

[Logo Forestry Guard]

**Ministry of Environment, Water and Forests**

**Suceava Forestry Guard**

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### **FINDING REPORT**

**With respect to:** petition [Illegible text due to confidentiality reasons] sent from the e-mail address [Illegible text due to confidentiality reasons] to the e-mail address “[gardaforestiera.suceava@gmail.com](mailto:gardaforestiera.suceava@gmail.com)”, registered by Suceava Forestry Guard with no. P23/23.01.2024.

The undersigned [Illegible text due to confidentiality reasons], within Suceava Forestry Guard, as result to the petition registered by Suceava Forestry Guard with no. [Illegible text due to confidentiality reasons], we traveled in the period 20.02 - 05.03.2024 within the area of the Forestry District Ingka Investments SRL, to verify the reported aspects.

The field observations were conducted on 20.02.2024, in the presence of delegates from the Forestry District Ingka Investments SRL: [Illegible text due to confidentiality reasons] in the forestry canton no. 43 Vama Popești, and the office verifications were carried out in the period 22.02 - 01.03.2024 in the presence of the forestry fund manager within the Forestry District Ingka Investments SRL - [Illegible text due to confidentiality reasons].

#### **I. Reported Issues:**

The petitioner reports several irregularities found in plots no. 2200125300050, no. 2200125300520, and no. 2200125300770, located within the Forestry District Ingka Investments S.R.L., in management units 144 and 145A, of UP X Popești, as follows:

- 1. “Incorrect application of the progressive cutting treatment because the regeneration does not have the necessary dimensions nor the composition specific to the area. Oak species are insufficiently represented.”**

#### **Findings:**

The plots no. 2200125300050 and no. 2200125300520 referred to in the petition were established in management unit 144, and plot no. 2200125300770 was established in management unit 145A.

The forestry management plan of the privately owned forest by S.C. Ingka Investments Forest Assets SRL from U.P. X Popești (2018 edition), approved by Minister Order no. 87/17.01.2019, provided for the management units 144 and 145A, the execution during the decade/validity period (2018-2027) of the following works:

Table no. 1

Management unit	Area (ha)	Work provided for in the decade plan	Cons.	Area covered by seedlings		NID	Volume per management unit (mc)	Volume harvested in a decade (mc)
				%	Composition			
144	7.5	Progressive cuttings (thinning) – afforestation	0.4	80%	6Fa 2Go 2St	1	2296	2296
145 A	2.7	Progressive cuttings (thinning) – reforestation	0.4	80%	4Fa 6St	1	783	783

The situation of natural regenerations in management units 144 and 145A at the time of elaborating the forestry management plan, compared with the state of natural regenerations in the period 2018 – 2023, observed during the annual controls of natural regenerations phase I, is as follows:

Table no. 2

Management unit	Area (ha)	Planning provisions 2018			Target composition	Results of annual control phase I			
		Regenerated area		Composition of usable seedlings		Year	Regenerated area		Species composition
		(ha)	(%)				(ha)	(%)	
144	7.5	6.00	80	6FA 2GO 2ST	4GO 2ST 2FA 1CA 1TE	2018	6.50	87	5GO 3FA 1FR 1TE
						2019	5.93	79	2GO 2ST 5FA 1DT
						2020	6.43	86	2GO 2ST 5FA 1CA
						2021	6.80	91	2GO 2ST 6FA
						2022	6.80	91	1ST 3FR 5FA 1TE
						2023	7.29	97	2ST 4 FA 2FR 1TE 1CA
						2018	2.20	81	6ST 3FA 1FR

145A	2.7	2.16	80	6ST 4FA	6ST 1FA 1CA 1FR 1TE	2019	2.20	81	2ST 3FR 5CA
						2020	2.20	81	5FA 2ST 2FR 1TE
						2021	2.70	100	6FA 2ST 1FR 1TE
						2022	2.42	88	6FA 2FR 1ST 1TE
						2023	2.56	95	3ST 3FR 1FA 2CA 1TE

From the analysis of the data presented in Table No. 2, it is noted that the areas in the 2 management units are regenerated to an extent of over 70%, a mandatory condition for performing the thinning cut (provisions in Chapter 7, paragraph 7, of the Technical Norms No. 3, regarding the Selection and application of treatments), and the species from the compositions of natural regenerations observed at the annual control are found in the target compositions provided in the forestry management plan.

Regarding the different compositions of the seedbed resulting from the annual controls phase I carried out during the period 2018 - 2023 (Table No. 2), the delegates of the forestry district justified this by stating that the markets established in the field during the annual control are not permanent, and the markers were not placed in the same location each year.

**Conclusions:**

Since the optimal period for conducting the annual control of natural regenerations phase I, as provided in the Technical Norms No. 7, regarding the Conducting of the annual control of regenerations, Chapter 2, paragraph 1, is September 1 - October 15, during the field trip, it was not possible to properly identify the seedlings by species, in order to determine the current composition of natural regeneration and to verify the annual control carried out by the forestry district.

According to data taken from the files compiled during the annual controls of natural regenerations conducted by Forestry District Ingka Investments S.R.L. (Table No. 2), it emerges that the percentage of regenerated areas of the 2 management units and the seedling composition have allowed the execution of progressive cuts - thinning.

Given the findings, we consider that by the forestry district performing supplements with species from the regeneration composition and timely execution of maintenance works, the forests will reach the target compositions established by the forestry management plan.

- 2. “When establishing the possibility for these two management units, the 5-year growth rates were not mentioned, just as is the case for many in the ten-year harvesting plan.”**

**Findings:**

In the ten-year harvesting plan of the main products from the forestry management of U.P. X Popești, the annual growth over 5 years is not calculated, as it is considered that the forestry management planned for the forests in management units 144 and 145A to undergo cutting in the first years of application, according to the urgencies for which they were categorized (management unit 144 is categorized under urgency 2.6, while management unit 145A is categorized under urgency 1.5).

