

TEMPLATE

# DEVIATION REQUEST FORM

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PUBLICATION DATE **11.04.2022**

Version **5.0**

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## A. To be completed by Gold Standard

### 1 | Decision

**1.1 | Date – 28/11/2022**

### **1.2 | Decision**

The deviation request is **Approved**. However, project developer shall make note of the following requirements/recommendations –

1. The existing stakeholder consultation meetings are deemed sufficient; however, a virtual SFR round of 60 days shall be required where GS requirements on the grievance mechanism and invitation to the minimum group of stakeholders to be consulted shall be met in accordance with the [Stakeholder Consultation and Engagement Requirements](#).
2. Please note that if during certification process any major gaps from the stakeholder consultation process are identified, GS retains the right to require the projects to do a physical stakeholder consultation.

**1.3 | Is this decision applicable to other project activities under similar circumstances?**

No

**B. To be completed by the Project Developer/Coordinating and Managing Entity and/or VVB requesting deviation** (Submit deviation request form in Microsoft Word format)

**2 | Background information**

Deviation Reference Number	DEV_317	
Date of decision	28/11/2022	
Precedent (YES/NO)	No	
Precedent details	N/A	
Date of submission	20/10/2022	
Project/PoA/VPA	Project	ID – GS11728
	<input type="checkbox"/> PoA	ID – GSXXXX
	<input type="checkbox"/> VPA	ID – GSXXXX
Project/PoA/VPA title	Manaus Landfill Gas Project	
Date of listing	N/A	
GS Standard version applicable	N/A	
Date of transition to GS4GG (if applicable)	N/A	
Date of transition to Gold Standard from another standard (e.g. CDM) (if applicable)	N/A	
Date of design certification/inclusion (if applicable)	N/A	
Location of project/PoA/VPA	Manaus, Amazonas, Brazil	
Scale of the project/PoA/VPA	<input type="checkbox"/> Microscale <input type="checkbox"/> Small scale <input checked="" type="checkbox"/> Large scale	
Gold Standard Impact Registry link of the project/PoA/VPA	N/A	
Status of the project/PoA/VPA	<input checked="" type="checkbox"/> New <input type="checkbox"/> Listed <input type="checkbox"/> Certified design <input type="checkbox"/> Certified project	
Title/subject of deviation	Deviation from the local stakeholder consultation requirements for project that has historically engaged local community	

Specify applicable rule/requirements/methodology, with exact paragraph reference and version number	Stakeholder Consultation and Engagement Requirements (version 2.1), paragraphs 3.3.1, 3.4.2, 3.6.1 and 3.9.1.
Specify the monitoring period for which the request is valid (if applicable)	Start date                      End date
Submitted by	Contact person name: Andrés Lorenzo
	Email ID: <a href="mailto:alorenzo@conestoga.com.br">alorenzo@conestoga.com.br</a>
	Organisation: Conestoga-Rovers Engenharia Ltda.
	Project participant: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Validation and Verification body (VVB opinion shall be included, where required by the applicable rules/requirements or request is submitted by the VVB).	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>  If yes; VVB name:  VVB Staff name(s):
Any previous deviations approved for the same project activity/PoA/VPA(s)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

### 3 | Deviation detail

#### 3.1 | Description of the deviation:

*\*Guidance\* Use the space below to describe the deviation and substantiate the reason for requesting deviation from applicable rules/requirements. Please include all relevant information in support of the request. You are requested to follow the principles for requesting deviations, given in the [Deviation Approval Procedure/Design Change Requirements](#).*

##### 3.1.1 | Deviation detail (to be completed by Project developer):

Manaus Landfill Gas Project is registered as a CDM Project Activity since 08/07/2011. In august 2022, project developers have formally initiated the process for transitioning the Project from CDM to GS by forwarding the necessary documentation for the preliminary review including the Local Stakeholder Consultation Report.

Before obtaining registration as a CDM project activity, the project started the validation process on two other occasions: between December 2005 and January 2006, and January and February 2009. The objective of the project activity - namely

the improvement of landfill gas collection and implementation of the energy generation system, was not changed in relation to the previous registration attempts. Only the versions of the methodologies used have been updated between these submissions. However, in conducting the first validation of the project activity, a public face-to-face meeting with the community was conducted.

