



Abu Dhabi Environment, Health and Safety Management System Regulatory Framework (EHSMS)

Code of Practice

AD EHSMS CoP 17

– Biodiversity and Conservation

Version 1.2

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الوكالة البيئية - أبوظبي
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Code of Practice –Biodiversity and Conservation

1 Aims & Intent

1.1 Aims

- (a) The aims of this CoP are:
- (i) to provide for the protection of the biodiversity in the Abu Dhabi Emirate;
 - (ii) to promote ecologically sustainable development through the conservation and ecologically sustainable use of natural resources;
 - (iii) to promote the conservation of biodiversity; and
 - (iv) to provide for the protection and conservation of ecosystems.

1.2 Intent

- (a) The of the CoP is as follows:
- (i) protect ecosystems and biodiversity by establishing and managing reserves;
 - (ii) recognize and protect ecological communities and promote other conservation measures;
 - (iii) identify processes that threaten all levels of biodiversity and implement plans to address these processes;
 - (iv) specify provisions to enhance the protection and conservation of ecosystems unique to Abu Dhabi Emirate; and
 - (v) promote a partnership approach to environmental protection and biodiversity conservation through:
 - (1) agreements with key threatening industries;
 - (2) conservation agreements with key land-holders; and
 - (3) engagement with the government and private sectors and the community in management planning.

2. Application & Implementation

2.1 Application

- (a) the Competent Authority and/or Sector Regulatory Authorities will inform the private and government sectors and the community on biodiversity conservation issues by:
- (i) acquiring, analyzing and reporting information on biodiversity conservation issues and promoting increased private and government sector and community awareness and understanding of these issues;

- (ii) allowing the private and government sectors and the community to make submissions and comment on certain proposed policies plans and programs;
- (iii) producing timely forecasts and bulletins on biodiversity conservation for public information, when available;
- (iv) advising the private and government sectors and the community on actions they can take to minimize the risk to biodiversity;
- (v) investigating complaints and concerns related to biodiversity conservation;
- (vi) ensuring that threats to biodiversity are identified, assessed and managed based on international best practice; and
- (vii) ensuring consistency with relevant laws and regulations.

3. General Requirements

3.1 Evaluation Requirements for Developments

- (a) in assessing the impact of developments on ecosystems, the Competent Authority and/or Sector Regulatory Authorities shall:
 - (i) consider how the development may affect the beneficial use of the environment;
 - (ii) evaluate if the development will impact on the ecosystems and the species within it; and
 - (iii) conduct baseline surveys every three to five years to monitor the potential impact of the development on an ecosystem.

3.2 Provisions to Protect Ecosystems

- (a) If a development is proposed that has the potential to have an impact on a *sensitive species* or ecological community, the proponent is required to demonstrate that mitigation measures will be implemented to minimise harm to the species or ecological community.
- (b) If a development is proposed that has the potential to have impacts on a *threatened species* or ecological community, they shall complete an EHSIA. The EHSIA shall include a study of the proposed project area, the species or ecosystem to be affected, the likely impacts and mitigating measures to minimise impacts. The requirements associated with an EHSIA are provided in CoP for Environment, Health and Safety Impact Assessment (EHSIA) (*AD EHSMS 07 - EHSIA Requirements*).
- (c) A development shall not result in actions that have the potential to have a significant impact on a listed *endangered* species or ecological community.
- (d) A permit from the Competent Authority and/or Sector Regulatory Authorities is required for developments or activities that may result in:
 - (i) harm to flora or fauna that is, or part of, a *threatened* species, population or ecological community;
 - (ii) damage to a critical habitat; or

