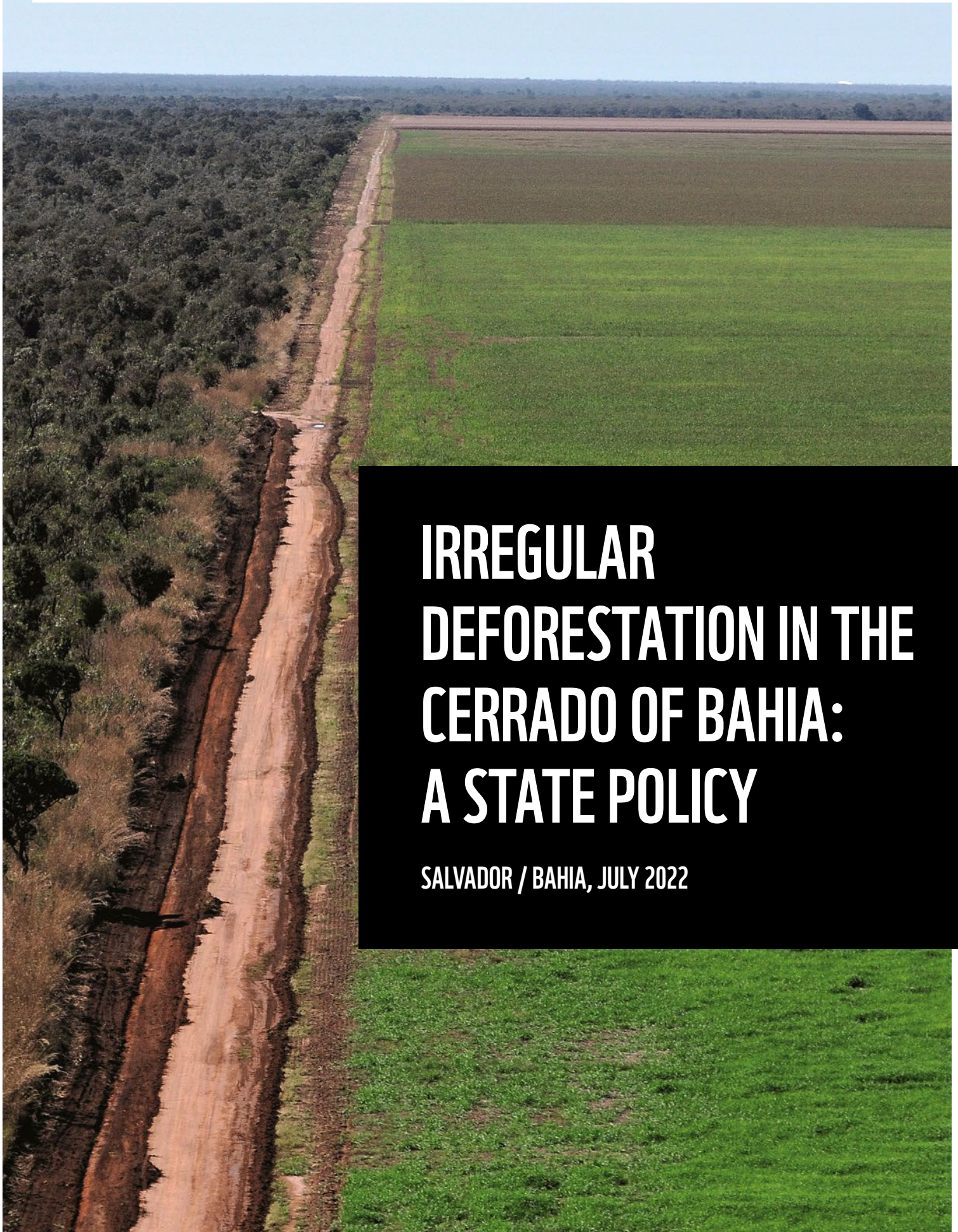




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# IRREGULAR DEFORESTATION IN THE CERRADO OF BAHIA: A STATE POLICY

SALVADOR / BAHIA, JULY 2022



**Execution**

Instituto Mãos da Terra (IMATERRA)

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**Preparation of the Database of Native Vegetation****Suppression Authorization (ASV) Orders**

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*This publication was produced with the financial support of the European Union. Its contents are the sole responsibility of Instituto Mãos da Terra (IMATERRA) and do not necessarily reflect the views of the European Union.*



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# 1. INTRODUCTION

This document presents the executive summary of the **analysis of 16 (sixteen) administrative processes** that subsidized the issuing of Authorizations for the Suppression of Native Vegetation (ASV, the acronym in Portuguese) in the Grande and Corrente River Basins, in the State of Bahia, by the Institute for the Environment and Water Resources (INEMA). This executive summary seeks to systematize and succinctly present the synthesis of the first technical opinions produced within the scope of the **Project “Integrated Sustainable Landscape Management in the Cerrado Biome – Unraveling the Suppression of Native Vegetation in the Grande and Corrente River Basins”**, developed by Instituto Mãos da Terra (IMATERRA), in partnership

with the Federal University of Bahia, and with the support by WWF-Brazil and Institute for Society, Population and Nature (ISPN), under the initiative Tamo de Olho, through the CERES project, supported by the European Union. The project aims to evaluate the authorizations for suppression of native vegetation issued by the state environmental agency in the Grande and Corrente River Basins, their relationship with socioeconomic indicators, and the socioenvironmental impacts related to the loss of ecosystem services, quality of life, and conflicts with traditional communities in the region, in addition to the production of technical reports describing the nonconformities identified in 26 (twenty-six) administrative processes in light of environmental legislation.



