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རྒྱལ་ཁྲིམས་དང་རང་བཞིན་ཐོན་སྐྱེད་ལྷན་ཁག་།
མཐའ་འཁོར་གནས་སྡངས་དང་ས་གཤིས་འགྱུར་བཟོད་ལས་ཁུངས་།
Department of Environment and Climate Change
Ministry of Energy and Natural Resources
Royal Government of Bhutan
Thimphu

BHUTAN
Believe

DECC/EACD/Dzo-S/Jongkhar/4364/2024/ 120

August 30, 2024

ENVIRONMENTAL CLEARANCE

In accordance with Section 34.1 of the Environmental Assessment Act 2000, this Environmental Clearance (EC) is hereby issued to the **Bhutan Power Corporation Limited (BPCL)** (hereby referred to as the “holder”) for the **construction of Transmission Line from Jomori Hydropower Plant to Phuntshothang Substation at Samdrup Jongkhar Dzongkhag** with the following terms and conditions:

I. General

The holder shall:

1. Comply with provisions of the National Environment Protection Act 2007, Environmental Assessment (EA) Act 2000 and Regulation for Environmental Clearance of Projects (RECOP) 2016, Waste Prevention & Management Act of Bhutan 2009 and its Regulation 2012 (Amendment 2016), The Water Act of Bhutan 2011 and its Regulation 2014 and Regulation on the Substances that Deplete the Ozone layer and Hydrofluorocarbons (HFCs) 2021 Bhutan;
2. Ensure that the activity is in line with the Environmental and Social Impact Assessment (ESIA) report and the project documents submitted for EC;
3. Ensure that local communities, properties and any religious, cultural, historic and ecologically important sites are not adversely affected by the activity;
4. Restore the damage of any public or private properties caused by the activity;
5. Ensure that studies are undertaken to minimize the impact on fauna and a proper mitigation/management plan is proposed and implemented at the promoters own cost if deemed necessary by the DECC;
6. Inform the DECC prior to the commissioning and decommissioning of the project and its ancillary facilities;
7. Inform the DECC and any other relevant authorities of any unanticipated or unforeseen chance-find of any precious metals or minerals or articles, that have economic, cultural, religious, archeological, and/or ecological importance;
8. Ensure that the activity does not use polychlorinated biphenyls (PCBs) at any stage of the project phase;
9. The holder shall ensure to restore areas disturbed due to the activity;
10. Ensure that safety sign boards are posted at strategic locations, including sign boards indicating where the specific safety gadgets are required;
11. Erect a signboard at the take-off point of the main entry of the project area stating the name of the project and contact address; and
12. Ensure that the copy of the EC is framed and displayed at the workplace/site office.

II. Environmental Standards

The holder shall comply with the Environmental Standards 2020.

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III. Import and use of ODS

The holder shall import and use Ozone Depleting Substances (ODS) and the Hydrofluorocarbons (HFCs) as per the Regulation on the Substances that Deplete the Ozone layer and HFCs, 2021 Bhutan.

IV. Protection and management of water resources

The holder shall ensure that the activity does not disrupt the water flow and pollute the water bodies.

V. Waste prevention and management

The holder shall:

1. Manage wastes generated from the activity (construction sites, labor camps, etc.) with the application of 4R (Reduce, Reuse, Recycle, Responsibility) principle and other environmentally friendly methods of waste management;
2. Ensure that wastes generated from the activity is not mixed with the domestic wastes and dumped separately at pre-identified approved dumpsite;
3. Ensure that import and use of hazardous wastes are strictly prohibited; and
4. Ensure that wastes are properly stored prior to disposal/dispatch.

VI. Management of excavated materials and fugitive emission and surface run-off

The holder shall:

1. Ensure that excavated materials generated from construction of the towers are used for backfilling the tower pits;
2. Dispose of excavated materials generated during the construction of approach road only at the pre-identified/approved dump sites;
3. Put appropriate measures i.e. retaining walls for management of surface run-off to avoid erosion and landslides; and
4. Ensure that dust generated from the proposed activities and vehicular movement is adequately suppressed by sprinkling water.