- (iii) damage the habitat of a *threatened* species, population or ecological community.
- (e) If a proposed activity has the potential to cause an impact, as described in 3(d), a Species Impact Statement shall accompany the application.
- (f) If the activity is not proposed to take place in an area that is not know to be a habitat for *threatened* or *endangered species*, the permit application shall include the following:
 - (i) the details of the types, and condition of ecosystems in and adjacent to the area to be affected by the action;
 - (ii) details of any records of an *endangered* or *threatened* species or ecological community in the same location or a similar locality;
 - (iii) details of any known or potential habitat for an *endangered* or *threatened* species or ecological community in the area to be affected by the action;
 - (iv) an assessment of the likely severity of the impact on the life cycle of the *endangered* or *threatened species* or ecological community; and
 - (v) details of the measures that will be implemented to mitigate impacts;
- (g) The Competent Authority and/or Sector Regulatory Authorities will consider the following when assessing a proposed activity that is likely to impact on a *threatened* or *endangered species* or ecological community:
 - (i) in the case of an *endangered* species or ecological community, whether the proposed action is likely to have an adverse impact on the life cycle of the species so as to make it vulnerable to extinction;
 - (ii) in the case of an *threatened* species or ecological community, whether the proposed action is likely to make that species or ecological community vulnerable to extinction at that location (locally extinct);
 - (iii) in the case of a sensitive species or ecological community, to what extent the action is likely to alter the habitat or ecological community, through habitat loss, habitat fragmentation or habitat isolation;
 - (iv) in the case of a sensitive species or ecological community, to what extent the action is likely to impact on the long-term survival of the species or ecological community in the locality;
- (h) A suitably qualified consultant or company shall prepare the Species Impact Statement; and
- (i) Tourist operators shall prepare an Ecosystems Management Plan that outlines the ecosystems to be affected by the operations and the mitigating actions will be implemented to prevent significant harm to these ecosystems.

3.3 Provisions to Protect Marine Areas

- (a) A development near or adjacent to a marine environment shall not result in significant impacts on marine ecosystems.

- (b) A development in a marine area shall not result in actions that have the potential to significantly impact on the environment.
- (c) A development in a marine area shall not result in actions that have the potential to significantly impact on coastal waters.
- (d) If a proposed development has the potential to impact the marine environment, ecosystem or coastal waters an EHSIA shall be completed and shall include a study of the proposed project areas, likely impacts and mitigating measures to minimise the impacts.
- (e) Tourist operators shall prepare an Ecosystems Management Plan that outlines the ecosystems to be affected by the operations and what mitigating actions will be implemented to prevent significant harm to marine ecosystems.
- (f) Commercial fishing operators need to apply for a permit from the Competent Authority and/or Sector Regulatory Authorities to ensure fishing is undertaken in an ecologically sustainable manner.

3.4 Monitoring and Reporting Protocol for Biodiversity and Conservation

- (a) The processes set out in this section shall be used for monitoring and reporting on biodiversity conservation to determine:
 - (i) whether the objectives of this CoP are being met; and
 - (ii) the extent of the difference between the biodiversity indicators and actual level of biodiversity.
- (b) The Competent Authority and/or Sector Regulatory Authorities shall establish monitoring procedures, and commence assessment and reporting.
- (c) The Competent Authority and/or Sector Regulatory Authorities shall work with the private and government sectors to encourage management of risks to biodiversity and conservation. This will assist in reaching the indicators and quality objectives.
- (d) To enable assessment of compliance with this CoP, the Competent Authority and/or Sector Regulatory Authorities

- (e) may require monitoring of aquatic and terrestrial ecosystems and species as part of the permit approvals process.
- (f) The *AD EHSMS CoP 09 - Monitoring and Reporting* provides further information on monitoring and reporting requirements.

3.4.1 Monitoring Plan

- (a) The Competent Authority and/or Sector Regulatory Authorities shall prepare a monitoring plan consistent with this part of the CoP setting out how it proposes to manage biodiversity to meet the intent of this CoP.
- (b) The monitoring Plan shall address the following:
 - (i) roles and responsibilities for implementing the plan;
 - (ii) a description of activities threatening biodiversity conservation and where these activities are likely to occur;
 - (iii) measures to be taken under the Plan to minimize adverse risk to biodiversity;
 - (iv) responsibilities of managing biodiversity and conservation;
 - (v) data to be collected;
 - (vi) how data and information will be collected, analysed and reported; and
 - (vii) how and when the program will be reviewed.

3.4.2 Reporting

- (a) The Competent Authority and/or Sector Regulatory Authorities is required to periodically provide:
 - (i) an overview of how potential risks to biodiversity are being managed;
 - (ii) a review of the steps taken to implement this CoP; and
 - (iii) an assessment of the adequacy of the existing programs to manage biodiversity conservation.
- (b) The report shall include:
 - (i) an analysis of the extent to which the aims of the CoP are, or are not, being met;
 - (ii) the amount of data available in the reporting period; and
 - (iii) a statement of the progress made towards achieving the goals.

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Document Status

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