Timber Mill Code of Environmental Practice (COEP)
Cyclone Pam Recovery

Part-Funded by the Increasing Resilience to Climate Change and Natural Hazards Project (P112611)

1 Mitigation Measures

1.1 Introduction
The Department of Forestry is assisting communities in Shefa and Tafea, the two provinces most affected by Cyclone Pam, with portable/mobile sawmills and chainsaw with Alaskan mini-mills and varieties of forestry seedlings for immediate replanting. This action plan aims to salvage and utilize fallen trees in the affected communities to help them build back their houses damaged and destroyed by the cyclone. The use of milled timber will also help them build strong and resilient houses and reduce the demand for imported timbers. This action plan is timely now that the government has officially shifted to the recovery phase of Cyclone Pam. Due to logistical constraints, Lucas Sawmills will be deployed to Aneityum, Tanna, Erromango, Efate, Tonga, Emae and Epi Island. The Chainsaw with Alaskan mini-mill will be deployed in Tanna, Ngunu, Emau, Makira, Emae, Tonga, Tongariki and Epi Island. The government through its donor partners will support this initiative with the procurement of the sawmills, forestry seedlings, logistics of shipment to the respective islands and trainings for sawmill operators. The purchase of equipment will be done through the Increasing Resilience to Climate Change and Natural Hazards Project. The operational cost of the mills will be shared between the respective NGO and donor partners.

This Timber Mill Code of Environmental Practice (COEP) documents the environmental and social safeguards of the activity. It will be implemented by the Department of Forestry and UNDP which is responsible for the training and supervision of the sawmill operations. The communities operating the sawmills must operate in compliance with the Code of Environmental Practice.

The Timber Mill COEP forms part of the project documentation, along with:

- The Forest Recovery Operation Plan
- Sawmill Operational Plans for each Island
- Vanuatu Code of Logging Practice
- Memorandum of Agreement

1.2 Vanuatu Code of Logging Practice
All operations will be carried out in accordance with the Vanuatu Code of Logging Practice, Department of Forests, 1998. The purpose of the Code of Logging Practice is to assist the
Department of Forestry to achieve ecologically sustainable forest management. The Code of Logging Practice covers the range of activities related to logging, including: forest planning, exclusion of conservation and sacred / Tambu areas, managing impacts of waterways, harvest planning, and mitigation of impacts on soil and water from logging.

The Code of Logging Practice is the primary tool for training and implementation of sustainable logging practices under this project, except where this Timber Mill Code of Environmental Practice provides more specific mitigation requirements.

1.3 What does this COEP Cover?
This COEP covers the harvesting of fallen trees to provide timber for local use, using sawmills and chainsaws provided by the Department of Forestry. There are two outcomes: 1) timber is available for rebuilding houses, shops and other local infrastructure and 2) land is cleared of timber which was brought down during Cyclone Pam to allow for forest regrowth and replanting of crops and tree species.

1.4 Logging of Fallen Trees
Only fallen trees will be salvaged and utilised. Standing trees will not be felled unless: 1) it is proven to have permanent defects which will likely to deteriorate and devalue the quality of the timber in the near future or 2) they present a safety risk if left standing. This is to ensure minimal damage and impact to the already damaged environment and vegetation. This will need to be confirmed by the supervising person from Department of Forestry and included in the records of milling.

Refer to the Code of Logging Practice for sustainable methods of logging.

1.5 Location and extent of logging and ‘no go’ areas
The salvage operation will be strictly applicable in the vicinity of the village or the surrounding areas within a community and along the main access roads / routes. This is to avoid further destruction to the affected areas.

No more than 1ha of windfall that used to be forest (natural or woodlot) will be cleared at any one location. Clearance of windfall in pre-existing agricultural, grazing and village areas is not restricted.

‘No Go’ Areas:

- No logging of windfall in areas that were, or could still be, considered tambu/sacred or protected under local custom. Ask the communities about these sites.
- No logging of windfall in areas that were, or could still be, considered critical habitat for endangered plants or animals. This includes protected areas under law. Ask the Department of Environment for local records / knowledge of critical habitats.
- No logging of mangroves.

1.6 Sediment Control and Protection of Water ways
Refer to Code of Logging Practice.

1.7 Fuel Storage and Removal of Waste Oil / Fuel
Refer to Code of Logging Practice.
1.8 Gravel / rock
No coral (live or dead) from the foreshore or seabed shall be used for preparing mill sites. For other guidance refer to the Code of Logging Practice.

1.9 Land uses following logging
Tree seedlings will be planted in the areas that have been logged. The tree seedlings will be provided by the Department of Forestry and will be similar species to those that were logged, in a similar or greater density as the pre-cyclone landscape. Replanting must avoid introducing invasive weed species and avoid using pesticides and herbicides.

1.10 Community Involvement
Consultation with the community should be conducted during the training visit to inform all people of the proposed activities, including women. There should be broad community support for the milling activities. Ensure equitable access for the involvement of men and women in sawmilling operations. Community involvement is to be documented and outcomes recorded. Evidence of how the needs of the community have been met is to be retained.

The community should pull their resources together by organising the demonstration area where the trainings will be contacted. Working through area council secretaries is better but the two most important institutions in the communities; the church and chief must also be involved and participated equally. These two institutions, especially the chief would be in a better position to help determine ownership of logs.