The project developer considered that the public consultation conducted at that time (January 2006), i.e., prior to the start of the project's operation, would meet the criteria established by GS4GG for the first round of Stakeholder Consultation. It should be noted that the participants, topics discussed and comments received, among other criteria adopted are recorded in a first version of the CDM PDD that is, in a very transparent way, publicly available. In this sense, it was considered that the project should meet the criteria for public consultation related to regular projects.

Subsequently, the project initiated another validation and repeated the public consultation by means of letters sent to the same institutions that participated in the first meeting in 2010. On this occasion, the stakeholders received material about the project and were invited to comment on its potential impacts and benefits. This second consultation was understood as the feedback round required by GS4GG.

However, both consultation processes that took place as described above happened before the first version of the "*Stakeholder Consultation and Engagement Requirements*" was released on July 1<sup>st</sup>, 2017. Therefore, during the preliminary review conducted while questing the transition of the CDM project the following clarification was requested:

*"Please clarify as to how the stakeholder consultation requirements as per GS4GG have been met. As per GS stakeholder consultation report, Section B.1.3 records of the physical meeting and some other evidences are no longer available. It is observed also that invitation were not sent in time prior to the start of the stakeholder consultation meeting, and stakeholder feedback round was initiated with huge delay and was not lasting for at least 30 days. In addition, not all groups of the stakeholders were invited, as per GS requirements."*

The project developer agrees that the procedures adopted do not precisely fit the criteria established by GS4GG in the current and applicable regulations as indicated in

the request for clarification and submits this deviation specifically to address the points highlighted by the reviewer as detailed in the next section.

### 3.1.2 | VVB opinion (to be completed by VVB, if applicable):

*\*Guidance\* If required by SustainCERT or Gold Standard for this particular deviation, please add here the VVB's opinion.*

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### 3.2 | Assessment of the deviation:

*\*Guidance\* Use the space below to describe how the deviation complies with the requirements, and, where applicable, the accuracy, completeness and conservativeness is ensured. Please include all relevant information in support of the request.*

#### 3.2.1 | Deviation assessment (to be completed by Project developer):

The project developer understands that the deviation complies with the requirements related to the concerning the topics underlined by the reviewer as follows:

- Concerning that *"the records of the physical meeting and some other evidences are no longer available"* (paragraph 3.9.1 of the *"Stakeholder Consultation and Engagement Requirements"*)

Even if physical evidence of the meeting is no longer available, all the procedures adopted while conducting previous consultations are registered in the CDM documentation of the project and is publicly available. In the registered CDM PDD there are pictures of the meeting, a summary of the presentation, a list of participants, the comments received at the time and how they were addressed by the project developer. This warrants the conservativeness of the information provided.

Moreover, the information was certified during the validation of the CDM Project Activity as described in the validation Report<sup>1</sup>

- Concerning the fact that *invitation were not sent in time prior to the start of the stakeholder* (paragraph 3.4.2 of the “*Stakeholder Consultation and Engagement Requirements*”)

The meeting was held at the Manaus City Hall, which is centrally located and easily accessible to different actors. Even though the letters and announcements were not made in advance, as mentioned in the report, participants that were not directly invited attended the meeting. This demonstrates the effectiveness of the announcement, even though it was not made 30 days in advance.

- Concerning that the “stakeholder feedback round was initiated with huge delay and was not lasting for at least 30 days” (paragraph 3.6.1 of the “*Stakeholder Consultation and Engagement Requirements*”)

In the first version of the Local Stakeholder Consultation Report submitted for preliminary review it was considered that the Manaus Landfill Gas Project could fall into the category of regular projects since the first consultation meeting with local stakeholders took place before the project was implemented. In this sense, the second consultation process that occurred during the CDM validation, which provided the stakeholders project’s updated documentation in local language was considered as the second round. Project developer is not aware of any provisions regulating the gap between those rounds of consultation, but the duration of the second round lasted more than 30 days since the stakeholders could have submitted any comments during the entire period of time when the project was being certified following the CDM rules, which certainly lasted for more than 30 days. In fact, during the global stakeholder process under the UNFCCC the project received a comment from one stakeholder, which was duly addressed as reported in the CDM Validation Report.

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<sup>1</sup> Publicly available at:

<<https://cdm.unfccc.int/filestorage/H/1/B/H1BSL8AKPI35J06UV7O9ZXMDYWCGRF/Revised%20Validation%20Report.pdf?t=WEx8cmpyazZxfDB1iK5SaR2d9PrY3KxqGbw>>. Accessed on 14/10/2022.

