

CEPF FINAL PROJECT COMPLETION REPORT

Organization Legal Name:	Envionics Trust
Project Title:	Empowering Local Communities and CSO's in the Nilgiris in Using EIA Process as a Conservation Tool
Date of Report:	30 th October, 2013
Report Author and Contact Information	Ritwick Dutta

CEPF Region: Western Ghats [Southern Western Ghats: Mysore-Nilgiri; Anamalai; and Periyar-Agastyamalai corridors]

Strategic Direction: Strategic Direction 1. Enable action by diverse communities and partnerships to ensure conservation of key biodiversity areas and enhance connectivity in the corridors

Grant Amount: (US \$): (US \$): 36000.0

Project Dates: 2011/12/1 to 2013/7/30

Implementation Partners for this Project (please explain the level of involvement for each partner):

Key stone foundation

Mines, Minerals and People (MMP):

Save the Western Ghats Movement: The revival of this group has meant that a platform for sharing ideas and issues with respect to western ghats is in existence. ERC will plan its activities around the issues flagged by members of 'Save the Western Ghats' movement.

River Research Centre, Kerala.

Tamil Nadu Green Movement :

Environmental Law Alliance Worldwide (ELAW) will provide scientific support to critique the Environment Impact Assessment reports.

OSAI

Conservation Impacts

Please explain/describe how your project has contributed to the implementation of the CEPF ecosystem profile.

The work of *Environics* Trust through the EIA Response Centre has led to issues with respect to Environment Impact Assessment (EIA), forest clearance and other environmental governance issues becoming prominent in the Nilgiris region. The issues with respect to Nilgiris are different as compared to the northern western ghats. Large scale mining, dams and thermal power plants are not proposed in the region for the time being. But the area is facing threats on account of tourism, roads, mini hydel power projects among others. Many of these projects are outside the purview of the EIA as well as forest clearance process. Thus the present project in the region has focused a lot on the need for cumulative impact assessment and the need to bring more categories of projects within the scope of environmental regulations.

The protection of wildlife corridors, forest and biodiversity rich areas, wetlands and other ecological entity is possible only with the effective implementation of environmental law and regulations. This in turn depends on active citizen engagement and participation in the environmental decision making process. Specifically, the project has contributed to the effective implementation of the CEPF ecosystem profile in the following manner:

- Enhanced community participation in environmental decision making through community action, representation before appropriate authorities and participation in public hearings.
- Systematic tracking of new industrial and other projects such as mining, dams, roads, power lines etc and critiquing the EIA and other related documents.
- Creation of a data base of EIA reports, compliance reports, public hearing minutes so as to ensure effective access to information as well as compliance with existing laws.
- Specific focus on water pollution issues as well as advocating for the need for cumulative impact assessment
- Ensuring compliance with existing environmental clearance conditions.
- Specific advocacy on the need to include new categories within the scope of environmental and forest clearance.

Please summarize the overall results/impact of your project.

The work in the Nilgiris region with an exclusive focus on EIA and Forest Clearance issues has led to the mainstreaming of environmental governance issues. However, the impact is not visible now for the reason that the work is still at the initial stages and policy reforms do take time. The environmental challenges in the region are varied and range from the environmental impact due to large scale banana cultivation, waste dumping, water pollution, brick kilns. The work of ERC has been to document issues which are yet to be followed

Planned Long-term Impacts - 3+ years (as stated in the approved proposal):

Significant reduction in threats to the Western Ghats Ecosystem due to the impacts of development projects (such as, mining, industrial, hydro-electric dams, etc.) that have been approved based on faulty and improper Environment Impact Assessment, reports and processes. Reduced impact of mega projects, due to fuller understanding of cumulative impacts, through promotion of cumulative impact assessments. Enhanced legal protection to key biodiversity and critical linkages within the northern Western Ghats provinces of Tamil Nadu, Karnataka and Kerala. Improved environmental appraisal and clearance processes at the national level, through generation of precedent and documentation of case studies within the Western Ghats. Improved access to the specialised justice forums like the National Green Tribunal by imparting specific trainings.

Actual Progress Toward Long-term Impacts at Completion:

We have managed to ensure that a strict vigil is kept on any new project which has the potential to cause threat to the western Ghats. Based on detailed study we have prepared grounds for inclusion of various projects which are currently not included within the scope of EIA for specific inclusion in the EIA process. Significant progress has been made for inclusion of brick kilns, mini hydel and wind mills within the scope of EIA and forest clearance. ERC is providing technical and legal inputs to groups in the region seeking to implement the recommendation of the WGEEP report.

