

MINUTES OF MEETING

14th Peatland Working Group 2 (PLWG-2) Meeting

Date : 13th August 2021
Venue : Virtual Meeting

Attendees List

SECTOR	SUBSTANTIVE MEMBERS	ALTERNATIVE MEMBERS
<i>GROWERS (MALAYSIA)</i>	<ul style="list-style-type: none"> ● <i>Jason Foong (KLK)</i> ● <i>Joshua Mathews (IOI)</i> 	<ul style="list-style-type: none"> ● <i>Arif Sugandi (AAR KLK)</i>
<i>GROWERS (INDONESIA)</i>	<ul style="list-style-type: none"> ● <i>Gotz Martin (GAR)</i> 	<ul style="list-style-type: none"> ● <i>Desti Hertanti (GAR)</i> ● <i>Fanny Roussel (SIPEF)</i>
<i>GROWERS (REST OF THE WORLD)</i>	<ul style="list-style-type: none"> ● <i>William Unsworth (NBPOL)</i> 	
<i>SOCIAL NGO</i>	<ul style="list-style-type: none"> ● <i>Jason Hon (WWF)</i> 	
<i>ENVIRONMENTAL NGO</i>	<ul style="list-style-type: none"> ● <i>Faizal Parish (GEC)</i> ● <i>Dato Keizrul (Wetlands International)</i> 	<ul style="list-style-type: none"> ● <i>Serena (GEC) replacing Mohd.Faizuddin (GEC)</i> ● <i>Almo Pradana (WRI)</i>
<i>PALM OIL PROCESSOR AND TRADERS</i>	<ul style="list-style-type: none"> ● <i>Chin Kaixiang (Bunge Loders Croklaan)</i> ● <i>Julia Lo (Musim Mas)</i> 	

NO	ITEM DESCRIPTION	MAIN DISCUSSION POINTS	ACTION POINTS	PROGRESS UPDATE
13th August 2021 (Friday)				
1	Agenda for the meeting	<p>Secretariat (Sec) shared agenda for the meeting. Members were asked if there are any suggestion to add to the agenda.</p> <p>Sec also updated that for the 2nd item for discussion on peat remediation Suli and Katrin (from RSPO Biodiversity Unit), Wan Muqtadir and Alicia (from the RSPO Assurance Unit) will be joining this meeting.</p> <p>Additional item under AOB that was added was discussion for RT titles.</p> <p>Sian Choo and Dr Sim informed that they will not be able to join this meeting.</p>		
2	Review of previous minutes of meeting and progress update	<p>Sec shared update from previous meeting. On peat inventory, Sec updated that more details will be shared in the next meeting.</p> <p>Minutes of meeting has been endorsed and to be uploaded to website.</p> <p>WG member requested to share information on number of days taken for review process. Along with this to include list of challenges and improvements to tackle these challenges.</p> <p>Minutes from previous meeting was approved.</p>	<ul style="list-style-type: none"> Secretariat to share information on duration of review, current challenges and ways to address these challenges moving forward. 	<p><i>Previous minutes has been uploaded to website.</i></p> <p><i>Slide was circulated to PLWG on 4th September</i></p>

