



# IUCN – DPCL Relationship: Phase II Dialogue Programme and Meeting Minutes

June 12-14, 2009



Construction work in progress at Dhamra © IUCN

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The objective of this mission was to check on Port developments and progress, particularly as it related to issues which may impact sea turtles (lighting and dredging), and also to develop the context within which IUCN and DPCL will continue to be engaged through Phase II of the partnership, and develop a proposal for continued work.

11 June 2009 20:00. Arrival of IUCN team at Bhubaneswar

12 June 2009 10:00. Meeting with DPCL CEO regarding Phase II

## Participants

- Santosh Mohapatra (CEO, DPCL)
- Anil Kar (GM Projects, DPCL)
- Himansu Sahoo (Manager – CSR, DPCL)
- Amlan Dutta (Manager – Environment, DPCL)
- N. Nalinakshan (Consultant, DPCL)
- B.K. Das (Consultant, DPCL)
- Nicolas Pilcher (Co-Chair, IUCN SSC Marine Turtle Specialist Group)
- B.C. Choudhury (Scientist, Wildlife Institute of India & Regional Vice-Chair, IUCN SSC MTSG)
- Randal Glaholt (Consultant, IUCN)
- Biren Bhuta (Project Manager, IUCN)



IUCN Team in a meeting with DPCL management (l to r) Biren Bhuta, B C Choudhury, Randal Glaholt, Nicolas Pilcher © IUCN

**SM:** We need to take stock on where we go from here. Documents on legal requirements exist, and we now need to figure out what compliances are required and then, to put them all in an EMP. The State Monitoring Committee (SMC) has met only once. In the document prepared for the SMC, the port listed all the requirements in the various clearances and these are now included in the EMP document which the Port has developed. These are the legal requirements. Can IUCN help identify if the requirements are the best we could have? There are public concerns such as 'is the shoreline

changing due to dredging?' However, the developers are likely to be the most concerned about coastal geomorphology changes because their investment is right there. The INDOMER study which has been accepted by DRDO (as they have also used them in the past) suggests no impacts from dredging on the southern islands. Contrary to public claims, the Port EIA has a number of supplementary reports, including one specifically on dredging, and another, for instance on the change in location.

Coal and iron ore are considered dirty cargo, so the need to address air pollution, specifically dusts, on people is extremely important. Not much impact on marine organisms, but surely on people. The particular coal which the port will import will be low in dust, but it will still be there. The port will have water sprayers to minimise dust. One could design a system which could have an automatic shutdown reaction to water failures. In addition, the conveyor will be covered. The construction of the railway was an issue because of water drainage problems. However, the port has increased the number of drainage openings from 16 to 120. Water Technology Center (Eastern Region) is studying the adequacy of drainage plans for the railway. The port is also looking at water management at a greater spatial level.

IUCN has given some recommendations on lighting. Port safety prescribes certain luminance and there will be challenges matching this with IUCN's requirements. DPCL is in dialogue with Government on zoning for the area so that secondary development is well handled.

Because the original EIA did not address expansion in detail, the port may need to ask for a new EIA, as may legally be required for all proposed expansions. The EIA process is expected to start by July 2009. The application is being done in-house, then it will be submitted to the Government for ToRs, after which, it will be sub-contracted to a consulting team to develop the EIA (such as L&T – they do a lot of port EIAs with NIO which does the oceanography). It is envisioned that this will be completed within 6 months. Clearances may take another 6 months. The current two berths have a capacity to handle 25 million tonnes. The next three will handle 30 million tonnes. The next two berths will handle liquid cargo (petroleum). To the south of the existing two berths, four or five more berths will be developed to handle dry containerised clean cargo.

**NP:** IUCN should be the oversight committee, helping DPCL develop ToRs for its EMP and providing oversight and QC on the plan which the DPCL consultants develop. The EMP should address direct (dredging, lighting, dust, etc) as well as indirect impacts (secondary activities, small and medium upstream industries, etc) and outside of that, IUCN should also push for CSR activities (TEDs, Bhitarkanika National Park protection, etc.)

**SM:** We had envisioned that IUCN would write the EMP, not just review it.

**NP:** There would be a conflict of interests with IUCN writing and then reviewing its own plan, but there is a scope for compromise with how much IUCN gets involved in the actual document preparation.

