

Bhutan for Life

Environmental and Social Management Plan for Biological Corridor 7 (2020)

1. Introduction

(A) Project Background

The Bhutan for Life (BFL) project aims to ensure a robust network of protected areas and biological corridors that secures human well-being, biodiversity conservation and increase climate resilience in Bhutan. The project provides a 14-year financial bridge that allows for immediate improvement in the management of Bhutan's protected areas for climate resilience, and the prompt delivery of mitigation, adaptation and biodiversity gains, while the country gradually ratchets up its own financing resources.

BFL seeks to achieve the following objectives:

- Help Bhutan remain carbon neutral by increasing forest and vegetative cover within the Protected Area System;
- Enhance the socio-economic wellbeing of communities in and in the vicinity of the PAS through climate-informed natural resources management;
- Maintain stable, thriving and diverse populations of key species contributing toward national and global biodiversity goals;
- Strengthen organizational, institutional, and financial capacity for effective management of PAS.

BFL includes five components that reflect these goals, divided into 16 milestones (or outputs) and over 80 detailed activities.

(B) Scope of ESMP

The preparation of this Environmental and Social Management Plan (ESMP) was required in order to manage the environmental and social impacts through and specific mitigation actions required to implement the project in accordance with the requirements of WWF's Social Safeguards Integrated Policies and Procedures (SIPP), the project's Environmental and Social Management Framework (ESMF), and applicable national legislation and regulations.

The ESMP provides an overview of the environmental and social baseline conditions on the routes of the proposed second segment of the project, summarizes the potential impacts associated with the proposed activities and sets out the management measures required to mitigate any potential negative impacts.

This ESMP will be implemented by BFL focal person in each park authority (PA) and biological corridor (BC), and by the contractor to be commissioned by each PA/BC for the project.

(C) Purpose of ESMP

This Site-Specific ESMP is a project-specific source document detailing the environmental and social protection requirements to mitigate and minimize the adverse impacts. The ESMP's primary purpose is to ensure that the environmental requirements and social commitments associated with the project are carried forward into implementation and operational phases of the project and are effectively managed. The specific objectives of this ESMP are as hereunder:

- Minimizing any adverse environmental, social and health impacts resulting from the project activities;
- Conducting all project activities in accordance with the relevant RGoB Laws and WWF's safeguard operational policies and guidelines;

- Preventing environmental degradation as a result of either individual subprojects or their cumulative effects;
- Enhancing the positive environmental and social outcomes of project activities;
- Ensuring that the proposed mitigation measures are feasible and cost-efficient;
- Providing an Action Plan to ensure that the project impact mitigation measures are properly implemented and monitored;
- Ensuring that all stakeholders are engaged in the project activities' preparation and implementation, and their concerns are fully addressed.

(D) Applicable law, policies, and regulation

This ESMP is developed by following the guidelines as set forth in the BFL's ESMF.

Applicable RGoB laws and policies include the Constitution of the Kingdom of Bhutan, 2008; legislation on land and moveable property (Land Act of Bhutan 2007; Land Rules, 2007; The Moveable Cultural Property act of Bhutan, 2005); legislation and regulations on forests and protected areas (National Environment Protection Act, 2007; Forest and Nature Conservation Act of Bhutan, 1995; Forest and Nature Conservation Rules and Regulations of Bhutan, 2017; National Forest Policy, 2011); legislation on water and waste prevention (Water Act of Bhutan, 2011; Waste Prevention and Management Act, 2009); legislative requirements on environmental assessment (Environmental Assessment Act, 2000 and Regulations on the Environmental Clearance of Projects, 2001); and other relevant laws (The Local Government Act of Bhutan, 2009; Livestock Act of Bhutan, 2001; The Biodiversity Act of Bhutan, 2003; The Pesticides Act of Bhutan, 2000; The Penal Code of Bhutan, 2004; National Access and Benefit Sharing (ABS) Policy (Draft), 2014).

