

Schedules

Schedule 1

Article 2

Sustainability criteria

1. In this Schedule—

“GHG emissions saving threshold” means the threshold established in accordance with paragraph 5; and

“minimum GHG emissions saving” means the percentage amount determined in accordance with paragraph 7.

2. To the extent that relevant sustainable aviation fuel was produced from a feedstock listed in column (2) of the table below, that feedstock meets the sustainability criteria if it meets the conditions specified for the feedstock concerned in column (3) of the table.

<i>(1) Entry number</i>	<i>(2) Feedstock</i>	<i>(3) Conditions that the feedstock must meet in order to comply with sustainability criteria</i>
1	Forest biomass, including residues from forestry or wastes from forestry	The GHG emissions saving threshold and the forest criteria
2	Residues, including processing residues, which are not residues from agriculture, aquaculture, fisheries or forestry	The GHG emissions saving threshold
3	Wastes of biological origin, which are not wastes from agriculture, aquaculture, fisheries or forestry	The GHG emissions saving threshold
4	Residues from agriculture or wastes from agriculture	The GHG emissions saving threshold, the land criteria and the soil carbon criteria
5	Renewable energy of non-biomass origin or nuclear energy	The GHG emissions saving threshold
6	Wastes of fossil origin	The GHG emissions saving threshold, the land criteria and the sustainable waste criteria
7	Any feedstock not falling within entries 1 to 6 above	The GHG emissions saving threshold and the land criteria

3. A feedstock meets the soil carbon criteria if the supplier provides evidence, by reference to the guidance published by the Administrator under article 14(1)(f), that satisfies the Administrator that adequate monitoring or management plans are in place for the land concerned which address the impacts on soil quality and soil carbon of the harvesting of the relevant feedstock from that land.

4. A waste of fossil origin meets the sustainable waste management criteria if the supplier provides evidence, by reference to the guidance published by the Administrator under article 14(1)(f), that satisfies the Administrator that adequate monitoring or management plans are in place to address the local environmental impacts caused by sourcing or processing the waste.

5. Subject to paragraph 6, an amount of sustainable aviation fuel meets the GHG emissions saving threshold if the GHG emissions saving from its use is equal to or greater than the minimum GHG emissions saving applicable to that fuel.

6. Where the sustainable aviation fuel is produced partly from raw materials other than sustainable feedstocks, the minimum GHG emissions saving for the purposes of this Schedule applies only to the mass (in kilograms) of that fuel which is attributable to sustainable feedstocks.

7. The minimum GHG emissions saving from the use of an amount of relevant sustainable aviation fuel is the greater of—

- (a) where applicable, the default value determined by reference to the guidance published by the Administrator under article 14(1)(f); or
- (b) the actual value determined by reference to the guidance published by the Administrator under article 14(1)(f).

Schedule 2

Article 2

Land criteria

1. A relevant feedstock meets the land criteria if the supplier provides evidence, by reference to the guidance published by the Administrator under article 14(1)(f), that satisfies the Administrator that the relevant feedstock was not obtained from land of a description falling within paragraphs 2 to 5, subject to the exceptions set out in those paragraphs.

2. Land with a high biodiversity value that had one of the following statuses in or after January 2008, whether or not the land continues to have that status—

- (a) primary forest or other wooded land of native species, where there is no clearly visible indication of human activity and the ecological processes are not significantly disturbed;
- (b) land not falling within sub-paragraph (a) which is, or which has been identified as, highly biodiverse forest or other wooded land that is species-rich and not degraded, unless—
 - (i) the land is designated for nature protection purposes; and
 - (ii) evidence is provided that satisfies the Administrator that the production of the relevant feedstock did not interfere with the nature protection purposes for which the land is designated;
- (c) land not falling within sub-paragraphs (a) or (b) which is designated for nature protection purposes, including for the protection of rare, threatened or endangered ecosystems or species, unless evidence is provided that satisfies the Administrator that the production of the relevant feedstock did not interfere with the nature protection purposes for which the land is designated;
- (d) highly biodiverse grassland spanning more than one hectare that is—