**SM:** DPCL needs to have all aspects of the compliances and conditions set forth by the government agencies to be included in the EMP, such as Chapter 5 of the EIA.

DPCL also has a strong interest in monitoring effects of dredging on marine productivity and oversight of the QA/QC on the parameters being monitored (are they the right ones, is it being done properly?)

DPCL is interested that all the various reports and studies that it has commissioned, should be considered in some way by IUCN, and included in the preparation of the EMP. It is also important to consult their project people as to their requirements (i.e. what they would want to have in an EMP).

DPCL should have taken an additional 5000 acres so that the port community development could have been planned better, but to address this, they are in discussions with government agencies about zoning the area so that there is some degree of planning.

Development along the Orissa coast is rampant, and ports sited close to each other could compound the effects on Dhamra.

**BC:** IUCN also needs to push policy reforms, such as curbing development in natural resource-generating areas, safeguarding them for the future. IUCN needs to push for permanent protection of such key natural sites.

**RG:** Possibly push for compensatory mitigation or no-net-loss programmes which make sure that there is no loss of environmental productivity.

**BC:** Funding exists at a National level to make sure there is compensatory mitigation – today there are some Rs. 18,000 crores in the account, but nothing is being spent in the field. While current corporate programmes are CSR activities, (health, education, sports, livelihoods, etc) they do not address CER or Corporate Environmental Responsibility (addressing the environment).

**RG:** There is a need for a policy statement from DPCL which states, at the outset, what it intends to be and do with respect to the EMP.

The National Park should be seen as a trust where the interest is fish, food, etc. Do we want to eat the interest of the capital? No-Take zones can be valuable contributions to protection, so that the export 'interest' fish are what get harvested and not the capital.

**BC:** But these need buy-in and administration by local communities. Policy decisions at the Federal level tend to ignore local community management. Many former bureaucrats and politicians reportedly own a massive number of fishing boats, so they have a vested interest in seeing that fishing continues to grow in an uncontrolled manner.

**NP:** Let's all agree that the past is the past, and that IUCN should use the Port as an example of what it can do, and also to push further to set an example at a greater level. IUCN can drive policy change

**RG:** Much of the engineering will build in environmental control systems which are to be part of the EMP.

**SM:** There must be monitoring of the use of any system in addition to the design of the system itself. We must have periodic tests and reviews of systems. As per Directorate General of Shipping, the port must have a disaster management plan as part of legal requirements which can be integrated into the EMP. We need to address ballast water management, etc. such as identified in MARPOL.

**NP:** Is there going to be an Environment Operations focal point? The plan is to be a complex document.

**AK:** The port will have an operations manual which will address environmental issues.

**SM:** Ports in India normally have a Deputy Conservator, or Marine Chief of the Port, who handles and is responsible for environmental issues. Normally they have a checklist for environmental compliance.

**RG:** Will there be a HSE department?

**SM:** To be developed.

**RG:** What will be the relationship between operations manual (OM) and EMP?

**SM:** EMP to be embedded within the OM, but should exist separately so that the EMP can be provided, independent of the OM. The port is willing to expand on legal requirements, wherever needed.

**RG:** Is there a list of all statutory requirements?

**NP:** There are different components of an EMP – direct impacts related and indirect impacts related. Then there are CSR/CER concepts and all of them are separate issues, and they need independence from an OM so that they can be disassociated. Also, what is the level of IUCN involvement that DPCL envisions in these issues.

**SM:** The port is already addressing some of these. But at the heart of the matter is the iconic Olive Ridley turtle. So DPCL wants to continue to be associated with the conservation of turtles. But finances may be an issue as ports do not make profit overnight. DPCL may ask its promoters to invest funds into conservation issues. The port will consider anything creative that can be done and should be done for turtles. (e.g. regulated tourism, etc). Whatever can be done, the port wants to be associated with it and will help develop funds for it. Let's not get involved with fishing issues in terms of catch though.

**BC:** Let's create a window for dialogue with fishers under the existing CRZ and the proposed new CZM initiative, and bring them on board in the process. The new federal Minister for Environment has a big interest in wildlife, turtles and tigers. He has emphasized that India needs to balance globalisation and development with environmental protection. Whatever tourism activities are proposed, need to be community based and not government-led initiatives, else there is no local buy-in. One could have beach walks, protection of eggs, all kinds of things, but can not do so at the expense of local communities.