Planned Short-term Impacts - 1 to 3 years (as stated in the approved proposal):

Greater awareness about the Environment Impact Assessment process among local communities and Civil Society Organizations to enable effective participation in environmental clearance processes for specific cases where biodiversity values and ecosystem services are compromised by proposed development projects. The value of 'Citizens Environment Impact Assessment' demonstrated as a practical tool for challenging currently planned destructive projects by regular critique of improper Environment Impact Assessment report on Scientific and Legal grounds. Increased capacity and confidence among local and grassroots Civil Society Organizations, to raise critical questions, obtain information under the Right to Information Act, and critique environmental clearance processes and Environment Impact Assessment reports. Establishment of a new channel of communication between affected communities and the Government, in the form of a 'Western Ghats Environment Impact Assessment Cell', which will ensure that the issues related to Environment Impact Assessment's and concerns of the local communities are communicated to the relevant agencies (e.g. the Expert Advisory Committee and Forest Advisory Committees of the Ministry of Environment and Forests, and the National Green Tribunal). Strengthened networks among local communities and

Civil Society Organizations working to safeguard critical biodiversity against incompatible development projects. Observed shift in the paradigm of relevant government agencies of the necessity of Comprehensive Environment Impact Assessment (i.e. based on studies covering Four Seasons not only One as at present) for all mega projects. Regular dissemination of information about Environment Impact Assessment and other issues through the Western Ghats Environment Impact Assessment Cell's website and through electronic updates. Greater coverage in local and national media of environmental clearance issues related to development projects in the Western Ghats. Appropriate mitigation strategies devised for selected development projects with existing environmental clearance through environmental audits.

Actual Progress Toward Short-term Impacts at Completion:

The short term impacts are visible to the extent that the ERC Western Ghats Cell is increasingly responding to EIA and forest related issues based on citizens demand. The following are some of the short term impacts visible:

1. Increase in number of groups raising concern about EIA related issues and specifically in raising concerns with respect to EIA report, public hearing proceedings and other related issues.
2. Greater collaboration among environmental, wildlife and social action groups on EIA issues.
3. Regular representations before Expert Appraisal Committee and State Level Expert Appraisal Authority with respect to proposed projects and its implication on people and the environment. The representation are based on critiques of EIA done by ERC.
4. Better information dissemination through electronic updates including analysis of forest land diversion and environment clearance.
5. Increased coverage of EIA issues in national and local media as a result of regular updates given by ERC field units.
6. Rapid response through field visit and photo documentation of violations of environment laws by the field units thereby preventing diversion of forest land.
7. Greater vigil on various authorities at the state and national level through use of RTI so as to ensure accountability and transparency.

Please provide the following information where relevant:

Hectares Protected:

Species Conserved:
Corridors Created:

Describe the success or challenges of the project toward achieving its short-term and long-term impact objectives.

Bringing about systematic reform in policy, law and practice is time consuming and the results are really visible in short time span. However, what is significant of ERC work is the fact that issues concerning environmental governance especially with respect to EIA and forest clearance were to a significant extent mainstreamed within the larger governance framework. Prior to the work of ERC, the EIA and Forest Clearance related issues were rarely understood by local groups and individuals. The EIA process and the forest clearance process were to legalistic and technical for an average activist or NGO to be familiar about. ERC play the role to bridge the gap between the complex world of EIA and forest clearance and the concerns of the local affected people. The first task undertaken by ERC was effective collection followed by analysis of data and information. This was followed by an elaborate and details process of mapping areas which were mined and areas where industries and other projects and either been setup and proposed, further the time. These documents were the basis for seeking mandatory accumulative impact assessment before new projects are allowed to come up. The various capacity building programs greatly enhanced public knowledge with regard to the damaging consequences of such mindless developmental activities. The training programs as well as enhanced information dissemination coupled with legal understanding led to increased number of petitions / applications before the newly established National Green Tribunal. As a result of this intervention at multiple level, large scale destructive projects were not approved and long term studies initiated for other proposed projects. One of the most significant success of ERCs work has been the fact at groups in Western Ghats now know where to approach for EIA and Forest clearance related issues. Further, various civil society groups irrespective of their focus of work are now involved in some way or the other in environmental governance related issues.