- (i) natural grassland that would remain as grassland and that maintains its natural species composition and ecological characteristics and processes in the absence of human intervention; or
 - (ii) non-natural grassland that would cease to be grassland in the absence of human intervention and that is species-rich and not degraded and which has been identified as being highly biodiverse, unless evidence is provided that satisfies the Administrator that the harvesting of the raw material is necessary to preserve its status as highly biodiverse grassland.
- 3.** Subject to paragraph 4, land with high-carbon stock that had one of the following statuses at any time in January 2008 and which no longer has that status—
- (a) wetlands, where the land is covered with, or saturated by, water permanently or for a significant part of the year;
 - (b) continuously forested areas spanning more than one hectare with trees higher than five metres and a canopy cover of more than 30%, or trees able to reach those thresholds in situ;
 - (c) land spanning more than one hectare with trees higher than five metres and a canopy cover of between 10% and 30%, or trees able to reach those thresholds in situ, unless evidence is provided that satisfies the Administrator that the GHG emissions saving from the use of the sustainable aviation fuel concerned is equal to or greater than the minimum GHG emissions saving applicable to the fuel at the time when it is used, as set out in Schedule 1.
- 4.** Paragraph 3 does not apply if, at the time the relevant feedstock was harvested, the land concerned had the same status as it had in January 2008.
- 5.** Land that was peatland at any time in January 2008, unless evidence is provided that satisfies the Administrator that the cultivation and harvesting of the raw material concerned did not involve drainage of previously undrained soil.

Schedule 3

Article 2

Forest criteria

- 1.** In this Schedule—
- “forest regeneration” means the re-establishment of a forest stand by natural or artificial means following the removal of the previous stand by felling or as a result of natural causes, including fire or storm;
- “sourcing area” means a geographically defined area—
- (a) from which the forest biomass is sourced;
 - (b) for which reliable and independent information is available to show that the requirements in paragraph 3(a) to (e) were met, and
 - (c) where conditions are sufficiently homogeneous to evaluate the risk of the sustainability, and legality characteristics, of the forest biomass.
- 2.** Forest biomass meets the forest criteria if the supplier provides evidence, by reference to the guidance published by the Administrator under article 14(1)(f), that satisfies the Administrator that the requirements in paragraphs 3 to 6 are met, subject to the exceptions set out in those paragraphs.
- 3.** Subject to paragraph 4, the country in which the forest biomass was harvested has in place a legal framework, including monitoring and enforcement systems, to ensure that—
- (a) the forest biomass has been harvested in accordance with applicable laws;

- (b) the area of harvesting of the forest biomass is subject to forest regeneration;
 - (c) the forest biomass has not been harvested from wetlands, peatlands or from a protected area, unless—
 - (i) the land is designated for nature protection purposes; and
 - (ii) the production of the relevant feedstock did not interfere with the purposes for which the land is designated for nature protection purposes;
 - (d) the harvesting of the forest biomass has been carried out with consideration for the maintenance of, and with the aim of minimising any decline in, soil quality and biodiversity; and
 - (e) the harvesting of the forest biomass has been carried out in a manner that maintains or improves the long-term production capacity of the forest from which it was harvested.
4. Where evidence is not available to demonstrate that the legal framework described in paragraph 3 is in place in the country concerned, the Administrator must be satisfied that management systems at the forest sourcing area level were in place in that country to ensure that the conditions in paragraph 3(a) to (e) were met.
5. Subject to paragraph 6, the country or regional economic integration organisation of origin of the forest biomass is a party to the 2015 Paris Agreement⁽¹⁾ and—
- (a) has submitted a nationally determined contribution (“NDC”) to the United Nations Framework Convention on Climate Change, covering emissions and removals from agriculture, forestry and land use which ensures that changes in carbon stock associated with forest biomass harvest are counted towards the country’s commitment to reduce or limit greenhouse gas emissions as specified in the NDC; or
 - (b) has laws in place, which are applicable in the area of the harvesting, and which regulate the harvesting of forest biomass, to conserve and enhance carbon stocks and sinks, and which require that evidence is provided to show that reported land-use, land-use change and forestry-sector emissions do not exceed removals.
6. Where evidence is not available to demonstrate that the requirement in paragraph 5 is satisfied, the Administrator must be satisfied that management systems were in place at the forest sourcing area level to ensure that carbon stocks and sink levels in the forest are maintained or increased over the long-term.

(1) The Agreement adopted at Paris on 12 December 2015 by the Conference of the Parties to the United Nations Framework Convention on Climate Change at its 21st session. A copy of the Agreement is available at https://unfccc.int/sites/default/files/resource/parisagreement_publication.pdf.