**SM:** IUCN engagement should be a one year involvement. IUCN proposal for Phase II should recommend the division of labour and the need for a team to handle environment so that long-term change can be adapted to.

**NP:** Given the timeframes for receiving some of the reports and EIAs, this might take a bit longer than 12 months.

**BC:** Having IUCN on board will ensure that best practices are included in the EMP.

**RG:** Equator Principles – when one borrows funds, environmental principles are set forth which the borrower has to adhere to, and these should be added into the EMP to show the compliance and demonstration of social and environmental responsibility.

**AK:** ISO 14000 has been applied for.

**SM:** BNP Paribas actually approved DPCL project, in contrast to what Greenpeace may have claimed. But Reserve Bank of India's regulations at that point in time, did not allow us to borrow funds from BNP. But that is a different story altogether.

The port has to have its own internal policing system so that environmental management is well adhered to. It needs to be built into the system. If not, people get complacent and ignore the regulations. IUCN should help develop the outline for the EMP which brings together the varied documents and issues that need to be addressed. It must, however, be practical. Maybe IUCN could even write the document in a suitable language and format.

**NP:** IUCN is not the group to actually write the document but should be the peer reviewer. IUCN can recommend consultants or firms to help put the document together if need be. It would be a good idea for DPCL to hire someone who could then take ownership of the document and plan and play the implementing role for the EMP, once operations start.

**AK:** We have people developing marine operations and port operations manuals. They could be involved.

**SM:** We will make a decision on who takes this on, possibly hiring someone new or assigning it to someone in-house

**RG:** How can IUCN link into IDCO? What role could we play?

**SM:** DPCL has requested IDCO that under the Urban Development Act, the area around Dhamra should be zoned so that in future, the land use is well planned, irrespective of land ownership. DPCL may hire a town planner to do it.

**BC:** This may be possible under CZM Authority.

**SM:** There is a need to sensitise the Government on the intent behind zoning (such as for the Gahirmatha Marine Sanctuary).

**BC:** A need also exists to clearly articulate boundaries for the areas in question. A document on Important Coastal and Marine Areas has been developed by WII which includes a listing of which industries may or not may be suitable or adequate for certain areas. Maybe this can be used to help guide the zoning. Maybe also an opportunity for IUCN to push this at a State level.

**SM:** So, to summarise, IUCN will help develop the Table of Contents for the EMP, then DPCL will drive the process of developing the documents, and finally IUCN will come back and compile and review the same.

Meeting ends with IUCN agreeing to develop a 12-18 month narrative and financial proposal for DPCL, and DPCL agreeing to continue to work closely with IUCN for expert advice on environmental matters.

#### **General Issues Arising:**

1. There is a need for a lead person for EMP or an EMP team. This should be emphasized in IUCN's proposal to DPCL.
2. There is also a need for an audit system for the implementation of the EMP (internal and third-party).
3. TEDs issue is complex, with fishermen demanding to fish in the Marine Sanctuary if they use TEDs, them not being included in the delineation of the NP, cost issues, buy-in, etc.
4. Dust water spray must be filtered so it does not end up in the ocean. Need to recycle this water, too.
5. Port system needs to be more elaborate when handling thermal coal as opposed to coking coal. Iron ore does not create so much dust.
6. Health and hygiene of workers needs to be included in the EMP.
7. IUCN should very carefully consider the plan for storage facilities for oil and the potential these would have for spurring set-up of refineries, as these were not originally designed for this port and the environmental impacts of these versus dry bulk cargo would be at opposite ends of the spectrum. At the very least, IUCN should push for a comprehensive EIA which addresses the potential impacts in a very detailed manner, to address future expansion.
8. A concern is that we will never be able to overcome safety requirements such as the need for lights.

9. What the port sees as practical may not necessarily be so, from IUCN's point of view and vice-versa. However, any compromise which is reached should not be at the expense of the environment, given that this was the original reason for developing the IUCN-DPCL partnership.