According to the provisions of Annex no. 5, from the Technical Norms no. 5 regarding Forest Management, under urgency 1.5 are categorized “Exploitable forests gone through regeneration cuttings, with consistency below 0.4, without usable seedbed, provided they do not fulfill special protection functions”, and under urgency 2.6 are categorized “Exploitable forests with densities from 0.4 to 0.6, with usable seedbed”.

Regarding the determination of the regeneration urgency for the forest from management unit 145A, it is deemed that at the time of the forestry management plan drafting, the designer categorized the forest under urgency 1.5 following the consistency criterion  $< 0.4$  at the time of the plot description, because the area covered by seedlings was 80% (Table No. 2).

Since the valuation was carried out in 2022, namely in the 5th year of the forestry management application (2018 edition), the volume resulted from the application of the progressive cutting treatment for thinning, also includes the annual growth for the period 2018 - 2022.

Thus, **for management unit 144 the estimated growth over 5 years** to the volume of 2296 cubic meters planned in the ten-year harvesting plan of the main products, is **56 cubic meters** ( $5 \text{ years} * 7.5 \text{ ha} * 1.5 \text{ cubic meters/year/ha} = 56.3 \text{ cubic meters}$ ). The total volume resulted from the establishment of valorization acts no. 2200125300050 and no. 2200125300520 from management unit 144 is 2478.03 cubic meters, with 182.03 cubic meters more than the provisions of the ten-year plan.

From the analysis of the results of the exploitation for the 2 plots, it was noted that the total exploited volume is 2483.19 cubic meters, with **187.19 cubic meters more** than the provisions of the ten-year harvesting plan of the main products, of 2296 cubic meters.

**In the case of management unit 145A, the estimated growth over 5 years** to the volume of 783 cubic meters planned in the ten-year plan is **23 cubic meters** ( $5 \text{ years} * 2.7 \text{ ha} * 1.7 \text{ cubic meters/year/ha} = 22.9 \text{ cubic meters}$ ). The volume resulted from the establishment of the valorization act no. 2200725300770 is 801.5 cubic meters, with **18.5 cubic meters** more than the provisions of the ten-year plan.

From the analysis of the exploitation result for lot no. 2200125300770, it was noted that the exploited volume is 804.83 cubic meters, with 21.83 cubic meters more than the provisions of the ten-year harvesting plan of the main products, of 783 cubic meters.

### **Conclusions:**

On the occasion of the establishment of the plots from management units 144 and 145A, the forestry district estimated the volumes existing in the field at the date of valorization (year 2022), which include the annual growth from the date of the forestry management application.

Given the findings, it is deemed that the volumes resulted from the exploitation of the timber mass from the management units 144 and 145A, also include the annual growth of the forests.

**3. “The APVs still appear in ‘delivered’ status although the exploitation terms have expired for 2-9 months.”**

**Findings:**

- Plot no. 2200125300050 - was authorized on 01.02.2023, with exploitation periods in the intervals 01.02.2023 - 31.03.2023 and 15.09.2023 - 31.03.2024, being received again on 07.02.2024. Forestry District Ingka Investments S.R.L. extended the timber mass exploitation period until 31.03.2024, based on the finding acts no. 3971/28.08.2023, no. 5132/28.11.2023, and no. 5150/29.12.2023, concluded as a result of not finalizing the timber mass exploitation within the deadline.
- Plot no. 2200125300520 - is in the “Handed over” stage and was authorized on 29.12.2022, with logging periods during 01.01.2023 - 31.03.2023 and 15.09.2023 - 31.03.2024. Forestry District Ingka Investments S.R.L. extended the logging period until 31.03.2024 based on the finding reports no. 4576/31.10.2023 and no. 5631/29.12.2023, concluded as a result of not completing the logging within the deadline.
- Plot no. 2200725300770 - is in the “Handed over” stage and was authorized on 08.12.2022, with logging periods during 09.12.2022 - 31.03.2023, 15.09.2023 - 31.03.2024. Forestry District Ingka Investments S.R.L. extended the logging period until 31.03.2024 based on the finding reports no. 1318/28.03.2023, no. 4274/12.10.2023, and no. 5632/29.12.2023, concluded as a result of not completing the logging within the deadline.

During the checks, controls were conducted on the logging in authorized plots no. 2200125300520 and no. 2200125300770. All findings and proposed measures are presented in the control deeds registered at Suceava Forestry Guard with no. 5153/26.02.2024 and no. 5155/26.02.2024.

**Conclusions:**

- The timber from the authorized plots has been exploited. The plots can be received again after rectifying the tasks outlined in the control deeds of the exploitation.
- The logging periods for the timber from plots no. 2200125300050, no. 2200125300520, no. 2200125300770, have been extended by Forestry District Ingka Investments S.R.L. based on the deadlines established in the finding reports and are operated in the SUMAL 2.0 program.

4. “At management unit 144, the volume harvested through the two APVs is 182 cubic meters more than that provided in the ten-year harvesting plan, and at unit 145A, 18.5 cubic meters more were harvested”

#### **Findings:**

In the petition, the petitioner refers to the volume difference observed between the provisions of the ten-year main product harvesting plan and the volume listed in the valorization documents.