<p>3</p>	<p>Peat remediation</p>	<p>Background: The RSPO Remediation and Compensation Procedure (RaCP) is applicable to cases where there has been land clearing after November 2005 without prior HCV Assessment. Land clearing here is defined as conversion from non-oil palm to oil palm prior to conducting HCV Assessment. Since the HCV Assessment was not conducted before this clearing took place, there could be HCVs that were cleared unidentified.</p> <p>The RaCP enables estimating values of the cleared HCV areas using a proxy approach. Certain coefficients are given for each vegetation type which is used to calculate liability from the clearance. Grower members will then use this liability calculation to identify a conservation project to address this liability.</p> <p>Besides this, the P&C also mentions areas that are prohibited such as riparian buffer zones, steep slopes (more than 25°) and peat areas which shouldn't be cleared and planted. These areas are identified as environmental remediation areas which need to be restored on site to comply with the P&C. Clearance of these areas are identified based on changes to the spatial cover through Land Use Change Analysis (LUCA) against a time series of satellite images. Cut off of this analysis will be the time growers have conducted their HCV Assessment.</p> <p>So, there are 2 portions here, (1) liability and (2) environmental remediation. To address the liability, growers need to initiate a land-to-land conservation or monetary funding for a conservation project. For environmental remediation, an on-site restoration with remediation plan needs to be developed by growers.</p>	<ul style="list-style-type: none"> • Sec to compile data on certification areas with more than 100ha clearance on peat after P&C 2013 • Sec to share information on un-certified areas that is undergoing remediation on peat. • Feasibility of remediating fragmented/smaller areas 	<p><i>Updates will be given during PLWG</i></p> <p><i>Proposed to have this discussion at PLWG. Secretariat do not have any benchmark case on this.</i></p>
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Co-chair asked if Sec currently have the number of cases with these issues. Sec mentioned that the breakdown is not available at the moment, but can be prepared.

WG member also asked about existing certified member that could have cleared more than the allowed threshold of 100ha after P&C 2013. Sec answered that this will be out the RaCP scope as it is looking at certified member. RaCP is a process that is dealt before certification begins. Sec member from the Assurance Unit explained that NC is raised based on indicators which looks at peat BMP implementations. Auditor's practice is to ensure proper documents is in place when planting on peat takes place.

Sec asked if managing hydrology and fire would suffice the scope of peatland remediation. The main concern of yield and economical factor was also raised as potential consequences from this.

WG member asked if within RaCP is there a guidance for peat remediation. Answer was that the context of peat remediation is not comprehensive under the RaCP.

WG member added that in Indonesia, following HGU, the companies are obliged to develop the given land as plantation which also consist of peatland (peatland that is not allocated for conservation purposes). WG member also added that there are older HCV assessments (before 2013) which does not include all peatland (mostly shallow peat) as part of HCV. Also, there could be instances where the HCV assessment missed out from identifying an area as peat or peat was identified but not recognized as HCV. Hence this raise a point where there could also be peatland that was cleared and planted because

		<p>the HCV assessment didn't consider this area as HCV (peat). However, it is noted that will be beyond the RaCP's scope.</p> <p>WG also adds that if there is going to be a decision to remediate all areas previously planted peat, this can also threat the existing member with more than 100 ha planted after 2013 as well as potential members that would like to join RSPO. It's more practical to have a compensation plan as compared to peatland remediation.</p> <p>The WG discussed on the possible scenarios based on the different P&C requirement, this is added under Appendix 3.</p>		
4	AOB	<p>1) The theme for RT is still under discussion with the management, this will be updated once more information is available.</p> <p>In the meantime, proposed topics for RT will be:</p> <ul style="list-style-type: none"> • Socialisation for DAP Version 2 • Socialisation for ISH Peat BMP • Global supply chain uptake of RSPO oil and efforts to enhance NDPE (Panel session, maybe) • Circulating factsheet of OP cultivation on peat and results of this trend <p>2) Challenges with DAP</p> <p>The WG discussed that training for DAP will tackle most of the challenges. Sec also welcomed members from the who would like to join as DA reviewer. The grower checklist was also added in Version 2 that way this will also help growers in preparing a more complete report.</p>	<ul style="list-style-type: none"> • Sec to circulate this proposed topic for comments from WG members before sharing this internally. 	<p><i>Done. RT 2021 will conduct virtually from 16th – 18th November'21. The theme is 'Climate Resilience - Assuring the future of sustainable palm oil'.</i></p>

		<p>3) Invitation for Pak Arif to speak on the event organized by Fortasbi and WRI</p> <p>Co-chairs added that it would be good to flag that the ISH documents are up for public consultation.</p>		
5	Next meeting	<p>The next meeting is proposed to be in the 3rd week of September depending if by then the comments from DAP public consultation has been answered and the updated briefing note on peat remediation is available.</p>	<ul style="list-style-type: none"> • Sec to send doodle for the next meeting 	<i>Done</i>


Updates on Public Consultation (PC) for Smallholders Peat BMP Handbooks:

- PC ended in 9th of September. Last comment came in on 13th of September
- A total of 70 comment for English and 40 for Bahasa Malaysia was received. Bahasa Indonesia – another round of technical proofreading
- Secretariat is collating all comments to be brought up for discussion among subgroup first.