## 12 June 2009 13:00. Meeting to Review Lighting Plan Proposal

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### *Participants*

Nicolas Pilcher (Co-Chair, IUCN SSC Marine Turtle Specialist Group)  
B.C. Choudhury (Scientist, Wildlife Institute of India & Regional Vice-Chair, IUCN SSC MTSG)  
Randal Glaholt (Consultant, IUCN)  
Biren Bhuta (Project Manager, IUCN)  
O.P. Thyagarajan (Joint GM – Electrical Designs, L&T)  
Ravi Narasimhan (Application Specialist – Industrial Lighting, Philips India)  
C. Kannan (Manager – Design, ABB Ltd)  
N. Nalinakshan (Consultant, DPCL)  
T.L. Ravindran (Chief Resident Engineer, Scott Wilson)  
Rishi Prasad (Manager – Security, DPCL)  
Mihir Das (Sr Manager – Projects, DPCL)  
S.K. Patnaik (Sr Manager – Projects, DPCL)  
Himansu Sahoo (Manager – CSR, DPCL)



Mihir Das, Sr Manager, DPCL making a presentation on turtle-friendly lighting to DPCL, IUCN, L&T, Scott Wilson, ABB & Philips © IUCN

**MD:** Presentation on turtle friendly lighting. No sky glow while meeting safety requirements. Cut-off angles less than 70° (even better than 90°). All horizontal mounting. HPSV preferred over CFL, HPMV or Metal Halide. Key areas Jetty, Road, Stockyard, Peripheral. Jetty lighting will be in distinct phases so that each light will have to be switched on when needed and can be switched off when not needed (addressing concerns by NP on number of lights). No timers, no sensors. Lights will be turned on manually. Sockets will be provided along the entire length so that intensive maintenance brings its own lights, aimed just where needed. In stockyard, tall masts have 12 (400W x 2 bulb) lights, on two circuits. Only on when needed. Savings in power use will likely be 20-25% by use of these procedures.

Lamps will be fixed by welding so that the angles can not be played with. For road lighting, typical operations will need only alternate lights (up on 9m poles) switched on. Also will be permanently locked and marked. Only in cases of dire need, will all lights be turned on. Lights will not be mounted up high where not needed. The Lux Level Distribution diagrams meet the Ports Directorate Dock Safety Rule (10 lux for passage and 25 lux minimum for work).

**NP:** Congratulations on developing the partnership with Philips. Congratulations on the design and the complete and absolute change in approach to lighting. Can any of these lights be changed to LPSV? Any thoughts on lower mountings? Any exposed fluorescent lights?

**BC:** This is an opportunity to be an example along the Indian coast for other ports. The R&D phase which DPCL has gone through is an investment in the future of the environment. We need to extend this work to DRDO, maybe as a joint effort with Philips, L&T, IUCN, DPCL.

**OPT:** IUCN's permission is needed to go ahead with lighting plan as presented.

**NP:** The layout plan and selection of fixtures is adequate and L&T can go ahead.

**CK:** Lighting plan to be ready in 3 months.

**BB:** Security lighting plan needs to be included into the overall lighting management plan.

**NP:** Security lighting might want to consider linking with a military consultant to design good night time security lighting.

**OPT:** USD 120,000 extra cost in going with current light system compared with what they may have spent without being turtle friendly.

Meeting ended with agreement on lighting plan and moving forward.

## 12 June 2009 16:30. Meeting with VP of Larsen & Toubro

### *Participants*

Nicolas Pilcher (Co-Chair, IUCN SSC Marine Turtle Specialist Group)  
B.C. Choudhury (Scientist, Wildlife Institute of India & Regional Vice-Chair, IUCN SSC MTSG)  
Randal Glaholt (Consultant, IUCN)  
Biren Bhuta (Project Manager, IUCN)  
K. Venkatesh (Vice President – Projects, L&T)

**KV:** We are extremely happy with the progress of the DPCL-IUCN relationship. L&T has never wavered from the commitment to preserve the environment as part of the port development.

**NP:** There are issues related to addressing indirect impacts of the port development on the local community and environment – and the olive ridley turtles. That is where we look forward to the long-term commitment and dedication to the process by the project partners (Tata Steel and L&T).

**BB:** Specifically, there is a plan of developing a Trust fund which may address conservation needs.

**KV:** The future preservation of the turtles along the Orissa coast might be best served with the establishment of some endowed chairs at local Universities whereby long-term research and conservation efforts could be assured. L&T would be willing to consider such proposals, including that of a Trust fund.

