

American Dream, Native Nightmare:



photograph (c) Joe Szindler

The truth about Weyerhaeuser's "Green" Products and Homes



SUMMARY

New research contained in this document exposes Weyerhaeuser's misleading marketing of "green" building products and homes, which in fact contain wood cut from endangered forests in traditional Native territory without consent in Northern Ontario, Canada. Destructive logging to produce "green" TrusJoist products is taking place on indigenous land despite strong opposition by the Grassy Narrows' First Nation community and increasing international concern about human rights abuses.

Conclusive evidence clearly shows that Quadrant Homes, a Weyerhaeuser subsidiary that promotes itself as a green model for homebuilding in the Pacific Northwest, are built with Weyerhaeuser TrusJoist/Timberstrand products taken from Grassy Narrows' traditional territory without consent and manufactured in Weyerhaeuser's Ontario Kenora mill.

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Ecologically and socially destructive logging within Grassy Narrows First Nation traditional territory supplies Weyerhaeuser mill in Kenora, ON

Photos document recent logging within First Nation Traditional Territory

Rainforest Action Network. Aug. 5, 2005.

Clearcut logging continues within Grassy Narrows First Nation traditional territory despite decades of negotiation, protest, legal challenges and a clear lack of consent from the community. The photos below, taken August 5th, 2005, show hardwood logging within Grassy Narrows traditional territory near Kenora Ontario on the East side of the South Pakwash Road, a few kilometers North of the Separation Lake bridge. The area is circled in red on the satellite image and government map below. These logs are destined for the TrusJoist mill in Kenora.



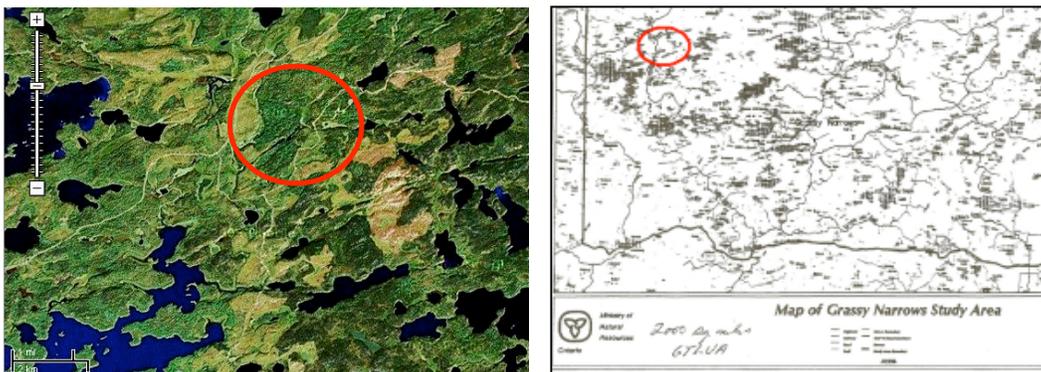
Satellite Photos show massive clear-cuts within Grassy Narrows Traditional Territory

[right] *Google Maps. TerraMetrics photo dated 4-13-2004.*

<http://maps.google.com/maps?f=q&hl=en&q=kenora,+ontario&t=h&ll=50.312695,-94.286728&spn=0.04933,0.173035>

[left] *Ontario Ministry of Natural Resources. Map of Grassy Narrows Study Area.*

The previous photos show recent logging within an area of Grassy Narrows First Nation traditional territory circled in the images below. Dark green areas in the Satellite image (left) indicate mature, intact forests. Brown regions indicate newer clear-cuts. Light green indicates new growth within older clear cuts or disturbances. Note the scale at the lower right. The same area, circled in the “Map of Grassy Narrows Study Area” (right) of the Ontario Ministry of Natural Resources, shows that the area falls within the boundary of the Grassy Narrows’ Traditional Landuse Area (TLA) which coincides with the provincially designated “Whiskey Jack Forest Management Unit.”



