



# RSB Certification Readiness Study: Hawaii Biofuel Projects

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Presenter: Mick Berry



# Background

- Project proponents: Hawaii Biofuel Foundation, NCS International and RSB Services
- Hawaii Clean Energy Initiative – 70% by 2030
- Hawaii Bioenergy Master Plan - *Section 2.9*
- Biofuel projects in Hawaii are maturing
- Multiple feedstock's and scalability are key factors
- Biofuel customers mandate RSB Certification

## Scope of Work

- Review of current documentation, Hawaii Bioenergy Master Plan Report, Needs Assessment of the RSB to the Hawaii Context, all publically available Biofuel Project information.
- Review of Federal, Hawaii State and County policy and regulatory situation and alignment with RSB
- Developed presentation material and conducted seminar workshop with a focus on the biofuel entity
- Conducted community stakeholder meetings on Kauai, Hawaii, Maui.
- Produce final report summarizing project findings and feedback

## Scope of Work – Desktop Review

- Consideration of the RSB Online RSB application process including self risk assessment and pre-audit tools.
- Review of all public domain documents held by Hawaii Public Utilities Commission and State energy policy documents.
- This included an Environmental Assessment required under the *National Environmental Policy Act of 2006 (NEPA)*
- The mapping of relevant County State and Federal Laws against each of the 12 Principles, 34 Criteria and 215 Indicators of the RSB. Refer Appendix B of report ‘Compliance Indicators Checklist’

# Results: RSB Screening Tool and Impact Assessment Process

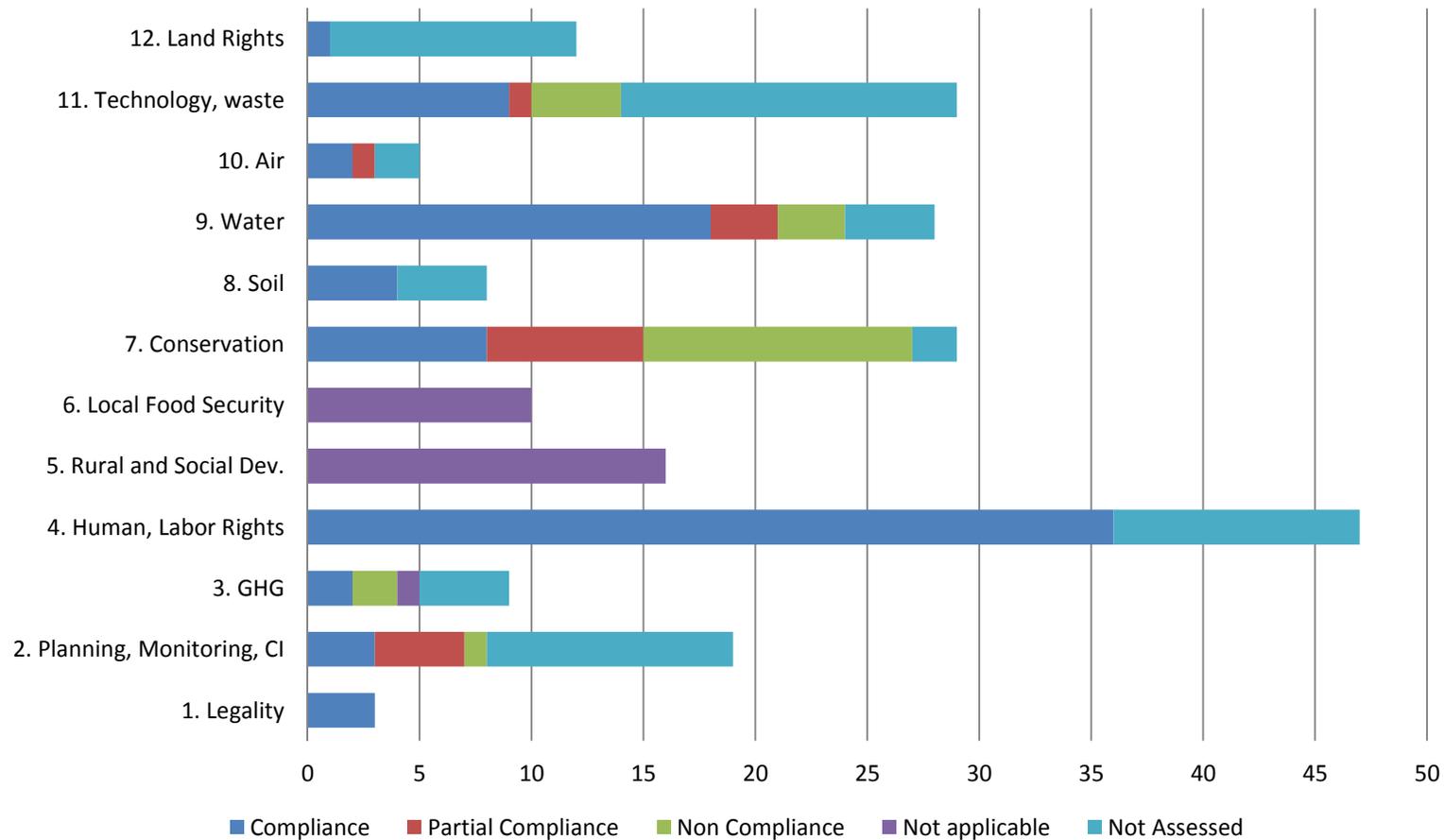
- The Screening Tool was applied to a study biofuel project and an Environmental Assessment.
- Key deficiencies in comparison to RSB requirements include:
  - Principle 2: The extent of the Stakeholder Consultation process considered less rigorous
  - Principle 7: A weed risk assessment is required by RSB Standard. RSB template exists
  - Principle 12: There was limited consideration of land rights, particularly in relation to Hawaiian traditional use of land.