WWF's safeguards policies that are relevant to this project are as follows: Policy on Environment and Social Risk Management; Policy on Protection of Natural Habitats; Policy on Involuntary Resettlement; Policy on Indigenous Peoples; Standard on Pest Management; Policy on Accountability and Grievance System; Standard on Physical Cultural Resources; as well as general standards on occupational and community health and safety and on energy efficiency.

In general, RGoB's laws, policies, and guidelines are in line with the WWF's environmental and social safeguards requirements. However, there are a few differences between the two systems. With regard to environmental impacts, there are no direct contradictions between the RGoB laws and regulations and the WWF's SIPP, but the requirements of the latter are more extensive. All project activities should fully comply both with the RGoB's Regulations on the Environmental Clearance of Projects, and with the procedures and mitigation measures prescribed in this ESMF. In case that the WWF's SIPP requirements are more extensive, strict, or detailed than the RGoB legislation and policies, the former will apply to all project activities. With regard to social impacts, the primary discrepancies between the RGoB laws and regulations and the WWF's SIPP refer to the status of non-title holders and informal land use, and the commitment to participatory decision-making processes. First, according to the WWF's SIPP, all users of land and natural resources (including people that lack any formal legal ownership title or usage rights) are eligible to some form of assistance or compensation if the project adversely affects their livelihoods. The RGoB laws only recognize the eligibility of land owners or formal users to receive compensation in such cases. Second, the WWF's SIPP require extensive community consultations as part of the development of various safeguards documents and during project activities. RGoB legislation does not include similar requirements. For the purposes of the BFL project, the provisions of the WWF's SIPP shall prevail over the RGoB legislation in all cases of discrepancy.

2. Environmental and Socio-Economic Conditions

Mongar Division looks after the conservation, protection and utilization of forest resources of two districts namely Mongar and Lhuntse. Two BCs run through Lhuntse Dzongkhag; the North Corridor which connects Wangchuk Centennial National Park and Jigme Singye National Park runs through Gangzur, Menbi and Minjey Geog. The biological corridor 7 (BC 7) runs through Tsengkhar, Jaray and Tsamang Geog.

BC 7 is one of the biological corridors which connect two greater landscapes of Bumdeling Wildlife Sanctuary and Phrumsengla National Park with an area of 79 square kilometres as shown in Figure 1 and Figure 2.

Though BC 7 is basically created to support the focal species like Tiger, Red Panda and Musk Deer, it lacks management plan for monitoring the corridor. The regulatory framework for biological corridors in Bhutan has also recommended having management plans for all the corridors and operationalizing on the ground by January 1, 2015.