Destructive logging on Grassy Narrows' territory supplies substantial volume to Weyerhaeuser Trus Joist Mill in Kenora confirmed in Forest Management plans

Abitibi Consolidated. Summary for the draft Forests Management Plan 20004-2024, Whiskey Jack Forest. 2003.
http://www.mnr.gov.on.ca/mnr/forests/industry/SFL/Whiskey_Jack.pdf

Management plans, filed with the Ontario Ministry of Natural Resources, show agreements between Weyerhaeuser and Abitibi detailing the supplies of Grassy Narrows wood from the Whiskey Jack Forest Management Unit to the Weyerhaeuser Trus Joist Mill:

To make available annually, through a long term memorandum of agreement, all aspen poplar and white birch non-veneer roundwood to Weyerhaeuser Company Limited for use in their laminated strand lumber mill located at Kenora, Ontario.

According to the plan, 324,000 cubic meters of this hardwood is cut from the Whiskey Jack Forest Management Unit each year to supply the Weyerhaeuser Timberstrand/ Trus Joist Kenora mill. This volume represents 42% of the total timber harvest from the Whiskey Jack Forest and a full 50% of the wood supply for the mill.



Abitibi's Forecast of Wood Utilization by Mill for April 2004 to March 2009 in the same plan indicates that all birch and poplar, and 99.6% of all hardwoods logged in the Whiskey Jack will be used in Weyerhaeuser's Kenora mill. The largest clearcut planned by Abitibi in the Whiskey Jack Forest in the current term is 20,988 hectares, or 52,000 acres--62 times the size of New York's Central Park, and approximately the size of Washington D.C.

The mill produces Laminated Strand Lumber (LSL), an engineered wood product used widely by builders throughout North America.

Bill Candline, P. Eng., Trus Joist, Kenora. Session 1 of 43rd Annual Engineering and Technology Conference, November 5, 2004.
http://www.peo.on.ca/chapters/2005_Chapter_Final%20Report/6.%20Chapter_Success_Stories-Technology_Conference-LBetuzzi.pdf

According to a presentation by a TrusJoist executive in 2004, "The Weyerhaeuser Trus Joist Timberstrand Kenora mill uses 650,000 m³ of Aspen and Birch to produce 9 million ft² of laminated strand lumber (LSL) each year. The product is used for beams and headers, lumber (even 2"x3" studs), flange stock for I-joists, rim board, and concrete forms."



Left: Hardwood logs stacked outside Weyerhaeuser's TrusJoist mill near Kenora, Ontario.

Above: Weyerhaeuser's TrusJoist mill near Kenora, Ontario is the largest mill of its kind.

Weyerhaeuser Subsidiaries use products from the Kenora mill in “Built Green” homes throughout North America

Photos document products from Kenora Mill in “Built Green” house built by Quadrant Homes, a wholly owned subsidiary of Weyerhaeuser

Rainforest Action Network. Photos below, February 18, 2006.

Stamps found on Engineered wood products used in Quadrant Homes definitively show that hardwood trees harvested from the Grassy Narrows Traditional Territory are used to build new homes marked under the “Built Green” program throughout the Puget Sound area in Washington. These photos were taken in the Quadrant Homes Northlake Ridge Development on February 18, 2006.



The Kenora mill is the only mill in Canada that manufactures LSL Rimboard



The “37” stamp indicates the plant number for Weyerhaeuser’s Kenora Mill.

Kenora Mill supplies Midwest and Western US markets

Dave Lammers. Logging and Sawmilling Journal, Feb. 2003

http://www.forestnet.com/archives/Feb_03/engineered_wood.htm

An article in the Feb 2003 edition of the Logging and Sawmilling Journal states “The Kenora facility is 30 per cent larger than these other [Kentucky and Minnesota] plants, that are five and 10 years old respectively” and that “Trus Joist Kenora will service all of Canada and 70 per cent of its product will be exported to the mid-western and western United States.”

Quadrant Press Release Profiles “Built Green” program

Quadrant Homes. Press Release. October 3, 2005

<http://www.quadranthomes.com/about/news/20051003.php>

A press release announcing the company’s expansion into the Portland region states, “Quadrant pioneered the Puget Sound region's “Built Green” program to promote environmentally friendly homebuilding practices, and will employ the same rigorous green building standards in its new markets that have earned the company a 3-star Built Green certification from Washington state's Master Builders Association of King and Snohomish Counties.”