- For **management unit 144**, the cumulative volume of the valorization documents no. 2200125300050 and no. 2200125300520 is 2478.03 cubic meters, which is **182.03 cubic meters more** than the provisions of the ten-year harvesting plan for main products, set at 2296 cubic meters. According to the analysis of the exploitation results for these 2 plots, it was found that the total harvested volume is 2483.19 cubic meters, which is **187.19 cubic meters more** than the provisions of the ten-year plan, set at 2296 cubic meters.
- For **management unit 145A**, the volume of the valorization document no. 2200125300770 is 801.5 cubic meters, which is **18.5 cubic meters more** than the provisions of the ten-year plan. From the analysis of the exploitation result for plot no. 2200125300770, it was found that the harvested volume is 804.83 cubic meters, which is **21.83 cubic meters more** than the provisions of the ten-year main product harvesting plan, set at 783 cubic meters.

**Note:** The forestry management plan of U.P. X Popești does not include in the ten-year main product harvesting plan the 5-year growth of forests in management units 144 and 145A. Thus, **for management unit 144, the estimated 5-year growth** on the volume of 2296 cubic meters provided in the ten-year plan is **56 cubic meters** ( $5 \text{ years} * 7.5 \text{ ha} * 1.5 \text{ cubic meters/year/ha} = 56.3 \text{ cubic meters}$ ), and **for management unit 145A, the estimated 5-year growth** on the volume of 783 cubic meters provided in the ten-year plan is **23 cubic meters** ( $5 \text{ years} * 2.7 \text{ ha} * 1.7 \text{ cubic meters/year/ha} = 22.9 \text{ cubic meters}$ ).

#### **Conclusions:**

The volumes of the valorization documents of the plots established in management units 144 and 145A were determined by Forestry District Ingka Investments S.R.L. by inventorying trees after applying the progressive thinning treatment.

Thus, we deem that the surplus volumes resulting from the exploitation of timber from management unit 144 and management unit 145A also include the annual growth of the forests, estimated at 56.3 cubic meters for management unit 144 and 22.9 cubic meters for management unit 145A, which were not highlighted in the ten-year main product harvesting plan of the forestry management plan of U.P. X Popești.

We note that according to Art. 17, paragraph (3), of the Technical Norms No. 5 regarding the Management of forests, it is specified that the volume to be harvested from forests included in the ten-year main product harvesting plan is indicative, the actual harvested volume is the one established on-site during the application of the treatment.

5. **“At management unit 144, two authorized interventions were made one month apart from each other, contrary to the management plan which provided for a single intervention”**

**Findings:**

On the area of management unit 144, 7.5 ha, 2 plots of main products (progressive cuttings-thinning) were established as follows:

- **Plot no. 2200125300050**, with a volume of 659.89 cubic meters, was established on 17.01.2022 over an area of 2.3 ha and was authorized on 01.02.2023.
- **Plot no. 2200125300520**, with a volume of 1818.14 cubic meters, was established on 07.03.2022 over the remaining area of 5.2 ha and was authorized on 29.12.2022.

Forestry District Ingka Investments SRL justified the establishment of these 2 plots in management unit 144 by the fact that the owner initially planned to valorize the standing timber, and later, due to variations in the timber market, decided that the timber valorized in the 2 APVs should be sold at the roadside.

**Conclusions:**

The plots were established on % of the area of management unit 144, and the cumulative area on which the thinning cuts were made is 7.5 ha, which corresponds to the total area of management unit 144. 2 interventions on the same area as the petitioner claims were not made.

Further to the analysis of the data provided in the ten-year harvesting plan of the main products of the forestry management plan of UP X Popești, combined with the cumulative area on which the progressive thinning cuts were made, it is concluded that the area of management unit 144 was covered with a single cut.

6. **“During the summer period, there is no evidence of performing any ARN works, afforestation or care of cultures”**

**Findings:**

In management units 144 and 145A, no ARN works, afforestation, or care of cultures have been performed from the date of entry into force of the forestry management plan to the present day.

Further to the analysis of the files compiled during the annual controls of natural regenerations phase I in the period 2018 - 2023, it was found that the areas in the 2 management units are regenerated to an extent of over 70%, a mandatory condition for performing the thinning cut (provisions in Chapter 7, paragraph 7, of the Technical Norms No. 3, regarding the Selection and application of treatments), and the species from the compositions of natural regenerations observed at the annual control are found in the target compositions provided in the forestry management plan (Table No. 2).

## **Conclusions:**

According to the data taken from the files compiled during the annual controls of natural regenerations conducted by Forestry District Ingka Investments SRL (Table No. 2), it is evident that the percentage of regenerated areas of the 2 management units and the seedling composition have allowed the execution of progressive cuts - thinning.

Given the findings, we deem that through the execution by the forestry district of supplements with species from the regeneration composition and the timely execution of maintenance works, the forests will reach the target compositions established by the forestry management plan.

### **7. “Soil degradation caused by the passage of heavy machinery during periods with precipitation”**

#### **Findings:**

On the route taken during the field trip, no soil degradation was observed as a result of the logging operations from plots no. 2200125300050, no. 2200125300520, and no. 220125300770, mentioned in the petition.

The logging tracks used to harvest timber will be levelled by the date of return.

### **8. “Many trees were damaged along the routes for evacuating the timber”**

#### **Findings:**

Through the logging of timber from plots no. 2200125300050, no. 2200125300520, and no. 220125300770, trees located on the edges of the plots and along the extraction routes were damaged, which were valued by Forestry District Ingka Investments SRL during logging controls:

- In plot no. 2200125300520, established in management unit 144, a number of 9 trees were damaged with a volume of 3.4 cubic meters;
- In plot no. 2200125300520, established in management unit 144, a number of 12 trees were damaged with a volume of 5.55 cubic meters;
- In plot no. 220125300770, established in management unit 145A, a number of 12 trees were damaged with a volume of 3.33 cubic meters.

#### **Conclusions:**

At the date of the verifications, the damaged trees were exploited, and their volume was added to the initiated valorization documents.