Appendix 1: Agenda**Agenda for 14th PLWG**ZOOM Meeting*Meeting ID: 912 0370 9465**Passcode: 14@PLWG**13th August 2021 - Friday**10.00 am – 12.00pm (MYT)*

Time (MYT)	Agenda
10.00 am – 10.20 am	1. Updates on action items from previous meeting
10.20 am – 11.40 am	2. Discussion on Remediation and compensation (RaCP) procedure for peat remediation in relation to P&C standards
11.40 am – 11.50am	3. AOB and action points from this meeting
11.50am – 12.00pm	4. Dates for next meeting

Appendix 2: Discussion on peat remediation

Discussion on peat remediation


Background

In the Remediation and Compensation Procedure (RaCP, 2015) prescribes the following for environmental remediation (Section 4.3, page 14)


4.3. Identifying Areas Requiring Environmental Remediation

The Remediation and Compensation Procedure requires that all land within any unit of certification where there has been land clearance without prior HCV assessment should be returned to compliance. This will involve management to at least the standard set out in the P&C 2013 and its associated guidance and best practices endorsed by the RSPO. In line with the principle of additionality, fulfilling the remediation requirements in this section is not part of meeting the conservation liability.

The RSPO P&C specify areas where oil palm establishment is prohibited (such as in riparian buffer zones and on excessive slopes) and other areas where careful management of any oil palm that is established is required to avoid environmental damage (such as on some steep slopes, on fragile and problem soils, and in peat areas).

In cases where riparian buffers were not retained, and/or steep slopes cleared and planted, remediation will be necessary (in most cases this will involve ending cultivation of palms and returning these areas to natural vegetation cover by under-planting with native tree species). Remediation and modifications to management practices might also be necessary within the body of the plantation in order to mitigate impacts on, for example, fragile or peat soils, or to re-establish important connectivity.

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Emerging challenges


Challenge 1

During the process of RSPO membership application, members are required to make compulsory disclosure on non-compliant land clearance. The disclosure would call for remediation and compensation specifically in the case of past clearance of peatland. Such clearance would have been carried out at different time periods with differing RSPO requirements on peat. Hence a custom remedial activity needs to be proposed in place to accommodate the evolution on the standard.

Challenge 2

Complaints cases raised on past clearance on peat which again requires custom remedial activity needs to be proposed in place to accommodate the evolution on the standard.

Note*

The past land clearance on peat would be now existing planting on peat and for the purpose of certification will follow the prescription of the indicators for all existing plantings on peat. The RSPO BMPs (volume 1 and volume 2) were first published in 2012. The revised versions were published in 2018.

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Moving forward



1. How do we treat cases that have extensive planting on oil palm on peat after 2013 ?
2. When are the remediation actions effective ? Is there a specific timeline ?
3. How do we treat remediation on peat areas ? What does "remediation" mean for oil palm planted on peat areas ?
 - a. Definition of Environmental Remediation according to the RaCP glossary: Measures taken to help restore environmental values and services in areas where planting of oil palm has been done, but where this is prohibited by the RSPO P&C (e.g. measures may include allowing or promoting of natural succession of vegetation or active re-planting on native plants on riparian zones, steep slopes and marginal or fragile soils).
 - b. Is managing hydrology and fire for planted peat areas sufficient and does it meet the requisites of remediation under the scope of RaCP ?

Appendix 3: Briefing note for peat remediation

Item: Remediation on peat – challenges and ways forward

Context

The RaCP (2015) prescribes the following for environmental remediation (Section 4.3, page 14):

4.3. Identifying Areas Requiring Environmental Remediation

The Remediation and Compensation Procedure requires that all land within any unit of certification where there has been land clearance without prior HCV assessment should be returned to compliance. This will involve management to at least the standard set out in the P&C 2013 and its associated guidance and best practices endorsed by the RSPO. In line with the principle of additionality, fulfilling the remediation requirements in this section is not part of meeting the conservation liability.