Quadrant touts products from Grassy as "Built Green" cornerstone

Quadrant Homes Website. <http://www.quadranthomes.com/about/builtgreen.php>

Quadrant Homes touts the environmental properties of engineered wood products such as those made from forests in Grassy Narrows to prospective home buyers, stating, "By using engineered wood products (a composite material of wood chips), smaller and fewer trees are used. It enables 80% more of the log to be used (even smaller logs) eliminating the need for older growth trees. These products are also more durable than lumber, so they reduce your maintenance and replacement costs."

News release Touts Timberstrand LSL as "environmentally friendly"

TrusJoist. News Release. February 28, 2004

www.trusjoist.com/EngSite/mediakit/productuses/EdgeForm.pdf

Weyerhaeuser regularly markets Timberstrand LSL products as environmentally friendly. A 2004 press release from the company states "The fact that manufacturing TimberStrand® LSL converts as much as 75% of a log into structural lumber makes it environmentally friendly," concluding that, "Trus Joist is recognized as the world's leading manufacturer and marketer of engineered lumber products, which provide greater value for the consumer, the builder and the environment."

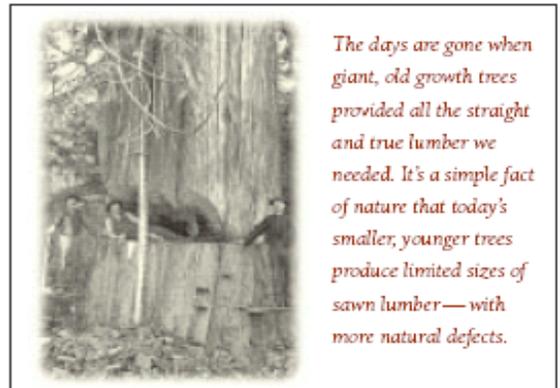
An "environmentally sound solution" for homebuyers

TrusJoist. *How does our FrameWorks Building System Support the Environment?* 2002

www.trusjoist.com/PDFFiles/2191.pdf

A promotional brochure for new homebuyers about LSL and the FrameWorks Building system of which it is a part proclaims that, "The same innovations that give it the structural integrity of a lifetime are making it the environmentally sound solution to the problems we face in the forest today. And tomorrow."

The section "Our Policy: Making a healthy environment our business" states, "From the forest to the manufacturing floor, Trus Joist is committed to making the most efficient use of our renewable resources—and to caring for the environment in ways that honor the earth and future generations." The policy includes a commitment to "Make the most efficient use of renewable raw materials that are not environmentally sensitive."



Weyerhaeuser subsidiary Pardee homes uses Timberstrand for homes in Los Angeles CA, San Diego CA, and Las Vegas NV

<http://www.realityhouse2006.com/Images/Legacy/showhome04.pdf>

George Perrault, Weyerhaeuser's Stockton/Bay Area Regional Manager of Residential Wood Products for Stockton/Bay Area. March 31, 2006. 510-816-8223.

Pardee Homes, a wholly owned subsidiary of Weyerhaeuser, builds 'high-end' homes in Los Angeles, San Diego, Sacramento, San Diego, and Las Vegas. Recent Correspondence with Weyerhaeuser's Regional Manager of Residential Wood Products confirms that "Timberstrand LSL is used frequently in the construction of not only Pardee Homes, but many national builders, regional bay area

builders, and especially large custom homes.” The same correspondence indicates that the Timberstrand LSL originates from mills including the Kenora mill in Ontario, Canada.

Pardee Homes promotes “people-friendly and earth-friendly features”

<http://www.pardeehomes.com/>

Pardee’s website claims that the Weyerhaeuser subsidiary is “an environmentally friendly builder.” Pardee’s LIVINGSMART program promises to “enhance your home with people-friendly and earth-friendly features and options.” The use of “engineered certified wood” like Timberstrand is listed as a feature under this program under the claim that they are “grown and harvested in a way that protects forests long tem.”