# Results: County, State and Federal Laws and Regulations

- The intent of the review was to determine if compliance to relevant laws and regulations by the Hawaii project entity implies compliance to RSB Standard.
- Study determined there was a strong correlation with US Federal, State and County Law in Hawaii particularly where an Environmental Assessment had been conducted.
- Each RSB Indicator was classified as in compliance, partial compliance, non-compliance not assessed or not applicable.

# Results: County, State and Federal Laws and Regulations

## Classification of RSB Compliance Indicators by Principle



# Results: Legal Requirements vs RSB Principles and Criteria

- Key areas identified where RSB requirements were in addition to County, State and Federal Requirements:
  - Project entity must **evaluate** compliance to legal and other requirements
  - RSB Screening Tool used to determine **type ad extent** of impact assessment – may be different to Environment Assessment requirements
  - **Meaningful** stakeholder engagement required as part of impact assessment process i.e. scoping, development and operational stages.

# Results: Legal Requirements vs RSB Principles and Criteria

- Environment and Social Management Plan. May incorporate individual management plans to mitigate impacts and monitor and evaluate operations, not just record the results of assessment.
- RSB Progress Requirements must be listed in the ESMP. PO's must provide monitoring and evaluations plans to achieve these.
- RSB requires that a business plan that reflects a commitment to long term economic viability

# Results: Legal Requirements vs RSB Principles and Criteria

- Biofuel blends must have an average of 50% lower lifecycle Greenhouse Gas emissions to the fossil fuel baseline. Progress Requirement- starting at 50% this will reduce over time.
- For lifecycle GHG emissions of biofuel, use *RSB GHG Calculation Methodology* (RSB-STD-01-003-01)
- RSB requirement may vary slightly from law. For example: HAR 12-25-32 permits children aged between 10 and 14 years to work on coffee plantations . For RSB, children between 12 -14 years must work under adult supervision and not interfere with schooling or put a child's health at risk

# Results: Legal Requirements vs RSB Principles and Criteria

- RSB requires that max. number of regular hours must not exceed 48. Voluntary overtime must not result in total working hours exceeding 80 hours
- RSB requires that any infrastructure for sleeping, sanitary purposes or food storage, preparation and distribution meet basic needs. Structure must be safe, offer privacy and maintain the health of occupants
- Rights of employees must equally apply to 3<sup>rd</sup> parties i.e. contractors
- RSB requires that 'No Go' areas are not used for Biofuel Projects unless authorised under conservation agreements

# Results: Legal Requirements vs RSB Principles and Criteria

- RSB requires that conversion of land with identified conservation values cannot occur after 1 Jan 2009 or earlier for other international standards
- RSB requires monitoring of conservation values
- RSB requires buffer zones are protected, restored or created. For non-small scale wildlife corridors must be created if risk of fragmentation.
- RSB requires a Weed Risk Assessment and consideration of IUCN Guidelines on Biofuels and Invasive Species

# Results: Legal Requirements vs RSB Principles and Criteria

- Individual Management Plans requirements for RSB:
  - Soil Management Plan as part of ESMP
  - Water Management Plan must be made publically available.
  - Emission Control Plan
  - Plan to phase out open air burning of residues within 3 years with exceptions.
- Environmental Assessments, Water Management Plans to establish water rights etc. incorporated many of the ESMP requirements

# Results: Legal Requirements vs RSB Principles and Criteria

- RSB requires a risk assessment for use of technologies including GMO and consideration of Cartagena Protocol on Bio-safety
- RSB requires no storage or use of chemicals on WHO 1a,1b Stockholm and Rotterdam Convention lists within 3 years of certification and emphasis on competence of persons in the storage, handling and disposal of chemicals
- Land under legitimate dispute shall not be used for biofuel operations until FPIC and negotiated agreements with affected land users has been conducted. For e.g.. Ceded Lands
- RSB requires that compensation (land rights) follows the guidelines of the World Bank and FAO

## Results: Other Considerations and feedback

- Although Principle 5 and 6 (Rural and Social Development and Local Food Security) are not applicable to the US there are areas of isolated poverty. Further, profound concern in Hawaii was expressed about the vulnerability of food supply and a desire within the community to become more food subsistent.
- RSB Standard is focussed on biofuels only however there is an intent from RSB to extend coverage to include biomass.
- RSB has benchmarked and mutually recognised the Sustainable Agricultural Network Standard and is considering others.

## Results: Relevance of the Hawaii Study for other States in the US.

- The mapping of legal and other requirements is relevant where Federal Law is referenced.
- Feedback from biofuel entities and the community may differ from state to state however the study can provide insight into issues that are common
- Pilot studies, certification of industry leading projects, training and engagement of consulting professionals etc will improve awareness and acceptance of RSB standard.

Questions?