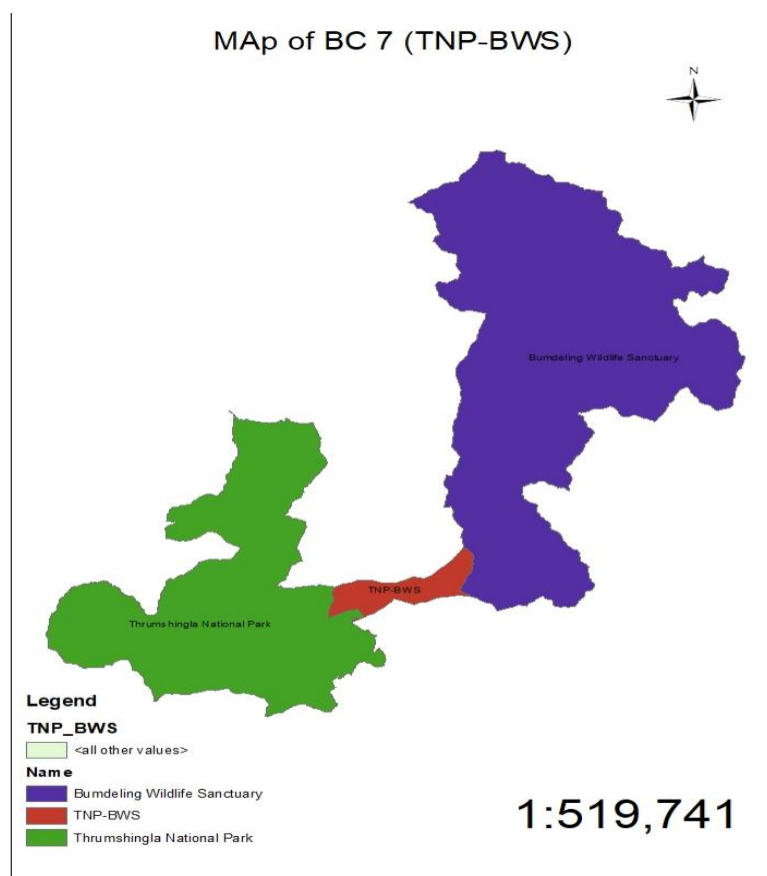


Figure 1 Location of BC 7

Biodiversity

Although some part of BC 7 falls in the jurisdiction of Mongar Division, the activities like biodiversity survey, management plan writing etc. are taken care by Bumthang Division.

The recent biodiversity survey in BC 7 has been carried out with the fund provided by BFL (GCF). The biodiversity survey has helped BC 7 to identify the following:

- Mammals = 21 species
- Birds = 162 species
- Plants = under compilation

Communities

There are about 214 households residing within BC 7. There are many important religious and cultural sites existing in BC 7 such as Namdruling Gonpa, Damar Ney falls in BC 7. The proposed satellite town of Autsho also falls within BC 7. The activities planned for 2020 do not have any impacts as these communities are around 30 kms from the activity sites.

The actual activity falls within BC 8 jurisdiction but monitored by BC 7 and will be further biological corridor will be part BC7 as a directive from the Department.