Were there any unexpected impacts (positive or negative)?

No

Project Components

Project Components: *Please report on results by project component. Reporting should reference specific products/deliverables from the approved project design and other relevant information.*

Component 1 Planned: Capacity built among at least 10 local and grassroots Civil Society Organizations in the Southern Western Ghats on the following topics: 1. The EIA

Process and Forest Clearances 2. Non-Compliance, Ecological Damages and Claims for Compensation 3. Approaching the National Green Tribunal.

Component 1 Actual at Completion:

1.1 We organized a total of 3 capacity building programs on EIA instead of 8 as planned. However, this was in view of the fact that we combined the training program an increase the number of participants. Thus, a total of 210 participants were oriented in the trainings which took place in Coimbatore, Bangalore and Cochin.

1.2 Local groups including OSAI and River Research Centre have organized smaller focused training program.

Component 2 Planned:

Providing a link to Nilgiris ERC EIA Cell to the existing portal

Component 2 Actual at Completion:

2.1 The website of the ERC has specific focus on Western Ghats where all EIA related information has been uploaded.

2.2 Updated Google map with information with regard to dams and mines is uploaded on ERC website.

2.3 Weekly updates provided with regard to all projects in Western Ghats.

Component 3 Planned:

'ERC Western Ghats Environment Impact Assessment Cell' established as an independent action and advocacy initiative group (with Scientific and Legal Expertise) and handles at least 50 cases in the northern Western Ghats.

Component 3 Actual at Completion:

3.1 The Nilgiri cell has dealt with nearly 12 issues over the project period. It has dealt with issues ranging from mini Hydel projects, brick kilns, roads, transmission line, pollution due to effluent discharge from factories, diversion of forest land for Banana cultivation, solid wastes management issues, tourism and related facilities.

3.2 Informal network of Experts comprising 18 subject specialists has been formed.

3.3 Three communication products; a simple manual to National Green Tribunal, EIA notification, and public hearing produced.

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| 3.4 | Out of the total of 7 fact sheets planned to be produced, 4 have been prepared and 3 are in review. |
| 3.5 | Information has been procured for 11 projects and more are under by using provision of Right to Information Act. |
| 3.6 | No public hearing took place in the region. |

Were any components unrealized? If so, how has this affected the overall impact of the project?

The components with respect to third party record of public hearing could not meet its target. This however, did not affect the overall project. The fact sheet component which was part of component 3 also could not achieve its target. However, the target will be met within a short period of time.

Please describe and submit (electronically if possible) any tools, products, or methodologies that resulted from this project or contributed to the results.

Lessons Learned

Describe any lessons learned during the design and implementation of the project, as well as any related to organizational development and capacity building. Consider lessons that would inform projects designed or implemented by your organization or others, as well as lessons that might be considered by the global conservation community.

The present project also shows how Principle 10 of the Rio declaration can be effectively put into operation. Principle 10 states that environmental issues are best handled by the participation of all affected person. Every citizen must have the ability to participate in decisions which concerns their environment and must have information with regard to the environment. There must be also effective ways of public participation and access to justice. The present project is based on effective participation in EIA process, the public hearing process, access to EIA document and access to avenues of justices (National Green Tribunal). The various issues handled by ERC clearly shows how the three pillars of environmental democracy i.e. access to information, public participation and access to justice is critical to biodiversity conservation.

The Nilgiri's and the adjoining areas of the western ghats face a different kind of threats as compared to the Northern Western Ghats and Konkan Region. The conservation strategy as well as advocacy for policy reforms must follow a

different strategy as compared to other regions. It is evident that the small activities such as tourism, cultivation of Banana which otherwise would be viewed as having minor impact assume relatively gigantic proportion in view of cumulative impact of these projects and its capacity to hinder the movement of wildlife species. The Nilgiri's region also has a vibrant environmental movement and they could be creatively engaged in EIA related issues. The success of the collective effort in stalling projects such as neutrino observatory in the Mudumalai corridor is an example for the conservation community. It is essential that appropriate financial and other technical support is provided to groups in the regions so that they are able to effectively raise through scientific and legal instruments the potential ecological danger in the region.

