

## **Summary of comments from the ARRC task force – support document for the call on July 29<sup>th</sup> 2020**

### **General comments**

As is currently presented in SRL's BAP, SRL's mitigation strategy will not achieve a Net Gain for chimpanzees. This is mainly because: 1) not all impacts have been identified and described (e.g. water pollution and habitat fragmentation); 2) some impacts have been downplayed and have no clear associated minimisation measures to address them (e.g. hunting and human in-migration); 3) there are few examples of rehabilitation success in West Africa (and to our knowledge there is no example of mining pond rehabilitation in that region), therefore the likelihood of success for rehabilitation is unknown and shouldn't be the main strategy for achieving gains for chimpanzees (there are also several other problems related to the proposed rehabilitation, see point 5 in the section below for more details); 4) indirect impacts have not been included in the residual impact assessment, therefore we would expect project's impacts to be significantly greater than what is presented; 5) the suggestions for mitigation and compensation are not based on relevant ecological concepts that take the critical functionality and integrity of the ecosystem for chimpanzees (and other wildlife) into account. In its current state we did not find this BAP aligned with what leading mining companies should be proposing in compliance with IFC PS6.

There is a need to strengthen the current BAP and to improve SRL's mitigation strategy for chimpanzees, but in addition we would also like SRL to consider legacy issues in Area 1. The 'baseline' has been set to 2017; however, SRL is using existing mining infrastructures (e.g. mining road, camp), without which the expansion project could not exist. Impacts from previous mining activities are still ongoing, notably from significant loss and fragmentation of chimpanzee habitat, and chimpanzees being captured for the pet trade, and so we would consider it leading practice in sustainability for SRL to compensate for some of these impacts by implementing additional conservation actions that increase or improve the natural capital of the landscape.

More background information on the project should be included, so that we can be sufficiently informed to adequately review the BAP. Currently, we lack basic information such as on mining methodology, different phases and timescales, its footprint, type and location of infrastructures, and number of employees. In addition, no information is presented on the local human population (number of villages, population size, ethnicity, socio-economics, livelihoods, land rights, natural resource use) or on historic rates of in-migration into the area caused by previous mining activities. Overall, we found this BAP to be too vague and lacking in coherence and detail to provide assurance that the mitigation is sufficient, will be implemented and be effective. We understand that more details on each mitigation measure will be provided in appendix 1, however already in the body of the document there could be sections on who within SRL will be responsible for implementation, the stakeholders and partners needed for implementing the proposed mitigation, if additional resources will be needed, and the cost of mitigation, etc.

## Specific comments

### 1) *Identification of impacts*

- It would be more informative for the readers if more description was provided for each impact in relation with the project area (what is the specificity of the impact for the project and where the impact is expected, how were the buffers for habitat degradation determined, etc.). Some impacts that are lacking or for which there need to be a better description: in-migration and associated increases in natural resource use, induced access, modification of hydrology, pollution, reduction of landscape connectivity, potential for disease transmission.

### 2) *Defining Critical Habitat for chimpanzees*

With reports on impacts of chimpanzees in the recent past, chimpanzee populations size was/is likely on a downward trajectory in the region. For example, recently confirmed hunting of chimpanzees in the area has reduced chimpanzee population size and the data collected on the existing population therefore only provides a snapshot of its dynamics (e.g. abundance, distribution, ranging patterns). Using only current chimpanzee numbers and occupied habitat is ignoring recent impacts and the higher carrying capacity of the area. Therefore, the present numbers of chimpanzees are not indicative of the carrying capacity for this species in the area and it would be important to take a more integrative perspective into account.

In this context, the classification of the different habitat types into three classes of critical habitat is problematic. If natural forest is not available anymore, CH 2 (e.g. farmland) will be used as extensively as other habitat types. Chimpanzees would not be able to survive only in the remaining forest patches as suggested in the map, as their extent is too small. It is misleading to assume that the farmland or fallow land has lower value because of its composition. It has additional value, because of its function as connecting habitat between forest patches, which is as important as habitat in class CH 3. Thus, once identified as such, the natural value of these areas, in terms of biodiversity and connectivity, could and should be enhanced. The functional aspects of habitats, and their area, need to be better considered when assessing chimpanzee critical habitat. Functional aspects include for example food provisioning and trophic complexity (fruits, leaves, invertebrate and vertebrate prey species), connectivity, shelter, etc. Chimpanzee's approximate territory boundaries for Area 1 have been defined in the baseline surveys, therefore the whole of a chimpanzee territory should be considered as the critical habitat value.

### 3) *Development of appropriate mitigation measures*

- Some minimization measures are missing, such as implementing speed limits and speed bumps on the haul road and mining roads, how to tackle chimpanzee-human conflicts, providing latrines (where and how many) for workers, including security guards. There is no clear plan on how to reduce hunting pressure. There is a need first to better understand hunting behaviour and hunting pressure on chimpanzees, human-chimpanzee conflicts and how often chimpanzees get caught in snares.