Products from the Kenora Mill are easily identifiable

The Kenora Mill produces specific Timberstrand LSL products

NYC Dept. of Buildings, Reports of Materials and Equipment Acceptance Division. November 11, 2005

www.nyc.gov/html/dob/downloads/pdf/89-96-mv2.pdf

A 2005 safety testing report documents testing of the following Timberstrand Laminated Strand Lumber (LSL) products from the Kenora Plant:

- 1.3E rated TimberStrand® LSL Rim Board
- 1.3E 1.7E and 1.5E rated 3-1/2 Inch Thick TimberStrand® LSL
- 1-3/4 Inch Thick 1.7E TimberStrand® LSL

On-product stamps indicate the mill of origin

ICC Evaluation Services, Inc. Building Code Compliance Report. January 1, 2006

http://www.icc-es.org/reports/pdf_files/ICC-ES/ESR-1387.pdf

Aside from the Kenora Mill, only two other mills produce Timberstrand LSL products--one in Deerwood Minnesota, and the other in Chavies/Hazard East Kentucky. A 2006 code compliance report indicates that Timberstrand LSL products are “identified with a stamp bearing the manufacturer’s name (Weyerhaeuser) and/or logo, the name or logo of the inspection agency (PFS Corporation or Intertek Testing Services), as applicable, and the evaluation report number (ESR-1387)”. The report continues, “TimberStrand LSL is identified with the plant number, the product designation or type, the production date and the grade” and finally, “TimberStrand LSL rim board is also identified by the designation “1.3E TimberStrand LSL Rim Board.”

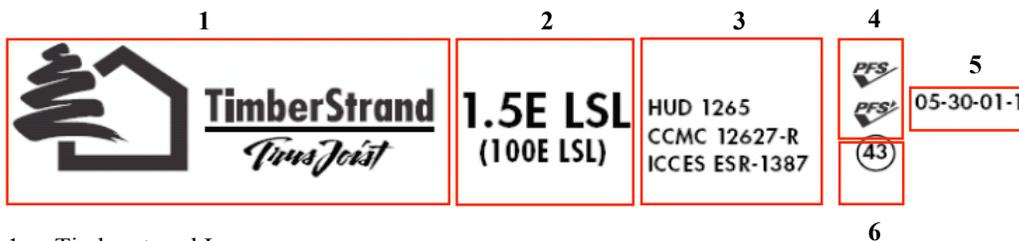
Key to Timberstrand LSL product marks

California Department of General Services, Division of the State Architect. Product Acceptance Report (PA-049).

February 9, 2005.

www.trusjoist.com/PDFFiles/Code_PDFs/PA-049.pdf

A stamp similar to the image below is found on every TimberStrand LSL product. Timberstrand products from the Kenora mill can be uniquely identified by their mill number (37) and the “made in Canada” mark..



1. Timberstrand Logo
2. Product Grade Designation
3. Code Compliance Certifications
4. Quality Assurance Certifications (PFS Corporation)
5. Manufacture date and shift number (MM-DD-YY-S)
6. Mill Number (43=Deerwood, MN; 45 = Cavies, KY; 37=Kenora, ON)

Find a Weyerhaeuser Trus Joist Retailer in your area

<http://www.trusjoist.com/EngSite/wtb/usdealersearch.cfm?categoryID=2&SubCategoryID=11&SubCategory2ID=104>

Find Weyerhaeuser Timberstrand/ Trus Joist LSL retailers and wholesalers throughout North America using the search tool on the Trus Joist website (link above). The key above may be used to determine the mill of origin of products.

Evidence of harm to human health and the environment from logging within Grassy Narrows traditional territory

Independent study finds whiskey jack logging unsustainable

Canadian Parks and Wilderness Society. "Out of Balance." 2005.