Project Design Process: (aspects of the project design that contributed to its success/shortcomings)

The project was designed in such a way that it was to be done in collaborations with other groups. It was recognized that ERC on its own neither has the manpower nor resources to lead any single conservation effort. Rather given the human skill and resources it was decided that ERC will only concentrate on providing technical, scientific and legal support to existing environmental groups. Further, information collection and dissemination was seen as a critical aspect which needed focus. Keeping these in view the role of ERC was essentially to collect and compile information, provide critiques to EIA report and provide legal advice to communities and CSOs.

Project Implementation: (aspects of the project execution that contributed to its success/shortcomings)

The main factor which has contributed to the success is the fact that ERC has been able to respond to the range of issues in the region which has been possible principally because the team at ERC comprises of environmental lawyers, scientists, community mobilizer, and has credibility for working for grass root groups for more than a decade. Further, ERC has played essentially a supporting role in the region by providing technical, scientific, legal inputs to existing initiatives to protect the environment. This has led to a feeling of ownership and the fact that it is the affected people and local groups who will be at the fore front of environmental conservation efforts and not ERC. Thus ERC role as a support group to other local groups has contributed to its acceptance in the region and is seen as a worthy resource.

Other lessons learned relevant to conservation community:

Additional Funding

Provide details of any additional funding that supported this project and any funding secured for the project, organization, or the region, as a result of the CEPF investment in this project.

Donor	Type of Funding*	Amount	Notes
Ecosystem Alliance	B	USD 75,000	
Sierra Club	B	USD 50,000	

****Additional funding should be reported using the following categories:***

- A*** *Project co-financing (Other donors or your organization contribute to the direct costs of this project)*
- B*** *Grantee and Partner leveraging (Other donors contribute to your organization or a partner organization as a direct result of successes with this CEPF funded project.)*
- C*** *Regional/Portfolio leveraging (Other donors make large investments in a region because of CEPF investment or successes related to this project.)*

Sustainability/Replicability

Summarize the success or challenge in achieving planned sustainability or replicability of project components or results.

The work of ERC has been appreciated by groups within the country and abroad. As a result of the work many donor agencies have shown interests and ERC unit has been established in the Eastern Ghats, following the model of Western Ghats. The interest of donor groups as well as of communities who have approached ERC shows that the model is sustainable and it is very much possible to replicate the same. The capacity building programs are worth replicating in other path of India and world and further the results can also be replicated.

Summarize any unplanned sustainability or replicability achieved.

Nil

Safeguard Policy Assessment

Provide a summary of the implementation of any required action toward the environmental and social safeguard policies within the project.

Nil

Additional Comments/Recommendations

There need to be greater support for civil society engagement in the EIA process given the fact that natural resources are under increasing threat due to industrialization and related construction activities.

Information Sharing and CEPF Policy

CEPF is committed to transparent operations and to helping civil society groups share experiences, lessons learned, and results. Final project completion reports are made available on our Web site, www.cepf.net, and publicized in our newsletter and other communications.

Please include your full contact details below:

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*****If your grant has an end date other than JUNE 30, please complete the tables on the following pages*****

Performance Tracking Report Addendum

CEPF Global Targets

(Enter Grant Term)

Provide a numerical amount and brief description of the results achieved by your grant.

Please respond to only those questions that are relevant to your project.

Project Results	Is this question relevant?	If yes, provide your numerical response for results achieved during the annual period.	Provide your numerical response for project from inception of CEPF support to date.	Describe the principal results achieved from July 1, 2012 to May 30, 2013. (Attach annexes if necessary)
1. Did your project strengthen management of a protected area guided by a sustainable management plan? Please indicate number of hectares improved.				Please also include name of the protected area(s). If more than one, please include the number of hectares strengthened for each one.
2. How many hectares of new and/or expanded protected areas did your project help establish through a legal declaration or community agreement?				Please also include name of the protected area. If more than one, please include the number of hectares strengthened for each one.
3. Did your project strengthen biodiversity conservation and/or natural resources management inside a key biodiversity area identified in the CEPF ecosystem profile? If so, please indicate how many hectares.				

<p>4. Did your project effectively introduce or strengthen biodiversity conservation in management practices outside protected areas? If so, please indicate how many hectares.</p>				
<p>5. If your project promotes the sustainable use of natural resources, how many local communities accrued tangible socioeconomic benefits? Please complete Table 1 below.</p>				

If you answered yes to question 5, please complete the following table

Total																			

If you marked "Other", please provide detail on the nature of the Community Characteristic and Socioeconomic Benefit: