



WILDLIFE FIRST

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31st December, 2015

Shri Prakash Javadekar
Hon'ble Minister – Environment, Forests & Climate Change
Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj,
New Delhi – 110 003.

Dear Sir:

Sub: Policy Suggestions on Wildlife and Forest Conservation

New Year Greetings. It was a pleasure to interact with you at the program organized by Adamy Chetana, in Bangalore on 31st December, 2015.

We take this opportunity to present to you some key Policy Suggestion on Wildlife and Forest Conservation. This is based on our long-term involvement in conservation.

We do hope that you will carefully consider these suggestions and under your able leadership bring about the necessary changes in policy which will be a win-win solution to conserving forests and ensuring planned development.

If you so desire, we can meet you in Delhi and make a detailed presentation. We look forward to your response on this.

Thank you for your kind consideration

Sincerely

K.M. Chinnappa & Praveen Bhargav
Trustees



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31.12.2015

POLICY SUGGESTIONS ON CONSERVATION

Summary statement:

Wildlife First has been involved in conservation of forests and wildlife since 1995 and was nominated to the National Board for Wildlife (2007-2010). The undersigned trustee represented Wildlife First on the NBWL and served on the Wildlife (Protection) Act, 1972 (WLPA) sub-committee, the Boundary Rationalization Committee and as a member of NTCA site evaluation committees.

Fragmentation of forests, ie., the breaking up of large blocks of forests into smaller patches, and illegal hunting have been identified by scientific research as two of the most serious threats to long-term survival of wildlife and biodiversity. However, the Forest (Conservation) Act, 1980 [FCA] and process of granting clearances- **including the current on-line forest clearance system** - has been largely in-effective in addressing the threat of habitat fragmentation, which is the most important and urgent challenge while balancing forest conservation and development.

In our considered view, the 35,000 crore CAMPA corpus must be applied based on scientific knowledge. None of the international aid agencies allow for investments on consolidation of habitats. Therefore, CAMPA which is our sovereign fund, must be largely applied to defragment the remaining large blocks of natural old-growth forests through strategic land acquisitions of old leased lands with intact forests, voluntary resettlements, creation of corridors... in order to ensure habitat connectivity. Such a knowledge based approach is vital as there is clear scientific consensus that natural old growth forests are extremely crucial for sequestration of carbon which effectively mitigates the impact of Climate Change. Therefore, the current policy prescriptions including the CAF Bill 2015 which will enable large investments of CAMPA funds on "lucrative" but ecologically unjustified Compensatory Afforestation projects, that will mostly end up as '*monoculture tree plantations*', must be recast.

It is fervently hoped that the MoEF & CC will carefully consider these suggestions and ensure a paradigm shift from the current compensatory afforestation model to a scientific landscape / ecosystem model that will balance the conservation imperatives and development aspirations by incorporating such knowledge-driven ideas.



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SPECIFIC POLICY SUGGESTIONS ON CONSERVATION

1: Move from Compensatory Afforestation to a Landscape/Ecosystem Regime:

Forest fragmentation - the breaking up of large blocks of forest into smaller patches due to ill planned intrusion of developmental projects is one of the most serious threats to long-term conservation. Peer reviewed scientific research has clearly established that fragmentation has devastating impacts - it disrupts landscape connectivity, creates new edges, eliminates rare species and leads to steady degradation of habitat and increased human-wildlife conflict. Specific provisions are required in the FCA to address this vital issue and enable a fundamental change in the forest clearance regime towards a scientific landscape/ ecosystem approach that is anchored on minimizing fragmentation of large blocks of contiguous forests. **The present emphasis on measuring area lost and insisting on compensatory afforestation over twice the area diverted must not be the primary option.** Proposals for diversion of forest land amidst large forest blocks and/or forming part of a contiguous forested landscape - irrespective of the area sought - must ordinarily not be considered. The use of high resolution 3D satellite imagery, amongst other methods, would be an effective tool for analysis and decision making in this regard. **As regards scattered / small pockets of forests which do not form part of a large forested landscape or wildlife corridor or an important wildlife niche / wetland etc., amendments can be considered for a more enabling fast track forest clearance regime.**

2: At-least 5 % of India's landscape must be protected as inviolate habitats:

The National Wildlife Action Plan dedicated to the Nation by Prime Minister Atal Bihari Vajpayee in 2002 outlines an extremely important goal of ensuring that at-least 5% of India's land area is protected as 'inviolate habitats'. While this must be considered non-negotiable, a scientific boundary rationalization exercise can be carefully considered through a Committee with the most respected independent wildlife biologists and conservationists. A clear public commitment of ensuring that at-least 5% of India's land area remains inviolate must be made and respected in letter and spirit.