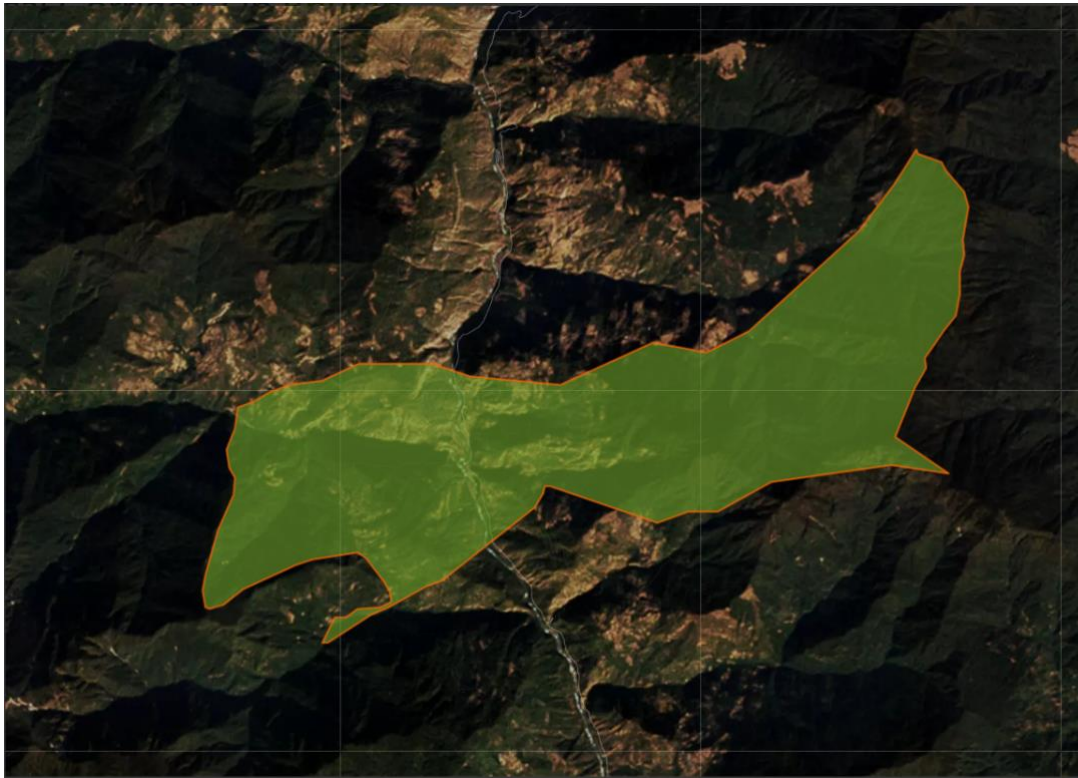


Figure 2 Area of BC 7

3. Planned activities in the specific PA/BC in Year 2020

1. Improvement of waterholes: Waterholes are considered important habitat for wildlife as it provides water to wildlife. The activity involves cleaning and removing of debris, development of passages for wildlife to the waterhole. The area is planned in biological corridor No 7 in Tsengkhar Geog under Lhuntse Dzongkhag. Planned date is July 2020 to December 2020. The waterhole is far away from the existing settlement of Tsengkhar village having more than 100 households. The distance of the proposed waterhole is about 2kms from the settlement. The proposed budget is USD 4761.90 There will be 10 number of local workers escorted by the forestry officials.

If not monitored well, there will be likely of poaching in those areas but BC7 has selected waterhole places in areas which can be monitored well by the rangers. To minimize the risk of human wildlife conflict, they will be advised to move in groups after dawn and before dusk.

For this activity, some of the potential environmental and social impacts are following:

- Wastes: soil from excavation activities and waste from digging activities
- Workers' health and safety
- Increased poaching waterholes will become a hotspot for animals gathering in one site thereby increasing the risk of poaching
- Human wildlife conflict.

2. Combined Zonation

This activity includes demarcation of BC 7. The activity covers the whole area of BC 7 and is included in the conservation management plans of BC 7. The planned date is from July 2020 to December 2020 and the budget for the activity is USD 10000. There will be physical demarcation like installation of boundary pegs. The area includes combination of conserved area and settlements by local community of around 200 households. The demarcation will be carried out as per the existing zonation guidelines where the access of local community to any resources will not be restricted.

The activity includes two phases. First phase is consultation with the community for making zones of BC area where the community have access to the natural resources and their user right and all the settlements who are within the administrative boundaries. Communities use timber, firewood, fodder and sand from the allocated areas.

The following are the impacts for the activity:

- Wastes during the consultation meeting and peg fixation at the sites

4. Environmental and Social Impacts and Mitigation Measures

1. Improvement of waterholes

Potential impact	Impact scale	Proposed mitigation measures	Responsible party	Costs
Activity: Water hole restoration				US\$4,761.90
Waste: soil from excavation activities and waste from digging activities	Short term Minor	<ul style="list-style-type: none"> • Proper containers/waste bins should be provided at the project site; • Dumping of waste in the waterholes, in the protected areas or in other non-designated places should be strictly prohibited. • Dumping of waste shall be prohibited on fragile slopes, forests, religious or other culturally sensitive areas or areas where livelihood is derived; • Collection, transportation and final disposal of all waste should be collected on a daily basis and not left in the protected areas. • Burning of wastes should be prohibited. 	BFL focal point in [BC 7]	Included in the activity budget
Workers' health and safety	Short term Minor	<ul style="list-style-type: none"> • Follow the workers' health and safety guidelines as attached to the ESMP. • Ensure first aid kits and safety gears to the workers. • Ensure that no underage workers, or children are engaged • Decent work conditions, including an appropriate salary, working hours, accommodation 	BFL focal point in [BC 7]	Included in the activity budget