<http://www.wildlandsleague.org/attachments/WhiskeyJackFina.FSI.pdf>

The The Whiskey Jack Forest Management unit coincides with Grassy Narrows' traditional land. An independent three year review of harvest plans and practices in the Whiskey Jack Forest conducted by the Wildlands League chapter of the Canadian Parks and Wilderness Society in 2005 found that:

- Current harvesting levels within the Whiskey Jack Forest cannot be sustained for even 20 years.
- The company's estimate of available wood is based on unrealistic assumptions about how much the forest can produce each year.
- Harvest levels are too high to protect existing wildlife habitat, or to allow the restoration of degraded habitat conditions in the forest.

Decades of destructive logging leaves persistent health impacts

CBC News. Ojibwa band suffers from mercury poisoning for 30 years. Sept. 23, 2002

<http://www.cbc.ca/story/news/national/2002/09/23/mercury020923.html>

A report from the CBC describes the community's struggle to maintain community health against the persistent effect of mercury contamination from a pulp mill near the community in the 1970s.

"Thirty years after a Japanese researcher found Ojibwa residents living near Kenora, Ont. were suffering from mercury poisoning, he's returned, and found band members' symptoms continue to linger. Dr. Masazumi Harada tested residents after a paper plant dumped tonnes of mercury into a river decades ago. The pollution was never cleaned up from the lake sediment and every spring the turbulence causes mercury to be re-released."

Whiskey Jack Logging could extirpate iconic Woodland Caribou

The Northern Sun News, "Fate of Whiskey Jack Unknown." November 23, 2005

<http://www.wildlandsleague.org/attachments/Fate%20of%20Whiskey%20Northern%20Sun.pdf>

Chris Henschel, Manager of Forest Certification at Canadian Parks and Wilderness Society [CPAWS]-Wildlands League explains that "Abitibi cut almost all of the woodland caribou habitat in the forest between 1999-2004 that was still there after earlier logging periods. I don't know if the caribou – which is a threatened species -- will survive here."

Woodland Caribou populations are key to maintaining forest health

Committee on the Status of Endangered Wildlife in Canada, "Woodland Caribou Update." 2002

http://www.cpawssask.org/common/pdfs/cosewic_woodland_caribou_report_thomas_Gray_2002.pdf

"Loss of local [Woodland Caribou] populations would impoverish biological diversity in all landscapes occupied by caribou."

Canada's Boreal Forest is globally significant

Bryant, Dirk, et al. *The Last Frontier Forests: Ecosystems and Economies on the Edge*. 1997
http://forests.wri.org/pubs_content.cfm?PubID=2619

- Just one fifth of the world's original forest cover remains in large tracts of relatively undisturbed forest.
- Half of today's frontier forest lies in boreal regions within Canada, Russia, and Alaska.
- Russia, Canada, and Brazil -- house almost 70 percent of the world's remaining frontier forest.

Canada's Boreal Forest is "Under Siege"

Canadian Senate Subcommittee on the Boreal Forest. *Competing Realities: The Boreal Forest at Risk*. 1999
<http://www.parl.gc.ca/36/1/parlbus/commbus/senate/Com-e/bore-e/rep-e/rep09jun99-e.htm>

"The World's Boreal Forest, of which Canada is a major trustee, is under siege."

Boreal Forest is Essential to Bird populations

Bird Studies Canada. *The Boreal Forest Region: North America's Bird Nursery*, April 2005.
<http://www.borealbirds.org/bsi-bscreport-april2005.pdf>

Eighty per cent of the waterfowl species of North America, 63% of finch species, and 53% of warbler species breed in the Boreal Forest Region. Nearly fifty per cent of all North American bird species depend on the boreal.