## 12 June 2009 17:00. Meeting with Ministry of Environment and Forests (Eastern Region), Government of India

### *Participants*

J.K. Tewari, (CCF – Central, MoEF, Eastern Region, Government of India)  
V.P. Upadhyay (Director (S), MoEF, Eastern Region, Government of India)  
N.L.N.S. Prasad (Director (S), MoEF, Eastern Region, Government of India)  
Nicolas Pilcher (Co-Chair, IUCN SSC Marine Turtle Specialist Group)  
B.C. Choudhury (Scientist, Wildlife Institute of India & Regional Vice-Chair, IUCN SSC MTSG)  
Randal Glaholt (Consultant, IUCN)  
Biren Bhuta (Project Manager, IUCN)

**NP:** IUCN's role so far in the DPCL-IUCN relationship has been that of an independent scientific advisor to avoid, minimize and mitigate impacts of port development on the environment, particularly on the olive ridley turtles. Going forward, IUCN will be assisting the port in developing a world-class environment management plan (EMP). There is a need for greater government involvement, particularly as it relates to long-term protection of critical coastal areas, lighting legislation and zoning around Dhamra and other key sites to ensure wise development of those areas taking into account, industry, human populations, and the environment.

**JKT:** IUCN should assist with the provision of a clearcut and concise impartial study and description of the impacts of jetties, berms and groynes on coastal sediment transport and health of marine ecosystems so that the Ministry would be in a better position to evaluate potential impacts of further development and stop these in cases where impacts were close to critical areas. Our office would support for a State-wide lighting legislation and we would forward the relevant documents to the Federal Ministry offices as well as to the relevant State authorities. Lighting laws might well fit in as part of the Environmental Protection Act. In fact, there was a lack of necessary information on turtles in the State.

**BC:** A lot of effort has gone in by various groups to study the Olive Ridley turtles in Orissa. One such is a recent effort undertaken by WII, as part of the IUCN programme.

**VPU:** What are the reasons behind a clearer understanding of the trends in abundance of turtles in Orissa?

**NP:** There are conflicting methods between Universities, Forestry Department and WII which make interpretation of the results extremely difficult.

**JKT:** What are the ecological roles played by Olive Ridley turtles? If we know this, we would be in a better position to explain their importance at an ecological level when approached by various sectors.

Meeting ended with agreements on all parts that IUCN could help provide some of the information required by the Ministry and that the Ministry would help push the relevant information to the relevant officers so that these could be included in current legal systems.

13 June 2009 08:00. Travel to Dhamra. En-route, visit the Railway Corridor at Bhadrak

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13 June 2009 15:30. Site visit to Dhamra Port

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IUCN Team's visit to the port site at Dhamra (l to r) B C Choudhury, Nicolas Pilcher, B S Dev (Manager – Projects, DPCL), Randal Glaholt © IUCN

Overall much progress has been made, with the majority of the sand reclamation already completed and construction of key elements underway. However, the site visit also highlighted a number of issues with regard to health, safety and environment during the construction operations which will need to be addressed. IUCN wants to make sure that the development of the port does not take place under a 'business as usual' approach and that all aspects of development, from localised oil spills to fuel dumps to lighting to waste disposal be addressed. These issues will be raised with DPCL management.

## 13 June 2009 19:30. IUCN Team Internal discussions on Phase II

**NP:** It may be a good idea to run a trial TEDs programme with three to four fishers in Dhamra to get the ball rolling during Phase II.

**BC:** This would be a good way to do it. The cost of vessel buy-in would be around USD 5000 per annum.

**BB:** There is already a good relationship with several fishers and these connections could help us get a foot in the door with respect to addressing fisheries.

**NP:** We could suggest a buy-in with four boats as a project in Phase II and use the lessons learnt to interest other fishers in Dhamra. Is there a possibility of assisting the Forestry Department with beach counts?

**BC:** This would best be done as a joint study, with funds going to both the Forestry Department and also the other agency (a University or WII, or something like that).

Meeting ended with agreement that IUCN should introduce the following into Phase II:

1. Some work helping with beach counts and
2. Start addressing TEDs with a small pilot programme.

## 14 June 2009 07:30. Boat visit to river mouth and Dhamra Port

## 14 June 2009 15:30. Return travel to Bhubaneswar

## 15 June 2009 Depart Bhubaneswar



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International Union for Conservation of Nature