### **9. “Waybills with non-compliant elements issued from the aforementioned APVs (photos, routes). Example of an abnormal route at Photo. 7”**



Given the large number of waybills issued from the plots mentioned in the complaints, Suceava Forestry Guard requested the petitioner through letter no. 4672/19.02.2024 to communicate if they have any additional information that could help identify any suspicious transports or deviations from legal provisions.

Through the letter registered at Suceava Forestry Guard under no. 4891/21.02.2024, the petitioner provided details for each plot, the following suspicious transports:

- **“Suspicious transports from Popești, Iași, O.S. Ingka Investments SRL, UP X, from plot no. APV 2200125300050:**
  - AP24001253001400709101151223 - volume underestimated - non-compliant photos, no side photo;
  - AP24001253001600709101181430 - non-compliant photos, no side photo;
  - AP24001253001200709101181638 - volume underestimated - non-compliant photos, the entire load is not visible;
  - AP24001253001300709101190757 - volume underestimated - non-compliant photos, the entire load is not visible;
  - AP24001253001200709101190855 - volume underestimated - non-compliant photos, no side photo.”

**Findings:**

- AP24001253001400709101151223 - the volume cannot be estimated, uncertain route taken by vehicle *[Illegible text due to confidentiality reasons]*
- AP24001253001600709101181430 - the volume cannot be estimated, side photo from which the entire load is not distinguishable, uncertain route taken by vehicle *[Illegible text due to confidentiality reasons]*
- AP24001253001200709101181638 - the volume cannot be estimated, side photo from which the entire load is not distinguishable, uncertain route taken by vehicle *[Illegible text due to confidentiality reasons]*
- AP24001253001300709101190757 - the volume cannot be estimated, side photo from which the entire load is not distinguishable, uncertain route taken by vehicle *[Illegible text due to confidentiality reasons]*
- AP24001253001200709101190855 - the volume cannot be estimated, the volume cannot be estimated, no other findings.

**Other verified consignments:**

- AP24001253002200709101231523 - uncertain route taken by vehicle *[Illegible text due to confidentiality reasons]*
- AP24001253001200709101231601 - side photo from which the entire load is not distinguishable, uncertain route taken by vehicle *[Illegible text due to confidentiality reasons]*
- AP24001253001100709102011443, AP24001253001200709102011449 - uncertain route taken by vehicle *[Illegible text due to confidentiality reasons]*

- AP24001253001100709102011454, AP24001253001100709102011458 - uncertain route taken by vehicle *[Illegible text due to confidentiality reasons]*
- AP24001253001100709102051216, AP24001253001100709102051219 - uncertain route taken by vehicle *[Illegible text due to confidentiality reasons]*
- AP24001253001100709102061308, AP24001253001100709102061315 - uncertain route taken by vehicle *[Illegible text due to confidentiality reasons]*
- AP24001253001100709102061320, AP24001253001100709102061332 - uncertain route taken by vehicle *[Illegible text due to confidentiality reasons]*
- **“Suspicious transports from Popești, Iași, O.S. Ingka Investments SRL, UP X, from lot no. 2200125300520:**
  - AP24001253000300709101161535 - under-dimensioned transport with only 3.96 cubic meters declared, for a load that appears in photos to be over 30 cubic meters. Also, the entire load is not visible and has a suspect route, a straight line, without GPS;
  - AP23001253001500709111061004 - underestimated volume - non-compliant photos, 2 photos are from the back, suspect route, in a straight line, without GPS;
  - AP23001253001500709110310842 - underestimated volume, suspect route, in a straight line, without GPS;
  - AP23001253001500709111030902 - underestimated volume - non-compliant photos, all photos are from the back, no photo from the front and side, suspect route, in a straight line, without GPS;
  - AP23001253001700709111030853 - underestimated volume, suspect route, in a straight line, without GPS;
  - AP23001253001300709109270957 - non-compliant photos, the entire load is not visible, 2 photos are from the same position (from the back), no side photo.”

#### **Findings:**

- AP24001253000300709101161535 - straight route by vehicle *[Illegible text due to confidentiality reasons]* non-compliant photo. The quantity listed in the permit is 3.96 cubic meters. The same vehicle number is also registered for permit AP24001253001100709101161531, issued from lot no. 2200125300770, for the quantity of 11.34 cubic meters. **Total transported volume = 15.3 cubic meters, not 3.96 cubic meters.**
- AP23001253001500709111061004 - volume cannot be estimated, straight line route, uncertain route made by vehicle *[Illegible text due to confidentiality reasons]*
- AP23001253001500709110310842 - volume cannot be estimated, straight line route, uncertain route made by vehicle *[Illegible text due to confidentiality reasons]*
- AP23001253001500709111030902 - volume cannot be estimated, straight line route, uncertain route made by vehicle *[Illegible text due to confidentiality reasons]*
- AP23001253001700709111030853 - volume cannot be estimated, straight line route, uncertain route made by vehicle *[Illegible text due to confidentiality reasons]*
- AP23001253001300709109270957 - uncertain route made by vehicle *[Illegible text due to confidentiality reasons]*

### Other verified consignments:

- AP24001253001000709102091420 - uncertain route made by vehicle *[Illegible text due to confidentiality reasons]*
- AP24001253003900709101231232 - uncertain route made by vehicle *[Illegible text due to confidentiality reasons]*
- AP24001253001400709101181040 – side photo from which the entire load cannot be distinguished, uncertain route made by vehicle *[Illegible text due to confidentiality reasons]*
- AP23001253001800709110310835 - straight line route, uncertain route made by vehicle *[Illegible text due to confidentiality reasons]*
- AP23001253000200709110121217 - uncertain route made by vehicle *[Illegible text due to confidentiality reasons]*
- AP23001253001200709110121215 - uncertain route made by vehicle *[Illegible text due to confidentiality reasons]*
- **“Suspicious transports from Popești, Iași, O.S. Ingka Investments SRL, UP X, from lot no. 2200125300770:**
- AP24001253000900709102091410 - underestimated volume, non-compliant photos, entire load not visible
- AP24001253001300710301181542 - non-compliant photos, entire load not visible
- AP24001253001300710301181432 - non-compliant photos, entire load not visible
- AP24001253001600709101180953 - non-compliant photos, entire load not visible
- AP24001253002000709101171641- non-compliant photos, entire load not visible
- AP24001253001700709101170936 - non-compliant photos, entire load not visible
- AP24001253001100709101161531 - underestimated volume”