Documentation of Opposition to Logging Within Grassy Narrows Traditional Territory Near Kenora, ON

Amnesty International files brief before the UN Committee on Economic, Social, and Cultural Rights

Amnesty International. IT IS A MATTER OF RIGHTS: Improving the protection of economic, social and cultural rights in Canada. March 27, 2006

<http://www.ohchr.org/english/bodies/cescr/docs/info-ngos/amnesty.pdf>

In a March 27, 2006 briefing to UN Committee on Economic, Social and Cultural Rights, Amnesty International criticizes Canadian officials for allowing logging to proceed in Grassy Narrows over the clear opposition of the community and in violation of Indigenous rights protected by Treaties and other international law stating:

Grassy Narrows falls within the territory covered by the 1873 treaty between the Canadian state and the Chiefs of the Salteaux Tribe of the Ojibway Indians. This treaty, known as Treaty 3, establishes that indigenous peoples have the “right to pursue their avocations of hunting and fishing throughout the tract.” Despite this treaty right, the people of Grassy Narrows have lost access to an increasing part of their traditional resources as a consequence of developments permitted by the provincial government without the consent of the community.

The UN Committee on the Elimination of all forms of Racial Discrimination in its General Recommendation 23 recognizes that the human rights of indigenous peoples require “that no decisions directly relating to their rights and interests are taken without their informed consent”

Amnesty reports that the Grassy Narrows “community has clearly withheld its consent” for current logging operations on their traditional lands. They argue that current logging operations demonstrate that “substantive elements of the right to self-determination, the right of a people to control its own life and future, and the right of a people to freely dispose of their natural wealth and resources, are not being upheld resulting in the denial of other rights guaranteed in Part III of the Covenant.” The briefing calls on the Canadian Government to ensure that

no resource extraction activities that could impact on the rights of indigenous peoples will be licensed on land to which indigenous peoples have title or use rights, or where title and use rights have not been legally resolved, unless the indigenous peoples concerned give their free, prior informed consent.

Community Lawsuit challenges provincial authority

Grassy Narrows trappers have initiated a court action challenging the jurisdiction and authority of the Provincial Government to grant logging licenses that impact their aboriginal rights. The Provincially designated Whiskey Jack Forest Management unit coincides with Grassy Narrows’ traditional land.

Grassy Narrows’ court action seeks to revoke logging licenses from companies operating within the community’s traditional territory and remove the authority of the Province to issue such licenses. Specifically, the suite seeks “A declaration that Sustainable Forest License 5442253, the 1999-2019 Forest Management Plan for the Whiskey Jack Forest Management Unit, and any work schedules or other approvals and authorizations of forest operations are void and of no force or effect.” The action further seeks an “order prohibiting the Ministry of Natural Resources from approving any forest licenses, forest management plans, work schedules or other approvals and authorizations of forest operations related to the Whiskey Jack forest Management Unit.”

Clan Mothers Object to Logging

Grassy Narrows First Nation.

http://freegrassy.org/fileadmin/materials/old_growth/Documents/ClanMothers_InfoSheet.pdf

On December 2nd, 2005, the Clan Mothers of Grassy Narrows posted a notice at the logging site near Separation Lake Bridge (see maps below), stating that “[t]his notice is to advise you that you are taking part in the destruction of our traditional territory and you are being given fair warning that this will not be tolerated.” This was on the third anniversary of an ongoing road blockade established by the Grassy Narrows community at Slant Lake on the Jones Road.

Grassy Narrows leaders issue demand to “cease and desist”

Grassy Narrows First Nation. Feb. 7, 2006

http://freegrassy.org/fileadmin/materials/old_growth/Documents/GrassyNarrowsLetterviaFacsimile.pdf

A letter to Weyerhaeuser and Abitibi signed by representatives of the Band Council, Trappers’ Council, Elders’ Council, Youth Council, Environmental Committee, and Blockaders states:

This letter is your final official notice that you are taking part in the destruction of our homeland against our will. You have been given fair notice that this destruction will not be tolerated. We order you to immediately cease and desist from all logging and industrial resource extraction on our territory. Terminate all logging, buying, selling, investing, financing, and profiting from the desecration of our homeland by Weyerhaeuser and Abitibi corporations and their subsidies. No development will occur on our territory without the full, free, prior, and informed consent of our community.

Testimony from Grassy Narrows community leaders

Roberta Kessik, Grassy Narrows' blockader, grandmother, and trapper.

