	DLLT Office, Grand Lake Stream. ME	Opening Meeting
9/25/2008	DLLT Office, Grand Lake Stream. ME	Review of evidence presented to address open CARs and document review.
9/25/2008	Fourth Lake Rd, Grand Lake Stream, ME	Inspection of recent harvest activities and recent infrastructure improvements.
9/26/2008	Farm Cove Mt Rd, Grand Lake Stream, ME	Inspection of recent harvest activities and recent infrastructure improvements.
9/26/2008	DLLT Office, Grand Lake Stream. ME	Closing Meeting

Total number of person days used for the audit:2.25 = number of auditors participating 1 times total number of days spent for the audit 2.25

3.3. Sampling methodology:

The audit focused on continued conformance with the FSC standards as well as progress in meeting the 9 outstanding CARs. The audit began in the morning of September 25, 2008 at the offices of Downeast Lakes Land Trust Grand Lake Stream, Maine. During the meeting, management activities since last audit were discussed as well as progress toward meeting the outstanding CARs. Appropriate documentation was reviewed and additional documentation was requested. Sites were visited throughout the afternoon and the following morning with the goal of seeing current and past management activities on DLLT's property. Documentation pertaining to these activities was reviewed prior to, and after the site visits. The evidence to address the 9 open CARs established during DLLT's initial forest certification was discussed during the opening meeting and for two CARs related to documentation processes was found to be inadequate to fully address the identified non-conformance.

3.4. Stakeholder consultation process

No external stakeholders were consulted during this audit.

3.5. Changes to Certification Standards

Forest stewardship standard used in audit:	Revised Final Forest Stewardship Standard for the Northeast Region, Version V9.0 2/10/06
Revisions to the standard since the last audit:	<input checked="" type="checkbox"/> No changes to standard. <input type="checkbox"/> Standard was changed (detail changes below)
Changes in standard:	None
Implications for FME:	Not applicable - no new requirements