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# 2. AUTHORIZATION FOR SUPPRESSION OF NATIVE VEGETATION (ASV) IN THE WATER BASINS OF THE RIVERS CORRENTE AND GRANDE

We collected and systematized in a database all the information contained in 5,126 (five thousand, one hundred and twenty-six) **ordinances authorizing the suppression of native vegetation** published in the Official Gazette of the State (DOE, the acronym in Portuguese), from 2007 to June 2021, in all terrestrial biomes in the state of Bahia. Of this total, about 21% were authorized suppressions in the **Grande (706 authorizations) and Corrente (345 authorizations) river basins**, located in

the western region of the state, totaling 1,051 (one thousand and fifty-one).

This document describes the results of the **analysis of 16 (sixteen) administrative processes** that subsidized the issuance of **ASV in the Grande and Corrente River Basins** by INEMA, which together correspond to the authorization for the suppression of native vegetation of a **total of 50,723.99 hectares**.

## 2.1 DESCRIPTION OF THE STUDY AREA

The study area encompasses the municipalities located in the Grande and Corrente River Basins, which are part of the São Francisco River Basin, within the Cerrado biome. The Corrente River Basin covers the municipalities of Baianópolis, Bom Jesus da Lapa, Brejolândia, Canápolis, Carinhanha, Cocos, Coribe, Correntina, Feira da Mata, Jaborandi, Muquém do São Francisco, Santa Maria da Vitória, Santana, São Desiderio, São Félix do Coribe, Serra do Ramalho, Serra Dourada, Sítio do Mato, and Tabocas do Brejo Velho, and comprises an area of 34,875 km<sup>2</sup>, and an estimated population of 365,832 people (INEMA, 2021). With an area of 76,630 km<sup>2</sup> (INEMA, 2021) and an estimated population of 241,553 people, the Grande River Basin comprises the municipalities of Angical, Barra, Barreiras, Catolândia, Cotegipe, Cristópolis, Formosa do Rio Preto, Luís Eduardo Magalhães, Mansidão, Riachão das Neves, Santa Rita de Cássia, and Wanderley, with their territories fully included in the Basin, and the municipalities of Baianópolis, Buritirama, Muquém do São Francisco, São Desidério, and Tabocas do Brejo Velho, partially included in the Basin.

The Cerrado, the second largest biome in Brazil and one of

the main hotspots of biodiversity in the world, with a high degree of endemism (AMARAL, 2019), also stands out for being considered the country's cradle of waters, housing the Guarani, Bambuí, and Urucuia aquifers, in addition to springs from eight of Brazil's twelve main hydrographic regions. Several traditional and indigenous peoples and communities (more than 80 ethnic groups) live in the Cerrado, in addition to quilombolas, *geraizeiros*, *vazanteiros*, coconut breakers, riverside dwellers, artisanal fishermen, *fundo e fecho de pasto* communities, among others. Their ways of life are important allies in the conservation of ecosystems, forming productive landscapes that provide environmental services such as the maintenance of biodiversity, hydrological cycles, and carbon stocks (REDE CERRADO, 2022).

The expansion of agribusiness in the western region of Bahia occurred, in large part, in territories considered traditional, but which were not yet guaranteed by the State, generating great social conflicts in the region, which persist in the current times. It is worth highlighting that many of these lands are vacant, and some agribusiness ventures are associated with land grabbing for land occupation in the region.



# 3. ANALYSIS OF NATIVE VEGETATION SUPPRESSION AUTHORIZATION (ASV) PROCESSES ISSUED BY INEMA

## 3.1 SELECTION OF ADMINISTRATIVE PROCESSES

Prior to carrying out the analysis, 26 administrative processes were selected among the 535 (five hundred and thirty-five) ASVs issued in the period from January 2015 to June 2021 (after the publication of State Decree No. 15,180/2014), which had information on geographic coordinates included in the ordinances, out of a total of 1,051 collected for the two basins (January 2007 to June 2021). To support the selection of processes, a table was created defining criteria to guide the selection of 13 processes in each River Basin, totaling 26 ASV administrative processes (Table 1). It should be noted that exceptions were made to include some processes that were outside the established time frame (2015 to 2021), as well as to add a process from the Carinhanha River Watershed, close to the Corrente River Basin limits. These exceptions were made because they are cases that involve many socioenvironmental conflicts in the region.

TABLE 1. CRITERIA FOR THE SELECTION OF ASV ADMINISTRATIVE PROCESSES.