### Findings:

- AP24001253000900709102091410 - photo from which the entire load cannot be distinguished, uncertain route made by vehicle *[Illegible text due to confidentiality reasons]*
- AP24001253001300710301181542 - side photo from which the entire load cannot be distinguished *[Illegible text due to confidentiality reasons]*
- AP24001253001300710301181432 - side photo from which the entire load cannot be distinguished, uncertain route made by vehicle *[Illegible text due to confidentiality reasons]*
- AP24001253002000709101171641 - photo from which the entire load cannot be distinguished, uncertain route made by vehicle *[Illegible text due to confidentiality reasons]*
- AP24001253001700709101170936 - photo from which the entire load cannot be distinguished *[Illegible text due to confidentiality reasons]*
- AP24001253001100709101161531 - straight line route, uncertain route made by car SV33KLS, non-compliant photo. The quantity listed in the permit is 11.36 cubic meters. The same vehicle number is also registered for permit AP24001253000300709101161535,

issued from lot no. 2200125300520, for the quantity of 3.96 cubic meters. **Total transported volume = 15.3 cubic meters, not 11.34 cubic meters.**

- AP24001253001600709101161341 - uncertain route made by vehicle *[Illegible text due to confidentiality reasons]*
- AP24001253001500709101161146 - uncertain route made by vehicle *[Illegible text due to confidentiality reasons]*

**Note:** All transports shipped from lots no. 2200125300050, no. 2200125300520, and no. 2200125300770 in the last 6 months were checked.

- **“APV 2100125300270 was not in our initial complaint, but we want to add it:**
  - AP24001253000900709102201126 - non-compliant photos, entire load not visible
  - AP24001253000900709102201122 - non-compliant photos, entire load not visible
  - AP24001253000900709102191500 - non-compliant photos, entire load not visible
  - AP24001253000900709102191456 - non-compliant photos, entire load not visible
  - AP24001253001000709102161313 - non-compliant photos, entire load not visible
  - AP24001253000900709102161303 - non-compliant photos, entire load not visible
  - AP24001253001100710301171126 - without photos
  - AP24001253001000710301170927 - underestimated volume
  - AP24001253001200709101171422 - underestimated volume + non-compliant photos, entire load not visible
  - AP23001253001700709103141558 - without photos
  - AP23001253001500709103141603 - underestimated volume”

### **Findings:**

- AP24001253000900709102201126 - photo from which the entire load cannot be distinguished, route half straight line made by vehicle *[Illegible text due to confidentiality reasons]*
- AP24001253000900709102201122 - photo from which the entire load cannot be distinguished, route half straight line made by vehicle *[Illegible text due to confidentiality reasons]*
- AP24001253000900709102191500 - photo from which the entire load cannot be distinguished, route half straight line made by vehicle *[Illegible text due to confidentiality reasons]*
- AP24001253000900709102191456 - photo from which the entire load cannot be distinguished, route half straight line made by vehicle *[Illegible text due to confidentiality reasons]*
- AP24001253001000709102161313 - photo from which the entire load cannot be distinguished, uncertain route made by vehicle *[Illegible text due to confidentiality reasons]*
- AP24001253001000709102121303 - photo from which the entire load cannot be distinguished, NT12JDO uncertain route made by vehicle *[Illegible text due to confidentiality reasons]*

- AP24001253001100710301171126 - permit canceled, a new permit issued from O.S. Podu Iloaiei, uncertain route made by vehicle *[Illegible text due to confidentiality reasons]*
- AP24001253001000710301170927 - volume cannot be assessed, uncertain route made by vehicle *[Illegible text due to confidentiality reasons]*
- AP24001253001200709101171422 - photo from which the entire load cannot be distinguished, volume cannot be assessed, uncertain route made by vehicle *[Illegible text due to confidentiality reasons]*
- AP23001253001700709103141558 - there are photos, the route is a straight line, past 6 months;
- AP23001253001500709103141603 - volume cannot be assessed, the route is a straight line made by vehicle *[Illegible text due to confidentiality reasons]* past 6 months.

### **Measures applied:**

For not following the procedure of taking photos that focus/distinguish the load according to the provisions of Art. 10, para. (3), of Government Decision No. 497/2020, for the accompanying permits AP24001253000900709102201126, AP24001253000900709102191500, AP24001253000900709102191500, AP24001253000900709102191456, AP24001253001000709102161313, AP24001253001000709102121303, AP24001253001200709101171422, AP24001253001600709101181430, AP24001253001200709101181638, AP24001253001300709101190757, AP24001253001200709101231601, AP24001253000300709101161535, AP24001253000300709101161535, AP24001253001400709101181040, AP2400125300900709102091410, AP24001253001300710301181542, AP24001253001300710301181432, AP24001253002000709101171641, AP24001253001700709101170936, AP24001253001100709101161531, contraventional penalties with warnings were applied to the companies *[Illegible text due to confidentiality reasons]* in their capacity as SUMAL carriers, pursuant to the provisions of Art. 19 para. (2<sup>2</sup>), letter a), of Law no. 171/2010, as further amended and supplemented (PV CCA no. 078794, no. 0787944, no. 0787945/05.03.2024).

