7th Meeting of the WG ENV – Background paper on Conservation

3rd of April 2008 – 3pm GMT

1. Summary:

The Working Group will have to discuss and validate:

- **The Steering Board's suggestion regarding the principle on Conservation: use of "shall" and inclusion of the concept of "net effect".**
- **The criteria on Conservation; recent edits after the 6th Virtual Meeting.**
- **The set of definitions and good practices**
- **The cut-off date for conversion**

2. Introduction:

For the last 4 months, the Expert Panel on Conservation and the Working Group on Environment (WG ENV) have debated on the needed principle and criteria (P&C) on Conservation and Biodiversity within the RSB standards. Thanks to the serious and expert contributions from every member, the discussions have covered all the aspects, which will need to be taken into account to ensure that biofuel production does not lead to significant damages to biodiversity, ecosystem functions and other conservation values. In spite of the schedule, the principle and criteria could not be finalized during the 6th Virtual Meeting of the WG ENV (1st February 2008 - Read the synthesis at: http://www.bioenergywiki.net/images/b/bf/Env_paper_21_-_6th_virtual_meeting_synthesis.pdf).

The 7th Virtual Meeting is the last consultation of the Working Group to finalize the first draft of P&C on Conservation and Biodiversity. Further rounds of discussions will be organized in the forthcoming months to readjust and improve the content and wording of the principle and criteria. However, after this meeting we would like to send a version to the Implementation Working Group and eventually the Board that accurately reflects the vision of the for the content and direction of this principle.

In order to finalize the principle and criteria, you are kindly requested to send any edit or comment you may have on this document prior to the Virtual Meeting. Edits or suggestions formulated during or after the virtual meeting might be difficult to integrate.

3. Points of Discussion:

[Please consult env_paper 21 (6th Virtual Meeting report) for full elements]

2.1 6th Virtual Meeting of the Working Group on Environment – 1 Feb 08:

The following points still needed to be discussed after our last Virtual Meeting:

- **Indicators.** These are to be developed in partnership with the IMP WG and field partners, with regards to the local context, in the second half of 2008, after the first draft of principle and criteria is finished. The "guidance" column is to be considered as a first step toward the set of indicators.
- **Participation in the Environmental Impact Assessment (EIA) process.** Some participants rose the relevant point that the EIA should also include a permanent consultation and participation of local communities.
- **The provision of maps** should, whenever possible, also be the responsibility of producers.
- **Cut-off date.** The RSB may consider that HCV areas converted for biofuel production (after a cut-off date) and mapped afterward do not comply with the RSB standard, and to request that unidentified areas cannot be converted, unless evidence exists that it does not include any of the elements presented under criterion 7a. **Suggestion: cut-off date for conversion fixed at the 1st January 2008, unless the institution in charge of mapping HCV areas decides to consider former HCV areas converted before this date. If a prior cut-off date has been determined in a feedstock-specific or national sustainability scheme, the prior date is respected.**
- Difficulty of dealing with **indirect effects** (versus direct/on-site effects), in particular transnational impacts. It is clear that a particular farmer cannot prevent increases in world food prices or displaced land use change that come about as a result of the farmer's product going to the fuel rather than food market. The criteria for HCV protection below suggest some approaches to this problem under guidance and responsibilities. The RSB Steering Board recognizes that other tools besides certification will be needed to mitigate these effects.
- The proposed definition of BZ appears too vague for some participants. **Suggestion: The existing Buffer Zones around HCV areas, ecological corridors and other biological conservation areas should not be damaged by the production site, whereas new Buffer Zones must be set between the production site and surrounding areas**, their characteristics depending on the type of crop, production, soil and typology, climate, etc…
- **Ecological Corridors.** The notion of habitat connectivity must be distinguished; participants suggested that formally identified EC must not be converted and that in parallel, previously degraded EC should be restored and habitat connectivity and wildlife movement enhanced on production site.
- **Definitions and Good Practices.** These could not be debated during the 6th Virtual Meeting.

2.2 Feedback from the RSB Steering Board (SB) – 15 Feb 08:

- After examination of the proposition from the Working Group, the Steering Board has approved the use of a table for the Principle and Criteria.

- Some SB members with experience in certification indicate that "should" is inappropriate, as no audit can be conducted against a recommendation. **The SB suggests substituting "should" for "shall".**
- The SB considers that net effects are important and unavoidable negative effects need to be balanced with positive impacts. **The SB suggests using the concept of "net effect".**
- "indirect and direct" effects had been left out but were included in previous versions of the principle, and the Board clearly supports the inclusion of indirect effects – this has been corrected in the version below.
- Invasive species need to be thoroughly addressed somehow in the criteria.

4. Proposition from the Secretariat:

The following table tentatively includes the elements mentioned above; the elements in red highlight the edits made after the 6th Virtual Meeting.