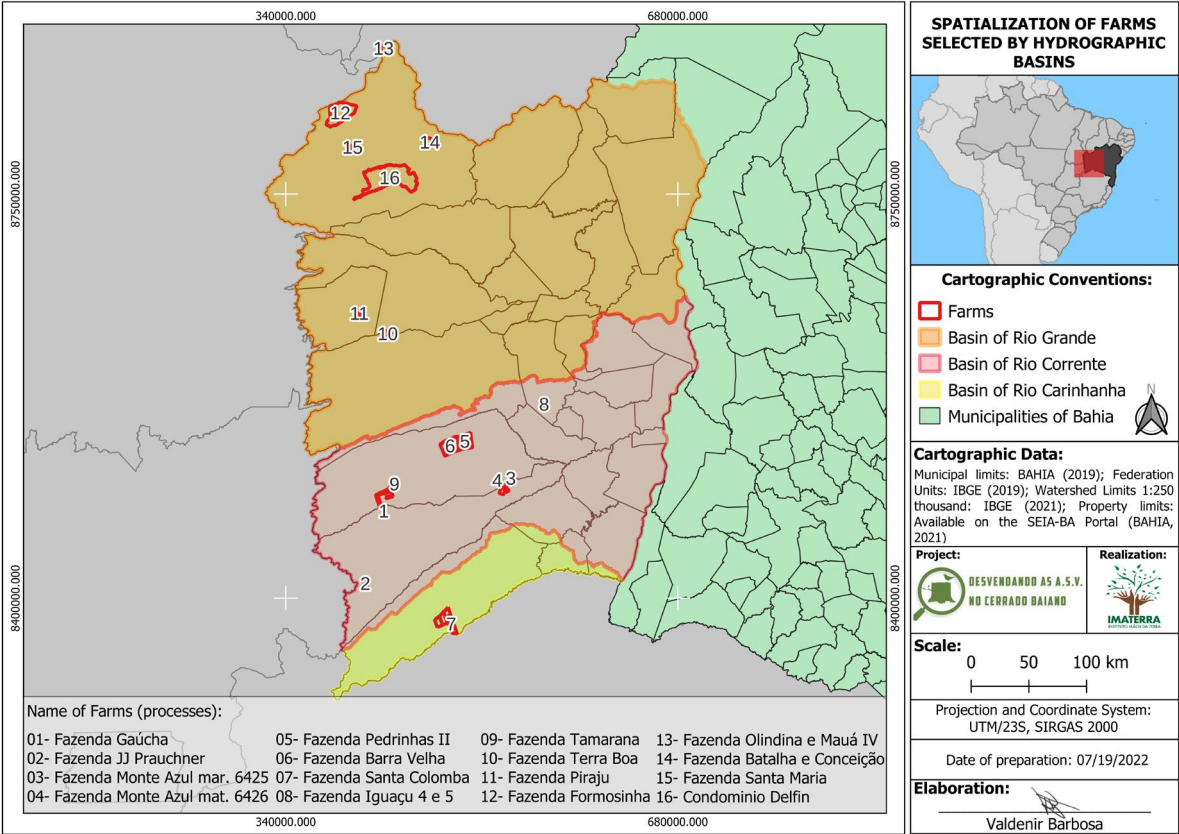
CATEGORY	CRITERIA
ENVIRONMENTAL	Within a Sustainable Use Protected Area
	Within the Full Protection Protected Area
	Close to a Full Protection Protected Area (up to 5 km)
	Within an Area with High, Very High or Extremely High Priority for Biodiversity (SEMA and WWF-Brazil, 2015)
	Within a Priority Area for the Protection of Water Resources (SEMA and WWF-Brazil, 2015)
	Subject to Environmental Impact Study and Environmental Impact Report (EIA/RIMA)
SOCIAL	Within priority areas for use by traditional peoples and communities (SEMA and WWF-Brazil, 2015)
	With a history of socioenvironmental conflicts
	In or near the territories of traditional peoples and communities



Figure 1 shows the location map of the 16 (sixteen) ASV administrative processes described in this executive summary, of which seven are from the Grande River Basin,

eight from the Corrente River Basin, and one from the Cariranhã River Basin

FIGURE 1. MAP WITH THE LOCATION OF THE 16 ASV ADMINISTRATIVE PROCESSES DESCRIBED IN THIS EXECUTIVE SUMMARY.



## 3.2 ANALYSIS OF ASV ADMINISTRATIVE PROCESSES IN LIGHT OF ENVIRONMENTAL LEGISLATION

The analysis of the selected ASV administrative processes was divided into five parts: (i) **the first part** refers to the characterization and geospatial validation of the rural property object of ASV in relation to the information declared in the State Forestry Registry of Rural Properties (CEFIR) and in the Rural Environmental Registry (CAR) through analysis of satellite images, in addition to characterizing the surroundings of the property regarding areas subject to conservation and proximity to traditional communities;

(ii) **the second part** focuses on a detailed analysis of the prerequisites defined in INEMA's Terms of Reference for carrying out a Forest Inventory, covering the methodology used, sample adequacy, maximum accepted relative error, quality of the species list, calculations of volumetry, among other issues; (iii) **the third part** covers the technical analysis of all studies related to fauna, and compliance with the prerequisites defined in Law No. 10,403/2006 and INEMA Normative Ruling No. 001/2016, addressing



issues such as methodology used, survey and plan of driving fauna away, reports on the execution of the driving away plan, among other aspects; (iv) **the fourth part** comprises the general evaluation of the administrative process of granting the ASV based on an analysis of Documental (if the documents/studies required by the legislation were duly presented) and Technical (if their content was evaluated by INEMA based on related legislation and technical-scientific literature) compliance; and **the fifth part** covers only specific processes (selected based on social criteria) and seeks to characterize the socioenvironmental conflicts and impacts suffered by traditional communities and their way of life, based on reports and interviews, related to the enterprise receiving the ASV. Our analyzes were guided especially by the laws and legal instruments (federal and state) described below: (i) Law No. 12,651, of 05/25/2012; (ii) State Decree No. 15,180 of 06/02/2014; (iii) State Decree No. 18,218 of 01/26/2018; (iv) INEMA Ordinance No. 11,292, of 02/13/2016; (v) Law No. 10,431, of 12/20/2006; (vi) Ordinance No. 443, 12/17/2014; (vii) CEPRAM Resolution No. 1,009, 12/06/1994; (viii) IBAMA Normative Instruction

No. 191, 09/24/2008; (ix) IBAMA Ordinance No. 83, 09/26/1991; (x) IBAMA Ordinance No. 32, 01/23/2019; (xi) ICMBIO Normative Instruction No. 1, 01/15/2018; and (xii) Normative Instruction No. 1, 12/12/2016.