Regarding the routes registered in the SUMAL 2.0 application as a straight line, the developer of the IT system (Special Telecommunications Service) explained these situations in the letter to MMAP no. 25264\_20812/MF/08.09.2023, registered at Suceava Forestry Guard with no. 20771/11.09.2023, as follows:

- *“The user is using a mobile device with Android 12 or 13 operating system, thus through recent updates the SUMAL Avize application may automatically enter in standby mode and from that moment, coordinates are no longer captured”;*
- *“The GPS receiver of the mobile device could not capture locations due to lack of connection or because of the voluntary shutdown of the receiver”;*
- *“The graphic route is not obtained as a graphical recording of movement, but as a collection of coordinates at a certain time interval, the graphical representation being generated by connecting the sets of coordinates captured. Deviations from the natural route, marked by straight lines to points outside the route, are based on data collected by*

*the mobile device's GPS receiver, the accuracy of this data cannot be evaluated by the application”.*

As a result of those described in the MMAP letter, in the absence of further analysis and checks, the cause of the straight-line routes recorded in the SUMAL 2.0 application for the waybills AP2400125300300709101161535, AP2300253001500709111061004, AP23001253001500709110310842, AP23001253001800709110310835, AP24001253001100709101161531, AP24001253000900709102201122, AP24001253000900709102191500, AP24001253000900709102191456, AP23001253001700709103141558, AP23001253001500709103141603, cannot be determined, in order to apply the contraventional measure provided by Art. 19 para. (2<sup>^</sup>3), letter b), of Law no. 171/2010.

Regarding the uncertain routes recorded in the SUMAL 2.0 application, identified during the verification of the waybills AP24001253001400709101151223,

AP24001253001600709101181430,	AP24001253001300709101190757,	AP24001253002200709101231523,
AP24001253001200709101231601,	AP24001253001100709102011443,	AP24001253001200709102011449,
AP24001253001100709102011454,	AP24001253001100709102011458,	AP24001253001100709102051216,
AP24001253001100709102051219,	AP24001253001100709102061308,	AP24001253001100709102061315,
AP24001253001100709102061320,	AP24001253001100709102061332,	AP23001253001500709111030902,
AP23001253001300709109270957,	AP24001253001000709102091420,	AP24001253003900709101231232,
AP24001253001400709101181040,	AP23001253000200709110121217,	AP23001253001200709110121215,
AP24001253000900709102091410,	AP24001253001300710301181432,	AP24001253002000709101171641,
AP24001253001600709101161341,	AP24001253001500709101161146,	AP24001253001000709102161313,
AP24001253001000709102121303,	AP24001253001000710301170927,	AP24001253001200709101171422,

and considering the clarifications recorded at G.F. Suceava with no. 20771/11.09.2023, we propose notifying the Service for the Control of Information Systems in Forestry within MMAP, for further analysis and verification of the routes, which may lead to the application of legal measures, if necessary.

#### **10. “Blocking with soil and logging debris of streams in two natural valleys with temporary flows, near the primary platform”**

##### **Findings:**

No piles of logging debris and soil resulting from logging operations were observed in the natural valleys with temporary flows, located near the primary platforms.

#### **11. “Failure to comply with the specific exploitation conditions of the protected natural area ‘Floreanu Forest - Frumușica-Ciurea”**

- **“Lack of biodiversity trees and dead wood under conditions where the obligation was to preserve a minimum of 5 specimens/ha”**,
- **“A relatively small but vital wet area for fauna with permanent water was completely stripped of vegetation, including mature trees, a clear violation of the environmental**

- permit for operations in protected areas. Moreover, there was an attempt to cover this area with vegetative debris, further degrading a sensitive area, photos attached”,**
- **“Visible degradation of habitats and endangerment of species.”**

### **Findings:**

The verification of the issues reported in point no. 11 falls within the competence of the National Agency for Protected Natural Areas.

II. In light of the issues reported, the petitioner requests in the second part of the petition that the following be verified:

#### **1. “Verification of the application method of forestry treatments”**

### **Findings:**

The ten-year main product harvesting plan of the forestry management plan of U.P. X Popești (2018 edition), approved by Minister Order no. 87 /17.01.2019, provided for management units 144 and 145A, the application over the decade of progressive thinning treatments and afforestation. (Table No. 1)

From the analysis of the data presented in Table No. 2, it is noted that the areas in the 2 management units are regenerated to an extent of over 70%, a mandatory condition for performing the thinning cut (provisions in Chapter 7, paragraph 7, of the Technical Norms No. 3, regarding the Selection and application of treatments), and the species from the compositions of natural regenerations observed at the annual control are found in the target compositions provided in the forestry management plan.

According to the data taken from the files compiled during the annual controls of natural regenerations conducted by Forestry District Ingka Investments SRL (Table No. 2), it is evident that the percentage of regenerated areas of the 2 management units and the seedling composition have allowed the execution of progressive cuts - thinning.

### **Conclusions:**

By establishing plots no. 2200125300050 and no. 2200125300520 in management unit 144 and the plot no. 2200125300770 referred to by the petitioner, Forestry District Ingka Investments SRL complied with the provisions of the forestry management plan.

#### **2. “Verification of the annual control of regenerations for the period 2018 - 2023 and to what extent the documents compiled accurately reflect the factual reality on the ground”**

### **Findings:**

From the analysis of the files compiled during the annual controls of natural regenerations phase I conducted by Forestry District Ingka Investments SRL (Table No. 2) in the period 2018 - 2023, it is noted that the areas in the 2 management units are regenerated to an extent of over 70%, a mandatory condition for performing the thinning cut (provisions in Chapter 7, paragraph 7, of the Technical Norms No. 3, regarding the Selection and application of treatments).