		<p>and food for workers shall be provided to all workers</p> <ul style="list-style-type: none"> workers are employed on the principle of equal opportunity and fair treatment, and there is no discrimination with respect to any aspects of the employment relationship, such as recruitment and hiring, compensation (including wages and benefits), working conditions and terms of employment, access to training, job assignment, promotion, termination of employment or retirement, and disciplinary practices. A grievance mechanism for workers (and their organizations, where they exist) to raise workplace concerns should be in place. 		
Increased poaching	Short term Minor	<ul style="list-style-type: none"> Waterholes restoration is in the existing area. Increased patrolling of BC authorities should be carried out during and after the waterhole restoration. 	BFL focal point in [BC 7]	Included in the activity budget
Human Wildlife conflict	Short term Minor	<ul style="list-style-type: none"> Planning of the activity during day time after dawn and before dusk. Moving and working in groups. 	BFL focal point in [BC 7]	Included in the activity budget

2. Combined zonation:

Potential impact	Impact scale	Proposed mitigation measures	Responsible party	Cost
Activity: Combined zonation				USD 10,000
Wastes during consultation and peg fixing	Short term Minor	<ul style="list-style-type: none"> Proper containers/waste bins should be provided at the consultation and the peg fixation sites; Dumping of waste on the sides of the road, on private land, or in other non-designated places should be prohibited. Dumping waste shall be prohibited on fragile slopes, forests, religious or other culturally sensitive areas or areas where livelihood is derived 	BFL focal person (BC 7)	Included in the activity budget

5. ESMP Implementation arrangements

The implementation of project activities will be carried out by the BFL focal person in BC 7. The focal person will be responsible for compliance with all procedures outlined in this ESMP, as well as compliance with any requirements to obtain clearances, permits, approvals, or consent documents from relevant authorities and stakeholders.

This ESMP should be part of the contract that the PA will sign with the Contractor(s), if any for implementation of the planned activities in BC 7 in 2020. The Contractor is obligated to perform all proposed preventive or mitigation environmental and social measures in this plan and to keep the evidence of any documents related to applying these measures (e.g., letter asking the municipality for disposal of inert waste, records on OHS information session performed for all workers before start of activities, all developed EHS plans, etc.). An OHS information session should be organized by the Contractor for all workers prior start the project activities and prior any specific tasks with high health risks.

The Supervising Engineer of BC 7 needs to monitor the implementation of proposed measures by the Contractor and Contractor's subcontractors with visual checking, reviewing the records of evidence that the measures have been applied and ask the Contractor to apply the measures as soon as possible. Non-compliances should be recorded and the Report on any non-compliances should be reported to the ESS consultants immediately, and the ESS consultants will report it to the PCU (M&E Officer). Each non-compliance should be closed with appropriate measure/s and the evidence should be kept.

Disbursement of project funds to the PA will be contingent upon their full compliance with the safeguards requirements.

6. ESMP monitoring arrangements

The BFL focal person in BC 7 will closely monitor the implementation of all planned activities and the required mitigation measures, and ensure that they fully comply with this ESMP and with the terms and conditions included in the environment clearances issued by RGoB's national authorities.

BC 7 is also fully responsible for the compliance of all external contractors and service providers working in the BC 7 with the safeguards requirements outlined in the ESMP.

The monitoring of activities under this ESMP will be carried out in the following manner:

1. Improvement of waterholes

- Monitoring by implementing entities:
 - Field visits at least twice-during the intervention and within three months after the intervention

Date	Location	Report
July, 2020	Lhuntse Dzongkhag, BC 7	Inspection of site
November, 2020	Lhuntse Dzongkhag, BC 7	SMART Patrolling
December, 2020	BC 7	Completion report

- Reports by the implementing entities submitted to ESS consultants within a week after each field visit

Date	Location	Report
August, 2020	BC 7	Implementation Report
November, 2020	BC 7	Patrolling report
December, 2020	BC 7	Completion report