In order to suppress native vegetation, some requirements set out in laws and decrees, which are essential for the socioenvironmental sustainability of the region where the suppression will occur, must be fulfilled. During the analysis of the processes, many irregularities and nonconformities that directly affect biodiversity and its ecosystem services, and the traditional communities that inhabit the study region, were identified making the analyzed ASV concessions legally questionable. It is important to highlight that the irregularities found by the Project team are related both to information sent by the entrepreneur to INEMA, and to failures in the technical analysis carried out by the state agency, which must comply with current environmental legislation. Below, Table 2 presents the main types of irregularities found in the 16 (sixteen) ASV administrative processes described in this document.

**TABLE 2. MAIN TYPES OF IRREGULARITIES FOUND IN THE 16 ASV ADMINISTRATIVE PROCESSES.**

IRREGULARITY IDENTIFIED	TYPE
Unavailability of ASV ordinances in the State System of Environmental Information and Water Resources (SEIA), as determined by state legislation	A
Difficulty in accessing documents that integrate the ASV administrative processes, contrary to federal and state legislation	B
Absence of documents required by law, which was not detected in the technical analysis carried out by INEMA, before the approval of the ASV	C
ASV issued without approval from the State Forestry Registry of Rural Properties (CEFIR)	D
Permanent Preservation Areas (APP) existing on the rural property, declared incorrectly (in breach of the Forest Code) or not declared in the State Forestry Registry of Rural Properties (CEFIR)	E
Permanent Preservation Areas (APP) of the rural property that were deforested or degraded, but that were not declared in the State Forestry Registry of Rural Properties (CEFIR)	F
Granting of ASV without approval from the Legal Reserve (RL)	G
Legal Reserve (RL) of the rural property with deforested or degraded areas, but which were not declared in the State Forestry Registry of Rural Properties (CEFIR)	H
Discrepancies between information sent by the entrepreneur to INEMA, and approved, (example: size of Legal Reserve and APP areas, presence of degraded or abandoned areas) and information validated by the Project team	I
Absence of mitigating measures to minimize impacts, as determined by current legislation	J



Forest Inventory was not presented under the justification that there was an absence of vegetation on the property, and accepted by INEMA, despite the satellite images and photos of the area present in INEMA's technical report indicating the existence of vegetation in the area	<b>K</b>
Forest Inventory fully or partially developed in another area other than the area requested to the agency for the removal of vegetation	<b>L</b>
Forest Inventory without information required in INEMA's Term of Reference (ToR) or with insufficient sampling for diversity of flora species	<b>M</b>
Forest Inventory with sampling error above the value determined in INEMA's Term of Reference (ToR), which must be less than 10%	<b>N</b>
Presentation of a survey with plant species that do not occur in the municipality, in the biome or in the State of Bahia or in Brazil	<b>O</b>
Existence of plant species threatened with extinction or banned for felling contained in the survey of the area to be cleared, whose restrictions were not emphasized in the study presented by the entrepreneur, making it impossible to indicate mitigating measures	<b>P</b>
Lack of a Fauna Driving Away and Rescue Plan, and their respective execution reports required by current legislation	<b>Q</b>
Use of methodologies for driving away fauna that are contrary to current legislation, such as the use of hunting dogs	<b>R</b>
Failure to present the Federal Technical Registry (CTF) and/or Technical Responsibility Note (ART) of the professional qualified to carry out the fauna studies and/or the handling of animals in the field	<b>S</b>
Presentation of fauna studies without including the legally required information, such as seasonal variation of the sampled area, periodicity of campaigns, map of areas, list of endemic species, indicators of environmental quality, of economic and hunting importance, and migratory, destination of injured fauna alive or dead, proof of training of the rescue team, and of a qualified professional for handling and rescue.	<b>T</b>
INEMA's analysis does not adequately consider the existence of traditional communities in the area to be cleared, and the potential conflicts and social impacts resulting from the ASV	<b>U</b>

In addition to the irregularities listed in Table 2, we verified the absence of some information and measures in the studies presented by the entrepreneurs that, despite not being “explicitly” foreseen in the current environmental legislation, could be required by the environmental agency in order to carry out technical and more appropriate and judicious decision-making for the granting of ASV, such as:

- Inadequate or insufficient number of professionals qualified to rescue and drive away wild fauna in the area to be suppressed.
- Information on the treatment to be applied to injured animals or animals that are not ready for immediate release.
- Conducting primary studies for wild fauna surveys.
- Information on landscape analysis.



# 4. MAIN IRREGULARITIES FOUND IN THE 16 ASV ADMINISTRATIVE PROCESSES

The main irregularities found in the 16 administrative processes of ASV analyzed are presented below, systematized according to the **names of the properties that underwent ASV**, and according to watershed. General

information about the process numbers, the ASV ordinances, and their respective publication dates, and the areas authorized for suppression related to each farm are described in Table 3.

TABLE 3. GENERAL INFORMATION ABOUT THE 16 ASV PROCESSES ANALYZED.