7. Biofuel production shall avoid net negative direct and indirect impacts on biodiversity and areas of High Conservation Values			
Criterion	**Requirements**	**Responsibilities**	**Guidance for Implementation**
7.a Environmental assessment	• HCV areas, native ecosystems, ecological corridors and other public/private biological conservation areas should be adequately identified and mapped through a participative and multi-stakeholder consultation process. This identification must be performed prior to any exploitation of the area of concern. No exploitation can occur before the formal identification of the area. • Ecosystem functions and services should be locally evaluated.	• The producer is responsible for collecting the necessary elements of information about a potential production area through an environmental impact assessment and land management plan appropriate to the scale and intensity of the production. • Maps of HCV areas, native ecosystems, ecological corridors and other public/private biological conservation areas, as well as information about local ecosystem functions and services may be provided by competent authorities and/or producers.	• Producers or cooperatives unable to perform an environmental impact assessment and/or a land management plan will need support. • Governments and conservation organisations should support and coordinate national identification of High Conservation Values (HCV) Areas, native ecosystems, ecological corridors and other biological conservation areas to provide producers with maps and other relevant data. • Environmental Impact Assessments must involve local and/or indigenous communities, and be performed in accordance with national guidelines.
7.b Protection of HCV areas, native ecosystems, ecological corridors and other biological conservation areas	• **No direct conversion** of HCV areas, native ecosystems and other public/private biological conservation areas into plantation or production site after the 1st of January 2008. • **No net loss** of any High Conservation Value area. • Indirect conversion and loss must be assessed and mitigated. • No use of exotic invasive species	• The producer is responsible for not converting HCV areas, native ecosystems and other biological conservation areas and not destructing any of the High Conservation Values. • The RSB will work with government, inter-governmental agencies, NGOs, producers, and the private sector to monitor and mitigate indirect impacts on HCV areas.	• Limited exploitation, consistent with appropriate management plan can occur so long as HCVs are maintained. • Conversion of areas having irreversibly been degraded after the 1st of January 2008 is allowed. • Indirect effects are not likely to occur if the biomass comes from waste products, degraded land, or from a significant improvement in yield compared to the regional average.
7.c Ecosystem Functions (EF) and Services (ES)	• Avoid, minimise or mitigate negative direct and indirect effects on EF and ES.	• The producer is responsible for the preservation of EF and ES.	• Impacts on local EF and ES and potential changes due to the production must be evaluated in accordance with the Millennium Ecosystem Assessment*.

* Exact reference document to be discussed.

7.d Buffer Zones (BZ)	• The production site must not damage any existing BZ. • BZ to be set between production site and HCV areas, native ecosystems, ecological corridors or other biological conservation areas. • Surrounding zones, including riparian areas, to be kept in their original state or restored if previously degraded.	• The producer is responsible for collecting the information on the existing Buffer Zones and to avoid damaging them. • The producer is responsible for setting BZ between the production site and surrounding areas, as well as keeping surrounding zones in their original state or restore these whenever possible.	• Where necessary, BZ must be created on the production site, not outside. • Appropriate BZ must be set according to national requirements, the type of area that requests specific protection and/or the characteristics of the crop under cultivation (e.g. pesticide spray characteristics). • Clusters of individually-owned small agricultural parcels can be considered as a single production site.
7.e Ecological Corridors (EC)	• No disruption of existing Ecological Corridors • When possible, restoration of previously degraded Ecological Corridors • On production site, habitat connectivity and wildlife movement should be enhanced	• The producer is responsible for collecting information about Ecological Corridors in the potential area of production • Governments may provide necessary information and support/guide producers through a national ecological corridors management plan. • The producer is responsible for avoiding the disruption of ECs, restore previously degraded ECs when possible and enhance habitat connectivity and wildlife movement on production site.	• If an EC is identified in the production site, it must be maintained in its original state. • If habitat connectivity or wildlife movement is reduced on the production site, a significant area of the production site must be set aside to restore an equivalent connectivity. • A part of the production site may be dedicated to restore habitat connectivity and wildlife movement on a voluntary basis.

Definitions (temporary)

Degraded Lands are lands being highly and irreversibly damaged by anthropogenic activities from an ecological perspective (low biodiversity value).
Note: Definition to be reviewed after consultation of WWF's methodology on identification of degraded lands. Other definitions welcome.
Ecological Corridor (EC) is understood as "a thin strip of vegetation used by wildlife and potentially allowing movement of biotic factors between two areas". *(European Environment Agency definition).*
Ecosystem Functions (EF) include ecosystem physico-chemical integrity, regeneration and succession; genetic, species, and ecosystem diversity; natural cycles that affect the productivity of the ecosystem.
Ecosystem Services (ES) are the benefits obtained by people from ecosystems. These include provisioning, regulating, cultural and supporting services, as defined by the Millennium Ecosystem Assessment.
The six High Conservation Values are those defined by the HCV network (www.hcvnetwork.org)
Producers are understood as farmers or land owners growing biomass, as well as any owner of biomass processing units.

Good practices in Conservation supported by the RSB

During the course of our discussions, many good practices have been identified that should not be considered minimum requirements but should somehow be encouraged in the Roundtable. The concept of a 'sustainability scorecard', with 'unacceptable', 'acceptable', and 'better' practices identified for each principle has been endorsed by the RSB Steering Board. The Implementation Working Group will be discussing how to encourage producers and suppliers to progress towards these practices (for instance, progress requirements, making markets for better practices, etc.).
So far, the good practices related to conservation identified by the group include:

- Use of degraded and/or idle land (to avoid indirect conversion of HCV areas through displacing other agricultural activities)
- Use of native species
- Restoration of High Conservation Values on previously degraded lands
- Creating and using a regional landscape management system
- Avoiding monoculture (also relevant for some other principles, e.g. soil quality)

Implementing these practices would improve a producer's sustainability score, above their compliance with the minimum requirements. It is likely that the ENV Working Group will return to this definition once some implementation mechanisms have been drafted in the IMP Working Group.
Some other good practices have been mentioned during our discussions but are not related to conservation (e.g. no-till practices). They are likely to be moved under other principles or a separate category gathering all good practices together.