



No.MoAF-1/4/DoFPS/2011/910

April 14, 2011

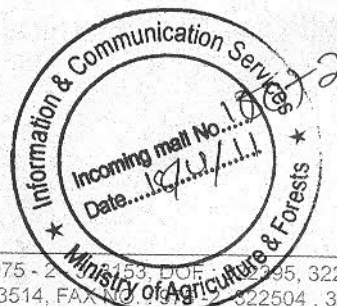
Notification

It has come to the attention of this Ministry that wetlands and wetland-dominated ecosystems are disappearing at an unsettling rate right across the country. Initial indications from preliminary screening of watershed conditions suggest that the drying up of mountain springs and apparent changes in the natural flow regimes are closely associated with the loss or reduction in the number or size of the wetland patches close to the recharge zones and effluent reaches.

Recognizing the pivotal role of wetlands in influencing the landscape dynamism to sustain life and safeguard the environmental integrity, the Ministry of Agriculture and Forests (MOAF) shall henceforth designate and regulate specific wetlands as critical components of watershed ecosystems, and authorize protected status circumscribed within the following stipulations:

1. The policy and legal underpinnings to protect wetlands are enshrined in the Constitution and its subsidiary policy and legal instruments and compliance mechanisms such as, but not limited to, Forest and Nature Conservation Act, 1995; Bhutan Water Act, 2010; The Land Act, 2007; National Environment Protection Act, 2007; Environment Assessment Act, 2000; Biodiversity Act, 2003.
2. Wetlands for the purpose of this Notification shall include flowing water in rivers, streams and springs with associated riverine wetlands and riparian zones; and still water of lakes, ponds and wells, and basin-type wetlands encompassing areas of constant soil saturation or inundation with distinct vegetative and faunal communities.
3. Consistent with the definition of forests, wetland with a contiguous area that equals or exceeds 0.5 hectare shall be considered as a **“Significant Wetland”** ecosystem falling within the purview of this Notification, as provisioned hereunder:

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Thimphu: Bhutan



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- a. This Notification is issued in order to avoid to the extent possible the long and short term adverse impacts associated with the destruction or modification of wetlands and to avoid direct or indirect support of new developmental activities in wetlands wherever there is a practicable alternative.
- b. Without exception, any proponent, whether public, private or community-based, of developmental activities, falling in part or as a whole, within significant wetlands shall make all possible efforts to avoid adverse wetland impacts to the extent practicable, minimize impacts that could not be avoided, and compensate for remaining unavoidable adverse wetland impacts via restoration of degraded wetlands at a minimum of 1:1 ratio.
- c. The development actions or activities with potentials for adverse impacts on significant wetlands shall be addressed through the existing practice of issuing forestry clearance as a mandatory requirement for environmental impact assessment of such actions or activities.
- d. The Department of Forests and Park Services (DOFPS) of this Ministry shall oversee the preparation of significant wetlands impact statements based on the technical analysis of such impacts, and inform its findings and recommendations to the clearing authority.
- e. Where natural wetland characteristics or functions have been degraded or lost due to previous or ongoing human activities, DOFPS will, to the extent appropriate and practicable, restore them to pre-disturbance conditions.
- f. Further, where appropriate and practicable, DOFPS will not simply protect, but will seek to enhance natural wetland values by using them for educational, recreational, scientific, and similar purposes that do not disrupt natural wetland functions.

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- g. The Watershed Management Division of DOFPS shall conduct the technical verification, while the Territorial Divisions and the Park Service Offices shall be responsible for ensuring compliance with this Notification within their respective jurisdiction.

The Ministry requests all agencies, entities, groups and individuals (government, non-government, public, private or community) for unreserved compliance with this Notification.

(Dr. Pema Gyamtsho)
MINISTER

Copy to:

1. Hon'ble Prime Minister, Royal Government of Bhutan.
2. All Hon'ble Cabinet Ministers.
3. Secretary to His Majesty, Royal Secretariat, Tashichhodzong.
4. Cabinet Secretary, Cabinet Secretariat.
5. Secretary, Gross National Happiness.
6. Secretary, National Environment Commission.
7. All Government Secretaries.
8. Secretary, National Land Commission.
9. Dasho Dzungdas, 20 Dzongkhags.
10. Director, Department of Forests & Park Services for necessary followup.
11. CPO, PPD, Ministry of Agriculture & Forests.
12. Head of the Department under the Ministry of Agriculture & Forests.
13. Program Director, ICS, MoAF.