

Objections to the CDM application for Integrated Kashang Project, Kinnaur, Himachal Pradesh

1. Project conceived before CDM project started: Additionality not established

On Page 15 of PDD in the section “Prior CDM Consideration and Chronology of events” details been provided by project proponent to state that the project is additional and therefore eligible for CDM funds. We however, would like to put forth the following facts to state the the project is not additional because it was conceived much before introduction of CDM:

1. According to news published in online edition of “The Tribune” on 22nd Novemebr 2002, the integrated Kashang HEP was inaugrated by Chief Minister of Himachal Pradesh in 2002, almost 9 years ago when CDM was not yet concieved here.
2. According to information provided under Right to Information act the project proponent have started acquiring the land for the project in 2005 (Annexure-1) and made payments related to the core project activities like land purchase in 2005.
3. The Environment clrance was accorded for stage-1 on 15-11-2002 (PDD page 35)
4. The project also got a techno economic clearance and environment clearance in 2002 itself.

The above four show that project was conceived without keeping CDM thing in mind. So, the information provided on this page of PDD document is false and the project was conceived without CDM.

2. False claims of No availability of alternative and IRR is low:

There are many options available for power sector in India, including Demand Side Management options, reduction of the huge transmission and distribution losses, improving end use efficiencies, improving generation performance of existing power projects, and also a large number of new generation options, most notably, small hydro, wind, solar and so on. These have not been taken into account by the proponents

As the project was conceived and the work on project was started much before CDM project came into existence it means the project was viable without CDM. Further,the earnings from selling electricity or IRR in the Forest Clerance application submitted to the Ministry of Environment and Forests for the diversion of forest land is much higher when compared to the PDD. As per the Forest diversion applicaiton the benefit cost analysis have shown that benefits are 80 times more than the cost to be incurred on the project. (Annexure-2)

3. False barriers have been presented

Page21: The Policy Related Barriers presented here are false and hyped up

- For instance the project pronents present that the change of minimum ecological flow from 15 to 20% will impact their profit margins but in reality this is just a eyewash. The area where the project is coiming up is a high altitude region where the river/stream discharge level is anyway very low in winter. In case of Kashang stream the average minimum flow is given as 0.3 cubic meter/second and average annual flow is 6.3 cubic meter/second (on page 53 Appendix A of PDD) . The minimum discharge level is less than 5% of averange flow. Similar is the case of Kerang stream. When the minimum discharge levels itself are so low then claiming that change in the minimum flow policy from 15% to 20% is going to be a great risk/barries is a serious exaggeration.
- While in Environmrnt Impact Assesment Report of the project the proponents have stated that project area is in sesimic zone 4 (to reduce the risk factors and to prove project viability); on page 22 of the PDD under the head Region specific geological issues the proponents have shown the areas as under zone 5. We believe that the proponents manufacture facts to their own convenience – in the EIA report to indicate a reduced risk they place the area under Zone IV and in the CDM application to show increased risk and

avail of the CDM benefit they show it as Zone V; thus misleading the public and experts.

- Similarly under the section 'Risk of Technology failure' the proponents indicate sedimentation as a major risk: Interestingly in the EIA report page 15 they say- “the rate of sedimentation is understandably not appreciable” while in PDD page 22 they say that “the discharges in the river carry high sediment load during monsoon season as per the sedimentation tests carried out on river water samples”. This is clearly false considering that the project is coming up in a cold desert area which receives low rainfall and where the major form of precipitation is snowfall.

4. Project is no different from other hydro power projects

Under the head 'common practices' the PDD says that there will not be much submergence in the project. But they conveniently forget the fact that they are diverting an entire river (Kerang) into a smaller stream (Kashang –almost half the size of Kerang) because of which Kerang's river bed will completely dry up for a stretch of more than 15 kms (total length of Kernag stream is 44 kms). The resulting loss of biodiversity and threat to an entire village has not been mentioned by the proponents. Almost 80% families of Lippa village have agriculture fields and 35 water sources, which are used to irrigate these fields, in Lapo Mohal, will be adversely impacted by construction of diversion weir structure for stage II and III and power house of stage- IV.