Following the results of the annual phase I controls conducted by the forestry district in the period 2018 - 2023, each year resulted in different seedling compositions, with species found in the target compositions provided in the forestry management plan. (Table No. 2)

Regarding the different seedling compositions resulting from the annual phase I controls, the forestry district's delegates justified this by stating that the markets set up in the field during the annual control are not permanent, and the markers were not placed in the same location each year.

Since the optimal period for conducting the annual control of natural regenerations phase I, as provided in the Technical Norms No. 7, regarding the Conducting of the annual control of regenerations, Chapter 2, paragraph 1, is September 1 - October 15, during the field trip, it was not possible to properly identify the seedlings by species, to determine the current composition of natural regeneration and to verify the annual control carried out by the forestry district.

### **Conclusions:**

According to the data taken from the files compiled during the annual controls of natural regenerations phase I conducted by Forestry District Ingka Investments SRL in the period 2018 - 2023, it is evident that the percentage of regenerated areas of the 2 management units and the seedling composition have allowed the execution of progressive cuts - thinning. (Table No. 2)

Given the findings, we consider that through the execution by the forestry district of supplements with species from the regeneration composition and the timely execution of maintenance works, the forests will reach the target compositions established by the forestry management plan.

### **3. “For both management units, please provide us with the field files compiled during the phase I annual control for the interval 2018 - 2023. Also, the ones from phase II if such documents were compiled”**

In management units 144 and 145A, annual controls of natural regenerations phase I were conducted by Forestry District Ingka Investments SRL during the period 2018 - 2023.

The technical norms provide for conducting phase II annual control starting with the second year after the final cut (thinning).

The field files compiled by the forestry district during the period 2018 - 2023, during the annual controls of natural regenerations phase I, have been made available for analysis during the verifications.



**4. “Verification of the correspondence between eventual receipts for ARN works, afforestation, maintenance, and their actual execution on the ground”**

**Findings:**

In management units 144 and 145A, no ARN works, afforestation, or maintenance of cultures have been performed from the date of entry into force of the forestry management plan until the date of the verifications.

**5. “Verification of the constitution and use of the forest conservation and regeneration fund. Please present us quantitatively and in value the works accounted from the conservation and regeneration fund for these two management units”**

**Findings:**

Forestry District Ingka Investments SRL has established for management units 144 and 145A, a conservation and regeneration fund in the amount of 10% of the value of the timber authorized for exploitation, according to the decision of the head of the district No. 1/04.01.2023. The situation of the amounts paid by the owner into the forest conservation and regeneration fund, available to the forestry district, is presented in Table No. 3.

Table No. 3

Plot	UP	Management unit	Area (ha)	Volume (mc)	Value of the conservation and regeneration fund established (lei)
2200125300050	X Popesti	144	2.3	659.89	10822.20
2200125300520	X Popesti	144	5.2	1818.14	29817.50
2200125300770	X Popesti	145A	2.7	801.5	13144.60

No amounts from the conservation and regeneration fund were used because in management units 144 and 145A, no ARN works, afforestation, or maintenance of cultures were performed.

**6. “Verification of compliance with the provisions of the forestry management plan”**

**Findings:**

In **management unit 144** - the volume provided in the ten-year harvesting plan for main products is 2296 cubic meters, and the total volume resulting from the establishment of the valorization documents no. 2200125300050 and no. 2200125300520 is 2478.03 cubic meters, which is 182.03 cubic meters more than the provisions.

In **management unit 145A** - the volume provided in the ten-year plan is 783 cubic meters, and the volume resulting from the establishment of the valorization document no. 2200125300770 is 801.5 cubic meters, which is 18.5 cubic meters more than the provisions of the ten-year plan.

When determining the volume to be harvested from the ten-year harvesting plan for main products, the growth over 5 years was not calculated because the forestry management plan provided that the forests in management units 144 and 145A are to be covered with cuts in the first years of application, according to the urgencies for which they were categorized.

Since the valorization was carried out in the year 2022, specifically in the 5th year of the application of the forestry management plan (2018 edition), the volume resulting from the establishment of the valorization documents no. 2200125300050 and no. 2200125300520, includes the annual growth for the period 2018 - 2022, which was not anticipated in the ten-year plan.

**Conclusions:**

At the time of establishing the plots in management units 144 and 145A, the forestry district estimated the volumes existing on the ground at the date of valorization (year 2022), in which are included the annual growths from the date of the application of the forestry management plan.

**7. “Verification of the implementation and compliance with the specific exploitation conditions of the protected natural areas that overlap the forest”**

**Findings:**

The verification of the issues reported in point no. 7 falls within the competence of the National Agency for Protected Natural Areas.

**8. “What were the exploitation results for each waybill in part and how are they explained?”**

**Findings:**

Table no. 4

No.	APV	Management unit	APV Volume (mc)	Damages volume (mc)	APV Volume + damages (mc)	Volume exploited (mc)	Differences (mc)
1.	2200125300050	144	659.89	3.4	663.29	659.50	- 3.79

2.	2200125300520	144	1818.14	5.55	1823.69	1823.69	0
3.	2200125300770	145 A	801.5	3.33	804.83	804.83	0

From the analysis of the data presented in Table No. 4, for plots no. 2200125300520 and no. 2200725300770, no differences between the provisions of the waybill and the exploitation result are observed.

For plot no. 2200125300050, a difference of -3.79 cubic meters (0.57%) is noted, which is considered to result from technological losses. The observed difference falls within the error margin of volume determination, established by the regression equation method for volumes (+/- 8 - 10%, at a 95% confidence level - Article 14, paragraph (1) of Annex No. 5 to Order No. 1323/2015).