Nevertheless, Manaus Landfill Gas Project consists of a retroactive project since the transitioning from CDM to GS4GG began after the project became operational. In this sense, both rounds of consultations could have been combined. Hence, this deviation aims at requesting approval to consider the appropriateness of the procedures adopted in the first physical meeting that consulted the local stakeholders once other issues raised by the reviewer in the preliminary review are clarified.

- Concerning that “not all groups of the stakeholders were invited” (paragraph 3.3.1. of the “*Stakeholder Consultation and Engagement Requirements*”)

Of the group of stakeholders to be consulted, the Gold Standard Representative and a GS supporting NGO were missing. By the time the first physical meeting took place the GS4GG requirements have not been established yet. However, it must be noted that several local institutions attended the meeting including a representative from IDESAM (Amazonas Institute of Sustainable Development) a reputed Brazilian NGO with relevant contributions to the local sustainable development.

Therefore, project developer understands that, although the participating list is not fully in compliance with the current requirements, the engagement of the local community was adequate and ensures the conservativeness of the consultation.

3.2.2 | VVB opinion (to be completed by VVB, if applicable):

*\*Guidance\* If required by SustainCERT or Gold Standard for this particular deviation, please add here the VVB’s opinion.*

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### 3.3 | Impact of the deviation:

*\*Guidance\* Use the space below to describe the impact of the deviation on project design, safeguarding principles assessment, SDG assessment, emissions reductions, monitoring frequency, data quality, potential risk or any other relevant aspect of the project. Please substantiate the impact assessment with relevant and verifiable data/information.*

3.3.1 | Impact assessment (to be completed by Project developer):

Project Developer understands that this deviation requested neither impact the project design, SDG assessment, emissions reductions, monitoring frequency and data



quality nor imposes potential risk or any other relevant aspect of the project since it is strictly connected to aspects related to the Local Stakeholder Consultation process.

Furthermore, none of the safeguarding principles assessment are negatively impacted by the deviation request. In this regard, project developer would like to take the opportunity to reaffirm the company's commitment to transparency and permanent communication with local community, which is demonstrated by the innumerous and continuous visits to the site, even when the project was not implemented yet.



Visit by the Mayor of Manaus, Mr. Serafim, in 2008, before the project implementation.



Visit to the pilot project in 2008.





Technical visit and lecture at the project site in 2009.



State Court of Accounts of Amazonas visit in 2010



Technical visits from local universities: ULBRA (left) and UNINORTE (right), in 2010.



Lecture for the local community (left) and with environmental educators (right), in 2011



Meeting during technical visit in 2016



Technical meeting in 2019







Visit by representatives of the Municipal Department of Public Cleaning and the Department of Environment of Manaus and the local press in 2021.

From the above, and considering the purpose of the consultation and engagement process, as outlined in paragraph 3.1.1 of the “Stakeholder Consultation and Engagement Requirements” where it is written:

- a. to identify, engage and consult stakeholders in a meaningful manner to improve project design and its outcomes, and*
- b. to inform stakeholders about the projects and discuss their likely impacts (both positive and negative) during the design, planning and implementation stage and relevance to stakeholders, and*
- c. to establish an ongoing engagement process for stakeholders to provide input, feedback and to raise concerns throughout the project life.*

Project developer understand the appropriateness of this request for deviation which demonstrate that, even if the current requirements were not totally satisfied during the first physical meeting, the project has taken continuous efforts to involve local community during all the different phases of the project and does not impose any additional risk.

3.3.2 | VVB opinion (to be completed by VVB, if applicable ):

*\*Guidance\* If required by SustainCERT or Gold Standard for this particular deviation, please add here the VVB’s opinion.*

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### 3.4 | Documents:

*\*Guidance\* List of documents provided (note that once a decision has been made by Gold Standard, this deviation form along with supporting documents will be made public on the Gold Standard website. If any of the supporting documents are confidential, please indicate here to ensure they are omitted.)*

Local Stakeholder Consultation Report

Preliminary Review under the Gold Standard for the Global Goals

CDM Validation Report

Version number	Release date	Description
5	11.04.2022	Additional information added: <ul style="list-style-type: none"> <li>- date of listing, design certification, transition</li> <li>- standard version</li> <li>- specific reference to a requirement deviated from</li> <li>- any previous deviations/design changes approved</li> </ul> Guidance on VVB opinion
4	14.01.2021	
3	16.07.2020	
2	03.05.2018	
1	01.07.2017	Initial adoption