Logging will not commence until the ownership of the land and logs is confirmed and there is agreement for both the milling and the use of the timber. A voluntary donation form is to be used to document the provision of trees or the use of land for broader community benefit (refer Section 3).

1.11 Grievance Redress
In the event of a grievance, milling will immediately stop and will not recommence until the grievance has been resolved.

In the event where disputes arise over ownership of logs, the matter will have to be referred to the community leaders to find amicable solutions within a given time period for not more than 7 days. No logging of disputed logs or will occur on disputed land until there is agreement.

If the complaint is beyond local resolution, either party can refer the issue to the relevant government authority at Provincial level.

If no remedy is found at Provincial Government level within a month, either party can refer the issue to the Department of Forestry. In the meantime, the mill will be removed from the community.

If the matter is still unresolved after a further month, either party can pursue an available legal remedy.

1.12 Institutional Arrangements
Department of Forestry and UNDP will be responsible for implementing the Code of Environmental Practice and ensuring the communities comply with it. The Code of Environmental Practice will form
part of the initial training, and both organizations will also check compliance during supervision and provide additional training and support if required during these visits.

**UNDP** will report progress on implementation to the Increasing Resilience to Climate Change and Natural Hazards Project Management Unit.

*Increasing Resilience to Climate Change and Natural Hazards Project Management Unit* will ensure the Code of Environmental Practice is complied with by all governmental and non-governmental agencies involved in the saw mill operations. They will supervise and monitor the implementation of the Code of Environmental Practice, including field checks and review of reports from UNDP.

1.13 **Record keeping**

Reports of the milling operations will be provided by the sawmill operators, recording the volume and type of salvaged timber.

Records of the locations of logging will be kept by UNDP and Department of Forestry, including sketches or maps of the location and extent of the clearance, including photos before and after clearance (refer Section 2).
2 Environmental Practices and Record Keeping

2.1 Pre-mobilisation
1) Confirm with Department of Environment the location of known sensitive environmental habitats in the proposed working areas. Add these to the list of ‘no go’ areas.

2.2 Community Training
The following should be completed during training of operators and socialization of community members:

1) Undertake training on the contents of this COEP, the Code of Logging Practice and health and safety practices. Train how to fill in the Felling Register. Record who was trained, including name and gender.

2) Provision of health and safety equipment, and provision of secure and safe fuel containers and fuel spill equipment.

3) Confirm locations of sensitive habitats, critical habitats and sacred / Tambu areas. Refer to Dept of Environment list / map from pre-mobilization check, and ask the community about their knowledge of the area. Ensure these are understood as ‘no go’ areas. If in doubt, do not include in the area to be logged.

4) Confirm who owns the trees and document their agreement to have them logged (refer to the Voluntary Donation Form for assets that are voluntarily donated). If there is any dispute, this should be resolved before logging begins.

5) Agree the location and extent of proposed milling and document on a sketch, marked up aerial photograph, map or photos. Leave a copy with the community / sawmill operator.

6) Obtain a signed copy of the Memorandum of Agreement.

7) Keep a set of records documenting items 1-6.

2.3 Sawmill Supervision
During supervision trips and during the final trip before moving the sawmill to the next community, ensure compliance with this COEP and Code of Logging Practice:

1) Observe logging and milling, identify any non-complying actions and work with the community to correct them. Provide refresher training on environment, health and safety where required.

2) Record the location and extent of logging (what has been logged to date, and what is planned to be logged) on a sketch, marked up aerial photograph, map or photos. This could be a new record, or an update of the original record.

3) Confirm the ownership of trees in any new areas and document their agreement to have them logged (refer to the Voluntary Donation Form for assets that are voluntarily donated). If there is any dispute, this should be resolved before logging begins.

4) The mill must be assessed and certified to be in good condition by the Forestry Department before it can be allocated to the next community.

5) Keep a set of records documenting items 1-4.
3 Voluntary Donation Form

This form or an equivalent is to be used to record the consent of landowners / tree owners who offer trees or land for a community good activity. The essentials of voluntary donation are that the donors have been freely consulted prior to the donation, were not pressured or coerced, that the donation will not affect a significant proportion (more than 10%) of their productive assets, and that they have the right to refuse and to lodge a complaint if they have a grievance about the process.

Consent Form for Voluntary Donation

I/We: ___________________ male household head ___________________ female household head, and/or person(s) exercising customary rights over trees / land described as (legal description, GPS coordinates if available)
___________________________________________________________________ in Village____________________ Island____________________ Province____________________
hereby declare that I/we/the group are the owners/users of the trees / land required for (description):
______________________________________________________________________________

I/we are voluntarily donating the use of land and or trees (land area, type of assets /trees/crops etc)
______________________________________________________________________________

for the purpose of a facility to benefit the community: (specify activity)
______________________________________________________________________________

We agree to this community purpose from (date)___________ for as long as the community purpose is served or until (specify end date, typically the life expectancy of the facility)__________________

I/we make this donation of My/Our own free will. I/We are waiving My/Our right to compensation of any kind for the specified duration of the activity.
I/We affirm that we have been fully and freely consulted and informed about the activity prior to agreement, have not been subject to any form of coercion, understand that I/we have the right to refuse, and to seek redress for any grievance concerning this transaction.

Signed:
Male household head ___________________ /Female household head____________________
Chief or Local Custom Authority____________________
Representative of concerned Government Agency____________________
Date: _________________________________

2 If leased land is to be used, this form may be adapted to record the agreement of both lessor and lessee