DECREE #	DATE	PROCESS	PROPERTY	ASV AREA (HA)
18,295	04/26/2019	2017.001.005432/INEMA/LIC-05432	Gaúcha	693.56
9,146	01/23/2015	2014.001.002368/INEMA/LIC-02368	JJ Prauchner	259.35
8,932	12/10/2014	2013.001.001300/INEMA/LIC-01300	Monte Azul	991.016
8,883	12/02/2014	2014.001.000905/INEMA/LIC-00905	Monte Azul	991.1
22,167	01/26/2021	2020.001.004863/INEMA/LIC-04863	Pedrinhas II	2.995.32
17,519	12/15/2018	2018.001.006496/INEMA/LIC-06496	Barra Velha	2,500
22,343	03/06/2021	2019.001.007880/INEMA/LIC-07880	Santa Colomba	4,986.61
10,869	12/03/2015	2013.001.001792/INEMA/LIC-01792	Iguaçu 4 and 5	275.44
25,472	03/07/2022	202 1 .001.005033/INEMA/LIC-05033	Tamarana	2,884.76
10,239	08/18/2015	2015.001.000116/INEMA/LIC-00116	Terra Boa	1,226.2592
22,171	01/27/2021	2017.001.000864/INEMA/LIC-00864	Piraju	331.6919
22,685	04/06/2021	2020.001.004655/INEMA/LIC-04655	Formosinha	3,321.23
21,432	09/10/2020	2020.001.002704/INEMA/LIC-02704	Olindina and Mauá IV	1,993.06
18,513	06/05/2019	2019.001.001032/INEMA/LIC-01032	Batalha and Conceição	1,590
23,714	08/13/2021	2020.001.007065/INEMA/LIC-07065	Santa Maria	951.79
18,440	Extension 05/22/2019	2009-029213/TEC/ASV-1520 (renovada na portaria 2018.001.007597/INEMA/LIC-07597)	Condomínio Delfin	24,732.80
TOTAL				50,723.99





Chart 1 presents, in synthesis, the **main types of irregularities**, according to the classification **indicated in Table 2**, found in the 16 ASV administrative processes

analyzed, systematized by the **names of the farms**, and by watershed.

Grande River Basin		
FARM	TYPES OF IRREGULARITIES	COMPLEMENTARY INFORMATION
Terra Boa I, II and II	A, B, D, E, F, G H, I, L, P, T	<b>APP (Permanent Preservation Area) width declared in CEFIR does not correspond to that established in the Forest Code</b> ; 13.16 ha of APP declared in the CEFIR is degraded; Lack of maps containing the coordinates of areas of suppression and use of properties, and consolidated. <b>Sampling of the forest inventory was not carried out in the suppression area</b> , we are unable to characterize and estimate the volumetry of the ASV area, and environmental compensation measures; ASV issued prior to receipt of pending faunal studies.
Piraju	A, B, E, F, H I, J, M, O, Q	<b>17.07 ha of undeclared APP, of which about 9.89 ha were deforested for pivot implementation</b> ; 3.08 ha of RL (Legal Reserve) deforested; Forest inventory characterizes the vegetation with low diversity sampling (0.13% of the area); No table of products originated from the suppression was presented.
Formosinha	A, B, D, E, G, I J, M, O, Q, T	<b>About 244.65 ha of undeclared APPs</b> due to incorrect delimitation of the margin of palm wetlands and drainage stretches; The forest inventory did not show sufficient sampling for the diversity of flora species and table of products originated from the suppression; Absence of justification for removal of native vegetation.
Olindina and Mauá IV	A, B, C, D, G M, N, O, P, T	<b>A stretch of native vegetation declared in the CEFIR (which should neither be APP nor RL) overlaps the RL area</b> ; Relative error of the Forest Inventory with a value above 13%; Timber volumetry values per plot different from those presented in the Forest Inventory; Sampling with flaws in the allocation of plots, not characterizing the entire ASV area, and some <b>samples are outside the area requested for ASV</b> ; <b>The ASV area is within the Rio Preto State APA, but the property area is located within the Nascentes do Rio Parnaíba National Park.</b>



Batalha and Conceição	A, B, D, E, F, I, G J, O, P, Q, S, T, U	During the execution of the ASV, 268.45 ha of native vegetation outside the authorized area were removed; 11.89 ha of declared APP were deforested in the execution of the ASV; 12.69 ha of APP were not declared; Forest inventory with one of the strata with relative error in disagreement with state legislation, and lacking a volumetry table; It was not indicated in the Inventory that the registered a Pequi tree ( <i>Caryocar brasiliense</i> ) species has a felling ban, making it impossible to indicate mitigating measures to protect the species; Absence of the documentation required in IN 001/2016, such as the acceptance letters from the institutions that will receive the injured or dead animals during the suppression, from the Federal Technical Records of the team professionals; <b>200 families are directly linked to the Arroz fundo e fecho de pasto community, another 800 families use the area that is superimposed on the suppression of vegetation and grounding of the springs, due to the use of correntão [TN. use of a chain attached to two tractors, uprooting trees].</b>
Santa Maria	A, B, D, E, G, I J, K, Q, R, T, U	<b>About 4.02 ha of undeclared APP and within the ASV area;</b> There is a document indicated as Forest Inventory, but it does not include the minimum aspects required in the INEMA ToR, with the entrepreneur's justification that the area did not have trees with minimum size (above 12 cm in trunk diameter) to carry out a Forest Inventory. However, this information differs from the analysis carried out by our team using satellite images, and also from the photos present in the INEMA Technical Opinion, where in both cases, it is possible to see the occurrence of vegetation in the area with density and size for carrying out a Forest Inventory; Fauna scare and rescue plan proposes the <b>use of hunting dogs to scare away wild fauna</b> , constituting an environmental crime, a proposal that was in the INEMA Technical Report. The absence of reports on the execution of the fauna rescue plan leaves doubts about its execution and the final destination of the rescued animals without immediate release condition; <b>The communities of São Marcelo, Buritizinho and Pintada are directly impacted by ASV. 200 families live in the communities of São Marcelo, but 30 families are more directly affected by the conflicts. The occupation of the reserve site has been violent for the communities, as armed security guards guard the perimeter and threaten the residents of the communities.</b>
*Delfin	A, B, C, D, E, G, I J, M, P, R, S, T, U	<b>ASV granted without RL approval; The studies did not present adequate information on the potential socioenvironmental impacts resulting from the loss of biodiversity, the impairment of water resources and the climate, and there were failures in the indication of APPs;</b> IForest Inventory did not indicate the presence of endangered species and the ban on felling, making it impossible to present compensatory measures; Problems in vegetation sampling that make it impossible to indicate compensatory measures and forest replacement. The extension of the deadline for the suppression of vegetation by 6 years made the Forest Inventory out of date, and the state environmental agency did not require the updating of the studies; <b>Submission of incomplete fauna studies signed by a non-qualified professional; Studies for granting Fauna Management Authorization do not present all the legally required requirements; Critical situation of physical threat to the traditional communities of Cachoeira, Marinheiro, Cacimbinha, Gatos and Aldeia, with conflicts generated by the overlapping of the territories of these traditional communities and the area of suppression of vegetation. The communities impacted by the Estrondo condominium are <i>geraizeiras</i> and have lived in the region for several generations. They live in conflict with the enterprise, suffer restrictions in coming and going, environmental impacts, and wait for the regularization of their territory through the discriminatory action that is in progress.</b>