VII. Protection and Conservation of Biodiversity

The holder shall:

1. Ensure that natural regeneration of vegetation in the project affected areas are facilitated;
2. Ensure that Biodiversity Management Plan is implemented in coordination with the Department of Forest and Park Services to minimize biodiversity impacts;
3. Ensure to conduct monitoring of the flora and fauna species identified in the Environmental Management Plan on a continuous basis to keep track of population and maintain records accordingly.

VIII. Implementation plan

The holder shall prepare a detailed implementation plan focusing on the implementation of terms and conditions of this EC and submit to DECC within three (3) months from the date of issue of this EC as per the reporting format attached herewith.

IX. Monitoring and reporting

The holder shall:

1. Ensure that the effective day-to-day monitoring of the EC terms and conditions are carried out by the environmental unit or designated environment focal person;



2. Maintain monthly records on wastes generated and its management – stating types (construction and general wastes), quantities, characteristics and submit to DECC quarterly;
3. Maintain records of water used for the project (separately for industrial and domestic purposes) and submit it to DECC quarterly;
4. Maintain records of afforestation/ progressive/ compensatory restoration/ plantation (in consultation with Department of Forest and Park Services (DoFPS)/Green Bhutan Corporation Limited (GBCL)) stating number and types of trees planted and submit them to DECC quarterly; and
5. Submit a management plan for all temporary ancillary facilities along with the Contractor's Environmental Management Plan (CEMP).

X. Renewal and modification

The holder shall:

1. Ensure that renewal of this EC is submitted to the DECC at least one (01) to three (3) months prior to its expiry along with a copy of EC, a report on the implementation of its terms and conditions as per the format attached and payment of prescribed renewal application fee failing to which the applicant shall be liable for penalty as per the RECOP 2016; and
2. Obtain prior approval from DECC for any modification to the existing proposal/application including, but not limited to, increase in production capacity, change in location of the project, change in ownerships, etc.

Reservation

1. In the event of *force majeure*, the DECC shall not be liable for any compensation regarding loss and/or damage incurred by the proposed project;
2. The DECC may stop the activity or impose additional terms and conditions, as may be deemed necessary;
3. The EC shall be subject to periodic review and modifications as per Article 25 of the EA Act 2000, without any liability on the part of the Royal Government;
4. The DECC shall not be liable for any consequences resulting from failure of the promoter to acquire relevant sectoral clearances (approval/renewal) from the concerned agencies; and
5. The EC issued by DECC does not guarantee the supply of raw materials necessary for activity.

The holder may adopt best practices in executing these terms and conditions to avoid, minimize, mitigate and offset adverse environmental impacts.

Failure to comply with any of the above terms and conditions shall constitute an offense and the proponent shall be liable in accordance with the EA Act 2000 and /or existing environmental laws.

Validity:

This EC is issued with validity from August 30, 2024 until August 29, 2027 only for the construction of sixty three (63) kilometer (km) of one hundred and thirty two (132) kilovolts (kV) double circuit (D/C) transmission line from Jomori Hydropower Project to Phuntshothang Substation at Samdrup Jongkhar Dzongkhag.



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This EC is issued solely pursuant to the EA Act, 2000 and its Regulations and in no way intends to overrule or alter the provisions of any law or rules in force. The Holder of this EC shall be responsible to adhere to the requirements under other laws and the issuing authority assumes no liability resulting from non-compliance or omission of any laws or rules.



To,
Bhutan Power Corporation Limited
Chubachu (BPC Corporate Office)
Thimphu

Copy to:

1. Dasho Dzongdag, Chairman, Dzongkhag Environment Committee, Samdrup Jongkhar Dzongkhag for kind information and to instruct the Dzongkhag Environment Officer to conduct necessary compliance monitoring;
2. Guard file (EACD/Dzo-S/Jongkhar/4364) DECC, MoENR for record.