- There should be a stronger focus on working with communities and understanding their natural resource needs, in order to reduce pressure on natural resources, and instating better land management practices.
- There is an emphasis on what will be done but not how the company will do it. On page 57 for example the company states that it will work “with communities and local authorities to control potential indirect impacts from local community uses of ecosystems and natural resources” but it doesn’t present plans and activities on how they will go about it. At this stage, it is not what SRL plans to do but how it plans to do it, that we are most interested in.
- Measures need to be defined for both the employees of the company and local communities, as mining employees will exploit natural resources in a mining concession (or, being economically better off, provide equipment such as vehicles to assist local communities to do so) significantly increasing anthropogenic pressures at a site.
- The interventions that are mentioned for reducing persecution of chimpanzees are not presented in a coherent way/framework/plan. Sensitization is mentioned but may not be enough, and the deployment of a team of private eco-guards to enforce rules, may be open to abuse. There is no mention of providing incentives that encourage farmers to tolerate chimpanzees on their land. The restoration of natural forested habitat and the reduction of persecution of chimpanzees needs to go hand in hand. A good example of forest rehabilitation and chimpanzee conservation is the Bulindi Chimpanzee and Community Project, Uganda. There, local communities who protect their forested plots, have the school fees of their children paid, as the project found that people were deforesting their land in order to pay school fees. The project works with local communities to establish woodlots of fast-growing exotic, nurseries of indigenous trees, and replanting along water courses. Protecting the chimpanzee population and ensuring a Net Gain would require active investment and management.

#### *4) Rehabilitation*

- Rehabilitation has been proposed both to rehabilitate mining areas and as a compensation mechanism to achieve a Net Gain. We have serious doubt about the effectiveness of this measure, and the timescale for achieving gains is unclear.
- It is unclear what areas are being ear-marked for biodiversity and for human use. It seems like some of the areas to be rehabilitated for chimpanzees will also be used by humans for collection of natural resources, but these two activities are not always compatible. Forest rehabilitation that focuses on providing economic, social and cultural value to the local human population is unlikely to result in a stable or increasing chimpanzee population, and therefore Net Gain won’t be achieved. Therefore, we advise that forest rehabilitation for local communities and chimpanzees and other wildlife, are considered separately. The location of areas to be rehabilitated are unclear but need to be defined.
- Particularly in Area 1, it is important to restore habitat outside the concession to increase connectivity with the two chimpanzee communities living outside its boundaries. This will achieve much greater positive impact on this population.
- How will these areas be secured over the long-term (e.g. rehabilitation will only last 8 years in Area 1? How will hunting be managed in these areas?)? Have the local communities and other stakeholders been consulted in this process?

- Furthermore, other CH primates species will not benefit from rehabilitation measures (maybe only in >50 years) as they are specialist species dependent on high-canopy forest (except for the olive colobus).

#### *5) Residual impact assessment and compensation mechanisms*

- It is not clear if the residual impact assessment takes into account all impacts from Areas 1, 5 and the haul road. The project needs to think of its impacts using a landscape approach and consider the additional impacts that upgrading the existing road between Areas 1 and 5 will have.
- There is a fundamental misconception of the functionality of lost habitat and its replacement. 1:1 replacement is not the point here, if the lost functionality of the mature habitat is not taken into account (see comments above on the importance of functionality of habitat). Assisted natural regeneration can be considered acceptable in some circumstances but given the vastly different time scales of loss (short time scale) and gain (long time scale of potentially decades), it alone will not sufficiently compensate. Complementary planting of key fruit tree species for chimpanzees and other species is essential. The forest restoration approaches must take the re-establishment of key ecological functions into account, such as patch size distribution, tree species composition, seasonal food availability and patch connectivity. The current focus on compensation for lost habitat must integrate the restoration of ecological functionality.
- Indirect impacts have not been taken into account in the residual impact assessment. Using only habitat as a proxy has significant limitations, as hunting pressure has not been taken into consideration. It would therefore be more useful to assess the number of chimpanzees that have been and may be impacted by the project.
- In area 1 the proposed compensation will only mitigate indirect impacts and does not constitute an appropriate offset for achieving a Net Gain. The project will need to ensure connectivity with the other two chimpanzee communities that have been identified outside of the concession, and working with local communities, support conservation actions that will ensure the persistence of chimpanzee within the larger landscape. The project should investigate looking into different legal status for securing important chimpanzee habitat in the long-term, for example in Mobimbi hills and Kassila hills.

#### **Other comments and questions**

- What level of stakeholder engagement occurred during the development of this BAP? Important stakeholders do not appear to have been consulted, such as the national and local forest authorities, local communities and Sierra Rutile itself to assess the feasibility of the mitigation measures presented in the BAP.
- When will the final project design be known? This is important to provide a better evaluation of impacts.
- Is it known where the 12 villages from Area 5 might be relocated? Village relocation is always challenging and should ensure not to generate human-human conflict issues which could then have an impact on project, or chimpanzees (e.g. if people perceive that greater consideration is given to chimpanzees than people); also relocation sites will have to ensure no impact on

chimpanzees or other critical habitat for wildlife and suitable access to arable land whilst respecting land rights of other villages.

- Community development with agroecological farms, what communities are currently included in SRL's Community Development Committee (CDC) and will displaced villages be included in this programme?
- Some of the species status have changed, for example *Colobus polykomos* is now EN.
- We would recommend to include the Olive Colobus (now VU) in the list of species of stakeholder concern.
- Section 20 should be an appendix.
- Figure 10, the corridors are quite arbitrary and some of them located in non-critical habitat or passing through towns which would be quite unlikely for chimpanzees.