Corrente River Basin		
FARM	TYPES OF IRREGULARITIES	COMPLEMENTARY INFORMATION
Gaúcha	A, B, H, E, F, I J, M, O, P, T	<b>Deforestation of 31.67 ha in the RL area, with the property having a percentage of RL below the minimum required (20%); 2 sections of APP not declared in CEFIR, and deforestation of 4.6 ha of APP;</b> There was no sampling sufficiency of flora diversity; Forest inventory with volumetric data by species and without products (M); <i>Bowdichia virgilioides</i> species is classified as “Nearly Threatened” (P); Authorization for wildlife rescue issued without meeting the requirements for the disposal of fauna unsuitable for immediate release.
JJ Prauchner	A, B, D, G, J, N, O, P, T, S	<b>Deforestation of 28.11ha that were not authorized in the Ordinance;</b> Absence of the descriptive memorial and the limits of the suppression area in the planialtimetric plan; The phytophysiognomy of the study area was not identified; 3 species do not show distribution to the suppression area; Inventory with relative error above 14% approved, without notifications for its adequacy; <b>Forest Engineer was technically responsible for the elaboration of fauna studies (CREA ART presented).</b>
Monte Azul (Mat. 6425)	A, B, D, E, G, I J, L, O, P, Q, U	<b>2.24 ha of palm wetland APP were not declared in the CEFIR;</b> Forest inventory indicated sampling error (9.57%) that was not identified by the team when using the methodology presented in the study; <b>8 sampling plots are not located in the ASV area;</b> The technician mentions that the fauna presents “Umbrofilas and Heliofilas” species, terms applied to the flora, evidencing a lack of mastery on the subject; <b>Conflicts generated by the overlapping of the suppression polygonal with the territory occupied by the traditional <i>fundo e fecho de pasto</i> communities of Brejo Verde and Tarto, deprived of the right to ancestral use of their territory.</b>
Monte Azul (Mat. 6426)	A, B, D, E, G, I, L, J, N, P, Q, U	<b>Evidence of 16.24 ha of APP not declared in CEFIR;</b> Several plots were outside the suppressed area; The methodology used in the Forest Inventory was applied and a sampling error (12%) was found above the allowed limit; No documentation was presented of the professionals involved in scaring away, rescuing and disposing of the fauna; <b>Conflicts generated by the overlapping of the suppression polygonal with the territory occupied by the traditional <i>fundo e fecho de pasto</i> communities of Brejo Verde and Tarto, deprived of the right to ancestral use of their territory.</b>
Pedrinhas II	A, B, D, E, F, G, I, J, H, S, P, T, U	<b>About 342.17 ha of RL and 35.84 of APP are degraded due to fires in the area; 226.89 ha of APP not declared in CEFIR;</b> The Forest Inventory sample plots were poorly distributed, compromising the inventory’s ability to well represent the biodiversity of the area; Sampling error higher (12%) than allowed; Impacts on the livelihoods of the communities of Pedra Branca, Mato Dentro, Limoeiro, Ponte Velha, José Caetano, Remanso and Salobro, deprived of the right to ancestral use of their territory; Fauna rescue plan presents an incomplete description of inadequate procedures and forms of management for the protection of wild birds’ nests.
Barra Velha	A, B, E, F, H, I, J, O, P, T, U	<b>About 143.03 ha of RL and 52.15 in APP are degraded due to fires in the areas; Evidence of 25.17 ha of APP not declared in CEFIR; Absence of measures from the Medium Environmental Impact Study;</b> Of the 30 species identified in the Forest Inventory, 5 species do not have a distribution for the state of Bahia and <b>1 species does not have a distribution for Brazil;</b> It was not emphasized that a species identified in the inventory has a degree of extinction (vulnerable), making it impossible to indicate mitigating measures to protect the species; Documentation and studies presented are insufficient for the granting of Wild Fauna Management Authorization; <b>Overlap between the polygonal areas of the <i>fundo e fecho de pasto</i> communities of Pedra Branca, Mato Dentro, Limoeiro, Ponte Velha, José Caetano, Remanso and Salobro, and the farms; Damage to the way of life and access to extractivism areas and the release of cattle from traditional communities, in addition to compromising the waters of the rivers used by the communities.</b>