### **Conclusion:**

No significant differences were found in the 3 plots between the provisions of the waybill and the result of exploitation.

### **9. “Verification of compliance with the instructions approved by Minister Order 1540/2011”**

Controls were conducted in the authorized plots no. 2200125300520 and no. 2200125300770, with the following findings:

- The timber exploitation from both plots is completed.
- The extraction and close transport routes provided in the exploitation permit were observed.

Collection and transportation of timber to the roadside were carried out with the TAF.

- Plot no. 2200125300520 is delimited by parcel boundaries (vertical) with red paint on the border with management units 140, 145A, 154A, and square hammers on the border with 144%, while plot no. 2200125300770 is delimited by parcel boundaries - vertical with red paint, on the border with management units 139A, 144, 153B, and by parcel boundaries - horizontal with red paint, on the border with management unit 145B.
- The parcel boundaries were observed.
- The parcels are cleared of logging debris. Not all piles of logging debris were placed on stumps.
- The damaged seedling percentage could not be determined across the entire area of the parcels, hence it could not be established if the damaged seedling percentage falls within the 12% limit, provided by Article 15, paragraph (1), of Order No. 1540/2011.
- Along the traveled route, no damaged trees or unmarked stumps resulting from illegal cutting were observed. No soil degradation was observed on the parcel surface as a result of exploitation.

On the parcel surface where plot no. 2200125300050 was exploited, the damaged seedling percentage observed by the forestry district delegates following the annual control of regenerations phase I, is 10%. The damaged seedling percentage falls within the allowed loss limit (12%) provided by Article 15, paragraph (1) of Order No. 1540/2011.

**Conclusion:**

The timber from the authorized plots has been exploited. The plots can be reaccepted after remedying the tasks outlined in the control documents of the exploitation.

In the reaccepted plot no. 2200125300050, no deviations from compliance with the provisions of Order No. 1540/2011, for the approval of instructions regarding the terms, methods, and periods of collection, removal, and transportation of timber material, were observed.

All findings and proposed measures are presented in the control acts registered at Suceava Forestry Guard with no. 5153/26.02.2024 and no. 5155/26.02.2024.

**10. “Verification of the conclusion and execution of the sale-purchase contracts of MLP”**

**Findings:**

The timber valorized in the plots subject to the petition (no. 2200125300050, no. 2200125300520, and no. 2200125300770) was processed at the roadside, not being valorized standing.

**11. “Please inform us if in the last 7 years, Suceava Forestry Guard conducted any fundamental inspection at Forest District No. 44 Vama and what were the results”**

**Findings:**

No fundamental inspections have been conducted by Suceava Forestry Guard at the forest district no. 44 Vama in the last 7 years.

**12. “Verification of compliance with the norms approved by GD 497/2020 and the methodology approved by Minister Order 118/2021 by the district and partner companies. We wish to clarify if the photos captured the entire load and correspond to the declared quantities, if the specified destination was observed and the route was correctly configured in the system, if the time allocated to each transport corresponds to the distance to be covered, and anything else you consider necessary so as to present us with a comprehensive analysis”**

**Findings:**

Forestry District Ingka Investments SRL and the company that performed the timber harvesting services at the roadside for the owner Ingka Investments Forest Assets are users of the SUMAL 2.0 application.

The analysis of the requested timber material transports is presented in point no. 9 of the first part of the finding report (“I. *Reported Issues*”).

**13. “Please send us in electronic format, all the waybills issued from the 3 APVs and for the professional ones (SUMAL) please provide us with the routes taken and the photos corresponding to each permit”**

All waybills for the transport of timber materials contain personal data as defined in Art. 4, item 1, of Regulation (EU) no. 679/2016. All waybills must include the transporter's name, surname, and Personal Identification Number. If the recipient is an individual, it is mandatory to include in the permit the following data: name, surname, Personal Identification Number, home/residence address.

Considering the nature of personal data (Art. 6, para. (1), letter c) of the Regulation), to prevent risks of infringement of the rights and freedoms of individuals, MMAP has established strict rules for access to this type of data in SUMAL (based on roles). As an operator, MMAP is required to observe the fundamental rights and freedoms of these individuals, their personal data cannot be disclosed/disseminated to third parties without explicit consent from the individuals concerned, and informing the individuals would be impossible or would require a disproportionate effort.

In this context, to provide the requested data, MMAP would be required to perform additional processing of personal data to observe the fundamental rights and freedoms of individuals, including anonymization operations.

In conclusion, we deem that the data requested by [*Illegible text due to confidentiality reasons*], contain special/personal data that requires anonymization, which could only be provided through a disproportionate effort, using complex operations including the way of aggregating them, which is why they cannot be made available.

Attached to this document, in copy, are the following documents:

- The ten-year harvesting plan for the main products from the forestry management plan of U.P. X Popești;
- Valorization documents no. 2200125300050, no. 2200125300520, and no. 2200125300770, approved by the head of the district;
- Field sheets compiled by the forestry district during the period 2018 - 2023, during the annual controls of natural regenerations phase I in management units 144 and 145A, U. P. X Popești.

[*Illegible text due to confidentiality reasons*]

[*Illegible text due to confidentiality reasons*]

## **CERTIFIED TRANSLATION**

I, the undersigned, **ANTON RALUCA-GEORGIANA**, a sworn interpreter and translator certified for the foreign language **English**, holder of Authorization no. **14224/07.02.2011**, issued by the Ministry of Justice of Romania, do hereby **certify the accuracy of this translation from ROMANIAN language into ENGLISH language**, that the presented text was completely translated, without omissions, and that, by its translation, the contents and meaning of the document have not been distorted.

**SWORN TRANSLATOR AND INTERPRETER,  
ANTON RALUCA-GEORGIANA**