5. Inadequacies in the Environment Impact Assessment report

Page 35 section D: Environment Impacts. The project proponents refer to their EIA report to indicate that they have taken into account the Environmental concerns in the project. We, however, have carried out a detailed critique of the EIA report which is attached here. The critique raises the following issues:

- Combined EIA does not adequately assess cumulative environmental impacts of the 4 stages of the project in an eco-fragile zone
- Problem with identification of Project Affected Populations
- Threat to forest habitat, biodiversity and water sources is underplayed
- Dependence of Local communities on forests and natural resources and threats to livelihoods not adequately highlighted
- Threat to local culture and traditions overlooked

6. Issues related to Forest Diversion for the Project

This integrated Kashang project will require a total diversion of 119.6 hectare of forest land. It's a huge chunk of forest land when seen in context when it is in cold desert region in an elevation which is from 2000 meters to and 3155 meters (tree line limit). The forest land going to be diverted for the Integrated Kashang project falls in Chilgoza belt. According to “State of Environment Report” prepared by Department of Environment, Science & Technology Government of Himachal Pradesh “In Himachal Pradesh, it occurs naturally in dry temperatures zone, i.e. parts of Kinnaur and Chamba (Pangi) districts covering an area of about 2,060 hectares.” According to an estimate about 14 to 17 tonnes of nuts are collected annually in Kinnaur district. It is thus an important cash crop in the area but, in the absence of a definite policy, there is a big question mark on its future survival. This project will divert a huge chunk of forest land under Chilgoza forest and there are not much hope that it can be raised looking at the poor Record of Compensatory afforestation

7. Violation of laws and Acts formulated to protect tribal population

Kinnaur District (where the project is located) is a Schedule-V area in the Indian Constitution with special rights for the tribal people. As per this a NoC (No Objection certificate) from the Gram

Sabha (village general body) for diversion of resources towards development projects is a must. The project proponents are yet to undertake this process in the proposed project area where 3 Panchayats will be affected. This is a clear violation PESA (the Panchayat Extension to Scheduled Areas) Act in 5th scheduled areas.

The Forest Clearance to the project should not have been granted considering that the provisions of the Forest Rights Act 2006 have not been adhered to. As per this Act the local community forest rights need to be recognised and cannot be alienated for other purposes.

Both the Environment and Forest Clearance granted to the project stand challenged in the country's National Green Tribunal.

8. Local Response to the project; Public Consultations and related violations

A detailed critique of the violation of norms related to Public Participation is attached (Annexure). The truth

As far as local response to the project is concerned, the opposition from affected people continues and this is indicated by the regular protest actions that have taken place since the last six months, since the construction activity was initiated. Apart from challenging the Environment Clearance in the NEAA, community representatives have also filed cases on the issue of compensation and rehabilitation promises not being fulfilled. The latter has been done by the people of Pangi, while the Environment Clearance has been challenged by residents of Rarang and Lippa village. Similar protests had to be held to get the compensation for forest rights which was anyway promised in the R&R plan.

Conclusion

The project is coming up in Sutlej valley which is facing erratic rainfall, flash floods, cloud bursts and shrinking glacial flows. These factors are exacerbated by indiscriminate construction activity due to the numerous hydro electric projects coming up in the valley and are also making the Hydroprojects less feasible as river flows become unpredictable. Today there are studies and government reports which indicate that Hydroelectric projects have wreaked havoc on the Himalayan environment in the name of 'clean energy'. The most recent report is one submitted to the High Court of Himachal Pradesh by the a government committee – called the Shukla Committee report which has admitted that the policy on hydropower needs to be reviewed and river basin studies need to be done for the same.

We, therefore, submit that even the Integrated Kashang project be viewed in the same light - considering the cumulative impacts of the project on the Sutlej river basin and the fact that it is being located in a High-altitude ecologically sensitive zone. Keeping in view the above point the project does not deserve to be approved as a CDM project. .