The RSPO P&C specify areas where oil palm establishment is prohibited (such as in riparian buffer zones and on excessive slopes) and other areas where careful management of any oil palm that is established is required to avoid environmental damage (such as on some steep slopes, on fragile and problem soils, and in peat areas).

In cases where riparian buffers were not retained, and/or steep slopes cleared and planted, remediation will be necessary (in most cases this will involve ending cultivation of palms and returning these areas to natural vegetation cover by under-planting with native tree species). Remediation and modifications to management practices might also be necessary within the body of the plantation in order to mitigate impacts on, for example, fragile or peat soils, or to re-establish important connectivity.

Remediation on riparian areas –

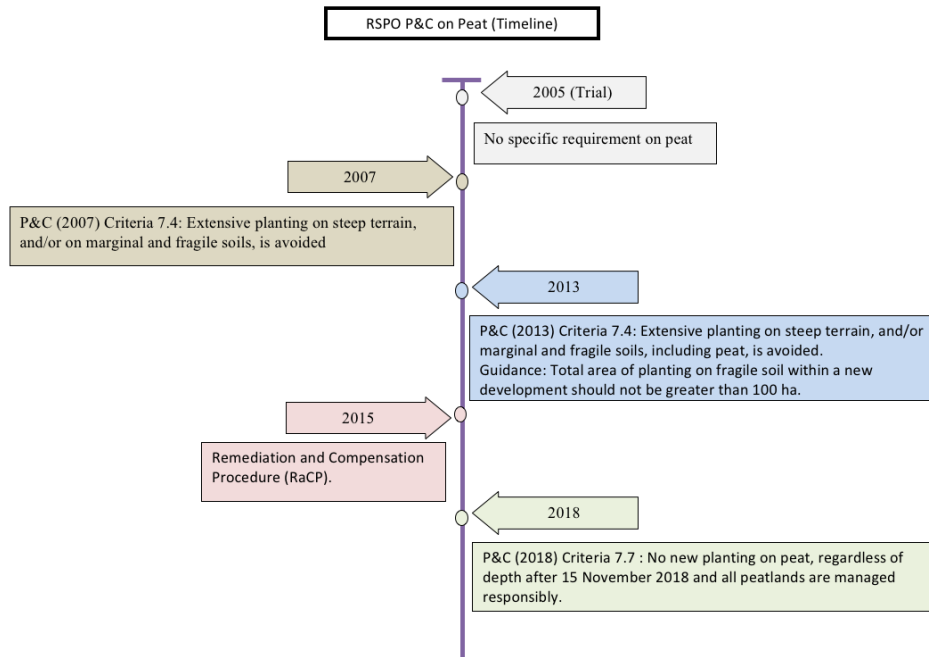
- *RSPO Manual on Best Management Practices (BMPs) for the Management and Rehabilitation of Riparian Reserves* outlines the scenarios and criteria for riparian zone remediation and makes it clear for the companies what is required.

Remediation on peatlands -

- RSPO BMP for Existing Oil Palm Cultivation on Peat (volume 1)
- RSPO BMP for Management & Rehabilitation of Peatlands (volume 2)

Emerging issue

There are increasing cases of RaCP where oil palm has been planted on peat (**past clearance**), but at different time periods with differing RSPO requirements on peat at the time of land clearance, and different extent of peat areas permitted to be planted.



The past land clearance on peat would be now existing planting on peat and for the purpose of certification will follow the prescription of the indicators for all existing plantings on peat. The RSPO BMPs (volume 1 and volume 2) were first published in 2012. The revised versions were published in 2018.

Question:

1. How do we treat cases that have extensive planting on oil palm on peat (i.e more than 100 ha) ?
2. When are the remediation actions effective ? Is there a specific timeline ?