Apart from pressures on PAs from development projects, the enactment of the Forest Rights Act in 2006 has led to creation of private ownership of over twenty lakh hectares of public lands. Fragmentation of forests and rampant, commercial exploitation of non-timber forest products for insatiable markets will cause severe negative impacts in PAs. In the Indian context, harmonious co-existence, assumed as a fundamental premise, is a utopian myth since forests have shrunk drastically, and turned into tiny islands amidst a sea of humanity.



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All major project proposals must continue to be subjected to site inspections and impact assessments, as provided for under the WLPA. In cases where a site inspection is not possible, the area sought for diversion must be scrutinized by reviewing high resolution 3D satellite imagery to assess the impact due to fragmentation, corridor disruption etc.

3: Apply the best technology for mitigation:

Where no alternatives are feasible and wildlife habitat must be diverted for a properly justified public purpose of immense national importance, appropriate provisions may be added to impose a pre-condition that an additional forested area or corridor, at least 10 times the extent of what is being sought for diversion, must be added. The application of latest technology to minimize/mitigate the impact of fragmentation must be made mandatory. For Linear intrusions like Roads / Railways/ Power lines which constitute the bulk of clearance proposals, the best solution is to consider alternative alignments. However, when it is not feasible, measures such as scientifically designed overpasses or underpasses, tunnels, ecologically compatible bridge designs, canopy retention designs or nets; use of HV DC underground cables for critical stretches of power lines passing through PAs or ecologically sensitive forest areas would greatly minimize damage. **The Green Highway Policy unveiled by the Ministry of Road Transport, unfortunately, has missed out on a whole suite of science based solutions in mitigating the impact of Highways on PAs and large forested landscapes.**

4: Brand new Monitoring mechanism:

Monitoring is the weakest link in forest clearance process. The loopholes in the current regime - including the current on-line forest clearance system - give ample scope for exploitation by unscrupulous project proponents in collusion with authorities involved. The impetus for such brazen violations is because there has hardly been any major case where punitive action has been initiated.

Since most violations are clearly intentional, without timely detection, as is the situation now, there is little or no scope for rectification later. We therefore suggest that this important lacuna is appropriately addressed by introducing a brand new four stage monitoring process –

i. Commencement or start of breaking/clearing/marking/foundation stage of the project;

ii. Continuous – during all key identified project milestones;

iii. Periodic – annual / six months based on nature of the project; and

iv. Surprise - at-least 10% of cases including those where complaints or news reports of violations have been received / observed; must be made mandatory



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5: Integrated Public Consultation:

In order to streamline the clearance process for reducing delays and also to ensure that ample opportunity for hearing is provided to local people/civil society amendments in the FCA regime are necessary. A new procedure of a formal Integrated Public Consultation, similar to the one prescribed for Environment Clearance with appropriate additions to cover forest impacts such as loss of forest land, habitat fragmentation, threats to biodiversity/endangered species and habitat niches, wildlife corridor values including social impacts may be prescribed.

6: Improving Forest Cover and consolidation of habitats /corridors:

First, instead of the current emphasis on raising plantations, State Forest Departments must first identify non-notified areas that already have thick natural forests and notify such areas. Thickly wooded areas /natural forests under private ownership/old leased lands particularly in biodiversity hotspots and large forest blocks like Western Ghats must be acquired by the Government and notified;

Second, the Forest Survey of India/Ministry of Environment (MoEF) along with State Forest Departments must launch a major exercise to **identify areas where forests stand degraded but contain root stock**. Appropriate boundary protection measures like trenching, solar power fencing etc and foolproof fire protection measures must be the only activities that must be funded by CAMPA as part of compensatory afforestation. This is extremely important to ensure that we recover natural forests that are degraded and not create monoculture plantations with exotic trees in such degraded forests as is being done now. Therefore, the MoEF & CC must address this aspect to ensure that in such identified areas with rootstock, CAMPA funding is not provided for monoculture or even mixed plantation work.

Third, the transfer or mutation of non-forest land immediately adjacent to RFs/PFs and/or within enclosures of RFs or PAs/Tiger Reserves or in area forming important wildlife corridors must be made mandatory by deleting the provisions which empower States to routinely relax this condition. In order to speed up this process and reduce time delays, appropriate amendments must be recommended to ensure that States proactively identify, in association with scientific institutions/NGOs, private lands abutting PAs/Tiger Reserves or enclosures within such areas or large RFs which will minimize or eliminate fragmentation or honeycombing and contribute to create/enhance buffers or corridors. Project proponents must be provided such data so that they can quickly complete the transaction with private land owner willing to sell and comply with the requirements of Stage II clearance.