"The clear-cutting of the land, and the destruction of the forest by Weyerhaeuser is an attack on our people, The land is the basis of who we are. Our culture is a land based culture and the destruction of the land is the destruction of our culture. And we know that is in the plans. Weyerhaeuser doesn't want us on the land, they want us out of the way so they can take the resources. We can't allow them to carry on with this cultural genocide."

Gabriel Fobister, Head of Grassy Narrows Trappers' Council

"For years now, we have attempted to voice our concerns within this process with very little constructive response or progress towards desired benefits for the trappers, All we have seen is the demise of our way of life which disappears every time more cutting areas are extended to Abitibi and Weyerhaeuser. In despair our trappers are ending up in the streets in the cities to become homeless people and living off the soup lines."

Steve Fobister, Deputy Chief of Grassy Narrows Band Council

"The degradation of our homeland by Weyerhaeuser and Abitibi is a clear violation of our aboriginal treaty rights under Treaty #3. For years we have been seeking a constructive solution to this untenable situation, but the response to our proposals has been 'talk and log'. This position is completely unacceptable to our people. We are prepared to take necessary actions to protect our Homeland from further desecration, to improve the health of our community and the forests we depend upon, and to obtain our fair share of the economic benefits that continue to flow from our forests."

Joseph B Fobister, Grassy Narrows business owner and community leader.

"The government and the logging industry have conspired to destroy much of what we hold sacred. Our traditional values and culture are suffering and are headed towards extinction. This land and the forests have sustained our people for time immemorial. We watch as they disappear on the backs of logging trucks to paper mills all over the continent.

We do not have more to give. We are left to deal with the environmental and sociological nightmare left behind following tree "harvesting". Most of our trap lines have been decimated along with the old growth forests. A way of life disappears with these forests. This way of life does not grow back. Tree planters cannot replace it. Yet the government and corporations show no interest in correcting unsustainable economic growth. We are not against economic development; we simply realize that it should not be considered an end unto itself.

We have participated fully in planning for many years and our concerns are never properly considered. We are never treated as equal partners in the process. What's worse, our attendance at the information sessions and open houses is misconstrued as participation or approval."

Real Alternatives Exist

Forest Stewardship Council (FSC) certification ensures respect for indigenous rights

Forest Stewardship Council, March 30, 2006.

http://www.fsc.org/en/about/policy_standards/princ_criteria/5

The Forest Stewardship Council (FSC) is an international network to promote responsible management of the world's forests. Like the "organic" label for produce, or the "fair trade" label for coffee and other products, the FSC label allows consumers worldwide to recognize products that support the growth of responsible forest management worldwide.



Principle three of the Forest Stewardship Council requires respect for indigenous people's rights, stating "The legal and customary rights of indigenous peoples to own, use and manage their lands, territories, and resources shall be recognized and respected." Criteria: 3.1 of the Standard, specifically indicates that "Indigenous peoples shall control forest management on their lands and territories unless they delegate control with free and informed consent to other agencies." Companies unable to verify compliance with this criteria are ineligible for FSC certification.

LEED Green Building Standards reward building with FSC certified wood

US Green Building Council, March 30, 2006

<http://www.usgbc.org>.

The Leadership in Energy and Environmental Design (LEED™) program of the U.S. Green Building Council is a building design guideline and third-party certification tool that aims to "improve occupant well-being, environmental performance and economic returns of buildings using established and innovative practices, standards and technologies. Incentives for companies to choose to use the LEED™ system include establishing leadership in the "environmentally friendly" community, as well as qualifying for a growing number of local and state government incentives."



Under the LEED™ system, points can be awarded in five categories: sustainable sites, water efficiency, energy & atmosphere, materials & resources, indoor environmental quality, and innovation & design process. Credit 7 under the materials & resources category addresses the issue of certified wood, with the intent of encouraging environmentally responsible forest management. The requirements for the credit are:

"Use a minimum of 50% (based on cost) of wood-based materials and products, certified in accordance with the Forest Stewardship Council's Principles and Criteria, for wood building components including, but not limited to, structural framing and general dimensional framing, flooring, finishes, furnishings, and non-rented temporary construction applications such as bracing, concrete form work and pedestrian barriers."