Iguaçu 4 e 5	A, B, D, G, J, N, P, T	<b>The deforested area was not used as determined by art. 34, of State Decree No. 15,180/2014, with the suppressed area currently undergoing regeneration and not being used;</b> Forest Inventory with few sample plots, and relative error of 23.4%, above the maximum acceptable; Fauna rescue plan does not include care measures for animals that do not have sufficient mobility to escape with the movement of machines during the suppression, and does not have an indication of destination areas for displaced animals due to suppression; Characterization of the local fauna was carried out mainly with secondary data, but without considering seasonal variations and the particularities of each animal group.
Tamarana	A, B, D, G, J, M P, S, T, U	<b>ASV granted without RL location approval; RL of the properties that constitute “compensation” and are about 90 km from the farms for which ASV were granted, overlaps the traditional <i>fundo e fecho de pasto</i> community Capão do Modesto, impacting 60 families. The project has had an impact on the ways of life of the community of Fecho do Capão do Modesto, compromising the release of cattle and extractivism, the right to use their territory, generating physical and emotional violence to the families and environmental harm (quality-quantity) of the region’s streams. If the RL of the tenure property is kept in the indicated place, the communities will be expelled from their territories. It is necessary to urgently verify if the RL is in vacant land, as the Agrarian Development Coordination (CDA) has been indicating; Absence of the Medium Environmental Impact Study;</b> Forest Inventory presented errors in the analysis of compensation and forest replacement, since the existence of an endangered species ( <i>Handroanthus spongiosus</i> ) in the area was not highlighted, and there were failures in the presentation of the volumetric estimate of timber material; Fauna studies did not present the Letter of Acceptance of the institution qualified to receive the injured or dead animals, and the destination of the species during the suppression, and information related to the name and technical credentials (CTF and ART) of the professional qualified to handle the animals in the plan to chase away and rescue the fauna presented.
<b>Caririnha River Basin</b>		
Santa Colomba	A, B, D, E, G, I J, O, T, S, U	<b>73.38 ha of undeclared APP; Existence of degraded areas inside the properties, which would make it impossible to grant ASV, in accordance with the Forest Code; Absence of a Medium Environmental Impact Study; Forest Inventory with an indicated species with an unknown name, not registered in the Brazilian Flora Database (National Database); Damage to the way of life of <i>geraizeiros</i> and access to areas where cattle are extracted and released.</b>

\*Condominio Delfin is one of the three large properties that make up Condominio Estrondo, and in January 2015 it obtained an ASV for an area of 24,732.80 ha (Ordinance No. 9,077), whose validity was extended in May 2019, through the Ordinance No. 18,440. Public Civil Lawsuit No. 8000202-05.2022.8.05.0081, of April 19, 2022, has detailed information related to irregularities identified in Delfin’s administrative process documents that the Project team had access to.

# 5. DEFORESTATION AS A PUBLIC POLICY

The suppression of native vegetation for alternative land use is provided for in the Forest Code (Law No. 12,651 of May 25, 2012) and in other federal legislation, as well as in the environmental legislation of the State of Bahia. In this sense, decision-making related to authorization to suppress native vegetation for alternative land use must assess compliance with a series of requirements expressly defined in the current legal framework. Compliance with these legal requirements aims to ensure the right “*to an ecologically balanced environment, a good for common use by the people and essential to a healthy quality of life*”, determined in article 25 of the Federal Constitution of 1988, which also emphasizes “*the Public Power and the community [have] the duty to defend and preserve an ecologically balanced environment for present and future generations*”

However, the loss of native vegetation in Bahia has been occurring rapidly. Since 1985, there has been a 23.1% reduction in coverage of Cerrado, 15% of Atlantic Forest, and 11.6% of Caatinga. In a comparison among Brazilian states, Bahia ranks 4th in terms of total area of native vegetation lost in the last decade (Rocha et al., 2021). And this scenario continues, since, according to the MapBiomas Annual Deforestation Report 2021 published in July 2022, the State of Bahia occupies the 5th place in the deforestation ranking in 2021, with 9.19% of the area deforested in the country, corresponding to 152,098 hectares. Together, the states of Pará, Amazonas, Mato Grosso, Maranhão, and Bahia concentrate half of the deforested area in the country in 2021. The Report also highlights that the states where deforestation grew the most in absolute numbers were in Amazonas (64,673 ha) and Bahia (46,160 ha).

However, the increase in its Gross Domestic Product (GDP) per capita in the period was much smaller than that of other states that almost did not suppress native vegetation. Worse than that, the reduction of its social inequalities in the period, measured by the Gini Index, was the second worst in the country in the last decade, which indicates that the expressive suppression of native vegetation did not contribute to soften the income difference between the most rich and poor in the state. A comparative analysis only among the municipalities in Bahia indicates that there was no relationship between the amount of native vegetation suppressed in the municipality and the change in its Human Development Index (HDI): municipalities that lost more native vegetation did not have better indicators of work, health, and education than municipalities that did not suppress native vegetation. Thus, the populations of these municipalities, in addition to not being directly benefited by the suppression of native vegetation, have to deal with the environmental liabilities derived from the loss of services that were provided by the suppressed natural ecosystems, increasing the social vulnerability of these populations and socioenvironmental conflicts. (Rocha et al., 2021).

An analysis of the more than 4 thousand ASV ordinances issued by INEMA and published in the Official State Gazette (DOE, acronym in Portuguese) between January 2010 and July 2020 carried out by IMATERRA and UFBA (2020), indicated that the suppression of more than 800 thousand hectares, an area equivalent to 26.4 times the continental area of the municipality of Salvador, was authorized. For comparison, Mato Grosso, the largest soybean producing state in Brazil, issued 580 authorizations for the suppression of native vegetation in the period from 2009 to 2018 (Rajão et al., 2020). Twelve of the 20 municipalities for which the state authorized the largest areas of suppression of native vegetation are in the Cerrado region of western Bahia. These data indicate that almost all of the suppression of native vegetation that occurred in the state during this period was authorized by the state government, representing, therefore, a governmental public policy. This differs from the reality of other states such as Mato Grosso, where studies carried out by Vasconcelos et al. (2020), indicate that 97% of total deforestation in the period from 2012 to 2017 was illegal (Rocha et al., 2021).