- Monitoring by ESS consultants:
 - Field visits by ESS consultants – at least once during the intervention, together with the implementing party

Date	Location	Report
August, 2020	Lhuntse Dzongkhag, BC 7	Inspection of site

- Reports by ESS consultants to the PCU (M&E officer) – within one week after the field visit and within three months after the intervention

Date	Location	Report
August, 2020	PCU, Thimphu	Report on inspection of site
December, 2020	PCU, Thimphu	Annual Progress report

- Reports by PCU (M&E officer) to Secretariat – within two weeks after receipt of ESS consultants' report.

Dates	Location	Report
15 January, 2020	BFL	Annual Progress Report
15 July, 2020	BFL	Semi-Annual Progress Report
15 January, 2021	BFL	Annual Progress Report

- Reports of the Secretariat to WWF US-bi-annually, as part of mid-year and final APR

Dates	Location	Report
31 January, 2020	WWF	Annual Progress Report
31 July, 2020	WWF	Semi-Annual Progress Report
31 January, 2021	WWF	Annual Progress Report

2. Combined zonation:

- Monitoring by implementing entities:
 - Field visits - at least once during the intervention by implementing entities, and then three months after the intervention.

Dates	Location	Report
July, 2020	PWS	Implementation
October, 2020	PWS	Monitoring

- Reports submitted by the implementing entities to ESS consultants once after the completion of the intervention, and then three months after the intervention

Dates	Location	Report
August, 2020	PWS	Implementation report
November, 2020	PWS	Monitoring report

- Monitoring by ESS consultants:
 - Field visits - at least once during the intervention

Dates	Location	Report
August, 2020	PWS	Implementation

- Reports submitted once by ESS consultants within a week after the field visit, and then for semi-annual reporting to the PCU (M&E officer)

Dates	Location	Report
August, 2020	PCU	Implementation report
December, 2020	PCU	Annual Progress Report

- Reports by PCU (M&E officer) to Secretariat

Dates	Location	Report
15 January, 2021	BFL	Annual Progress Report

- Reports of the Secretariat to WWF US - bi-annually, as part of mid-year and final APR

Dates	Location	Report
30 January, 2021	WWF	Annual Progress Report

7. Capacity Need and Budget

Activities under this ESMP will be implemented by the BFL focal person, supervising engineer, and a contractor that will employ workers as mentioned in the contract agreement. The budget for each of the activities is:

1. Improvement of waterholes: USD 4,761.90
2. Combined zonation: USD 10,000

8. Consultation and Disclosure Mechanisms

This ESMP has been prepared in a participatory manner, and a community consultation will be carried out to inform local communities regarding the planned project activities to solicit their opinions, and enable them to question proposed mitigation measures. The minutes of meeting for any consultation's meetings related to the planned activities will be recorded and maintained as per the requirement of this ESMP.

The full English version of this ESMP, as well as an executive summary in Bhutanese, shall be disclosed on the website of MoAF, BFL and WWF, Bhutan Program. Hard copies of the ESMP should also be available at the PA Management Office and at the PCU Office.

9. Stakeholder engagement plan

The local community that resides in the vicinity of the planned BFL activities in BC 7 will be engaged throughout the implementation of these activities.

- a. Improvement of waterholes:
 - Date: July, 2020
 - Agenda: Information regarding waterholes and management of waterholes.
 - Location: Lhuentse Dzongkhag
- b. Combined zonation:
 - Date: July, 2020
 - Agenda: Access to resources, community awareness on zonation.
 - Location: Mongar

The BFL focal person has to submit the official minutes of consultation meetings (along with a list of participants, disaggregated by gender and age) to ESS consultants within one week after the completion of the consultation. The ESS consultants will submit the consultation reports to the PCU (M&E officer) one week after their receipt. The PCU (M&E officer) will report to the Secretariat on a semi-annual basis.