Note: Drainability assessments conducted at least five years to replanting, with the results used to set timeframe for future replanting, as well as for phasing out oil palm cultivation at least 40 years

Scenario	Description	Remedial activities
A	<p>Area without prior HCV Assessment (2007 – 2013)</p> <ul style="list-style-type: none"> • Planted peat area (> 100 ha) established before 2013 • Planting on more than 3 m depth 	<p>On-site remediation In accordance to RSPO BMP Volume 1 (Peat Audit Guidance)</p> <ul style="list-style-type: none"> ○ Subsidence of peat soils shall be minimised and monitored ○ Water table should be maintained at an average of 50cm (40-60cm below ground surface for existing plantings on peat ○ Drainability assessments were conducted for plantations planted on peat, at least five years prior to replanting

		<ul style="list-style-type: none"> ○ Fire prevention measures
B	<p>Area without prior HCV Assessment</p> <ul style="list-style-type: none"> • Planted peat area (> 100 ha) planted after 2013 and before 2018 • Planting on peat more than 3 m depth 	<p>Within the 100 ha extent In accordance to RSPO BMP Volume 1 (Peat Audit Guidance)</p> <ul style="list-style-type: none"> ○ Subsidence of peat soils shall be minimised and monitored ○ Water table should be maintained at an average of 50cm (40-60cm) below ground surface for existing plantings on peat ○ Drainability assessments were conducted for plantations planted on peat, at least five years prior to replanting ○ Fire prevention measures <p>Beyond the 100 ha extent (minus 100 ha)</p> <ul style="list-style-type: none"> • No oil palm replanting, • BMP vol 2 – Hydrology, fire management and restoration to its natural state. • Immediately ?
C	Peat area cleared after 2018	All cleared peat area will be restored to natural vegetation in accordance to BMP V2 2018
	(Not within the scope of RaCP) A prior HCV Assessment was conducted and peat was not identified	
	(Not within the scope of RaCP) Acquisition of non-member planted peat area which was replanted during 2013 – 2018: 1) More than 100ha with DA	

	2) Less than 100ha but without DA	
	Practicality of remediating fragmented peat	

Additional note from Peat Unit:

Remedial activities are also dependent if the planted area (peat) can be certified or not. For example, if 1000 ha of peatlands was developed and planted with OP in 2014, 900ha (1000 - 100ha) of that area cannot be certified (in either P&C 2013 or 2018) and thus the allowance for drainability assessment is not possible (as it does not even meet the criteria 7.4.1 to be certified in the 1st place) and must be rehabilitated immediately. The 100ha which can be certified must follow then must be managed in accordance to the other peat requirements -i.e. water management, subsidence monitoring, drainability assessment etc.

Remediation	Compensation
Peat soil	Land cover

HCV Assessment findings are on historical land cover.
Soil map

Appendix 4: List of action items

ACTION ITEM	PERSON IN CHARGE (PIC)	TIMELINE	Updates as of 28 th August
AOB - How to resolve drainability review bottleneck, circulate the challenges and solution proposed	Secretariat	Next 2 weeks	In progress- slide to be shared next week
Circulate the updated briefing note: Data on certified units with extensive plantation after 2013 before 2018 (ref: peat inventory and audit report if NC was raised)	Secretariat	Next 2 weeks	Secretariat need more time on this
A list of scenarios to be tabulated: <ul style="list-style-type: none"> i) where prior HCV was conducted but peat was not identified ii) acquisition of non-member planted peat area iii) HCV clearance process (ie, complaints or self-reporting) area with prior HCV identified as peat which was cleared 	Secretariat	Next 2 weeks	Secretariat need more time on this
Practicality of remediating fragmented peat area	Secretariat	Next 2 weeks	Secretariat need more time on this
Consolidated comments from PC of DAP V2 to be circulated to sub-group/PLWG	Secretariat	27 th August	Done

Appendix 5: Items of discussion for the next meeting

Dates for next meeting



1. Peat remediation
2. Finalising DAP V2 and Peat ISH BMP
3. Peat Trend
4. Peat BMP Survey
5. Updates on RT
6. Training modules for DAP