The concept of public policy can refer to a government statement of what it intends to do, through a law, regulation, rule, decision, order, or a combination of these acts. But

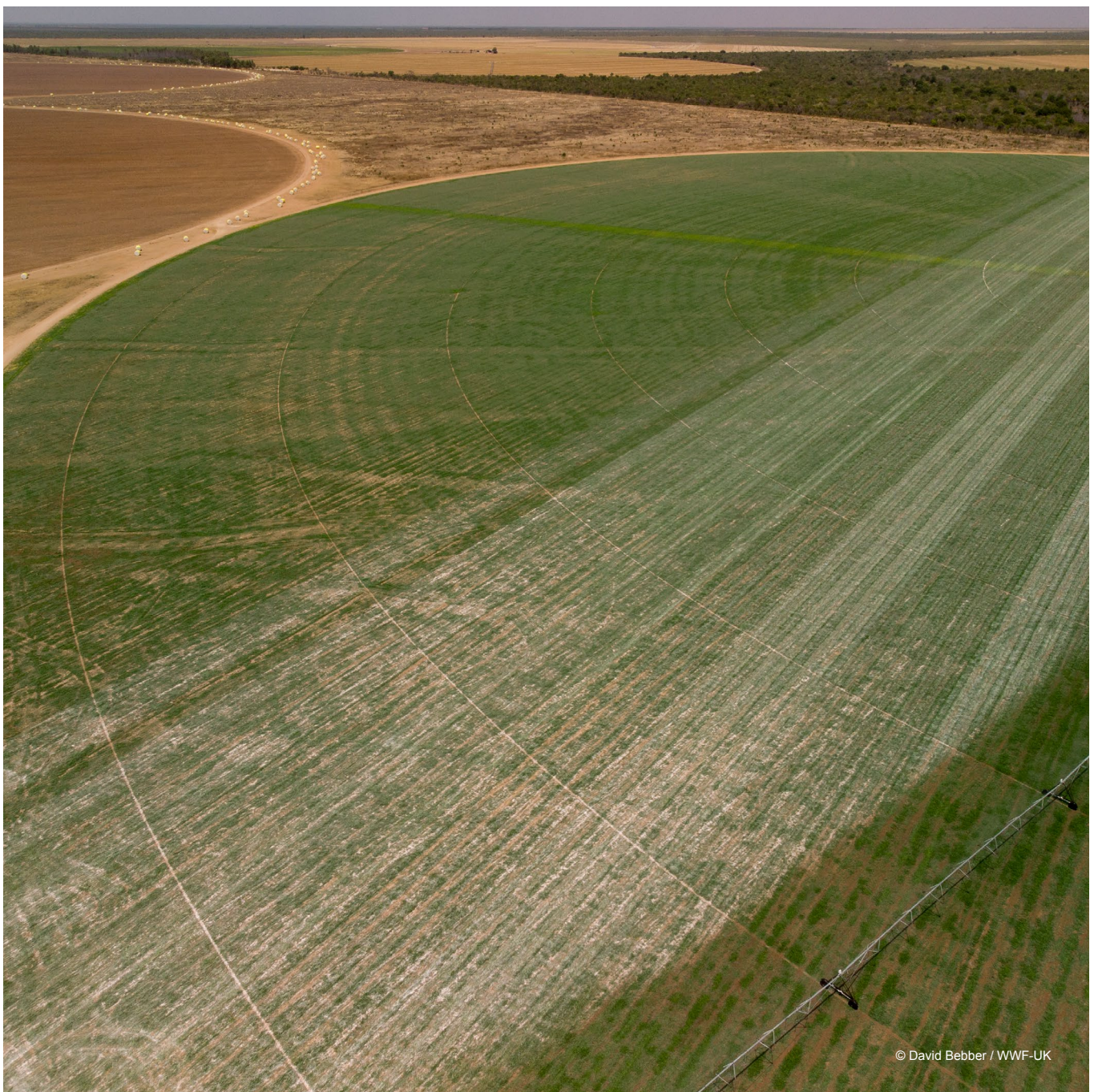




its absence can also configure an implicit statement of public policy, as a tacit policy (Birkland, 2015). In the case of Bahia, the flexibility and setbacks implemented in state environmental legislation, with emphasis on the publication of Decree No. 15,682/2014, which amended State Decree No. 14,024/2012, removing the requirement of licensing for agro silvopastoral business ventures, indicate that the mass suppression of native vegetation has been incorporated as a State policy. This setback generated Recommendation No. 08/2016, from the Federal Public Prosecutor's Office to Governor Rui Costa, to revoke State Decree No. 15,682/2014, aiming at the full exercise of the competence granted to the state body by article 23, VI and VI, of the Federal

Constitution and article 8 of Complementary Law No. 140/2011.

The results of the analysis of sixteen administrative processes that subsidized the issuance of ASVs for the suppression of 50,723.99 hectares of native vegetation in the Grande, Corrente, and Caririnha River Basins, by INEMA, show that the decision-making by the state environmental agency to suppress native vegetation is not strictly and adequately considering compliance with requirements defined in current environmental legislation, in addition to not complying with legal provisions related to transparency and access to information and public documents.



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