

EP/121/2011-12/14.1/201
14.

F.No.11-2/2010-IA.III
Government of India
Ministry of Environment & Forests
(IA Division)

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi - 110 003.

Dated: 19th September, 2011.

To
The Chief Engineer (Civil),
M/s. New Mangalore Port Trust,
Mangalore- 575010.

Subject: Environmental and CRZ Clearance for the development of four berths in Western Dock Arm in Mangalore Port Trust, Mangalore by M/s. New Mangalore Port Trust -Reg.

This has reference to your application No: CE(C)/EE(Dev.)/WDA/2006-07/TS dated 08.02.2011 seeking prior Environmental and CRZ Clearance for the above project under the EIA Notification - 2006 and Coastal Regulation Zone (CRZ) Notification, 1991. The proposal has been appraised as per prescribed procedure in the light of provisions under the EIA Notification - 2006 and Coastal Regulation Zone Notification, 1991/2011 on the basis of the mandatory documents enclosed with the application viz., the Questionnaire, EIA, EMP and the additional clarifications furnished in response to the observations of the Expert Appraisal Committee constituted by the competent authority in its meetings held on 5th -6th April, 2011.

2. It is interalia, noted that the proposal involves development of four berths in Western Dock Arm in Mangalore Port, Mangalore by New Mangalore Port Trust. The Expert Appraisal Committee in its meeting held on 22.8.2007 has suggested additional TOR for the preparation of EIA after exempting public hearing for the project and it was conveyed vide letter No. 10-55/2007-IA-3 dated 5.09.2007. NMPT proposes to develop a dock arm having a length of 700 meters on one side and 625 meters on the other side and distance between the two quays at the mouth of the basin will be 250 meters tapering down to 225 meters. The approximate length of each berth in the basin would be 300 - 350 meters. An area of 110 acres of the Port land will be utilized for the project and the entire area is within the Port estate and has been declared as Port limits. Out of 110 acres of land to be developed for this project an area of 50 acres will be required for creating basin as a water body. The existing land will be dredged to 15.4 meters deep for the proposed basin. The dredged material will be disposed off in the existing dumping grounds which are located at 13 kms on south western side of the shore. It is expected that 3 million cubic meters of dredged material will be dumped in the existing dumping ground in a phased manner since the development of 4 berths is expected in phases.

19/9/2011

3. In the past, the MoEF has cleared the construction of one berth out of 4 berths i.e. Berth No.15 vide Letter No.J-13011/23/96-1A-2(t) part dated 04.07.2007. The development and construction of balance three berths is proposed to be taken up within next three years. The development of Berth No.18 is being developed as Container Terminal with a quay length of 300 meters and a back up area of 10.6 hectares and the proposal is in final stages of award. The balance berths i.e. Berth No.16 & 17 will be developed as bulk and break bulk terminals after the completion of construction of Berth No.15 & 18.

4. TOR was finalized for 2 nos. of berths whereas the proposal is submitted for the construction of 4 berths. The Public hearing for the project was agreed to be waived since the project is located within the existing port limits. The EIA has been prepared for 4 berths and project proponent requested clearance for 4 berths.

5. The Karnataka State Coastal Zone Management Authority (KSCZMA) considered the project in its meeting held on 27.11.2009 and recommended vide letter No. FEE. 10/CRZ/2009 dated 01.04.2010.

6. The Expert Appraisal Committee, after due consideration of the relevant documents submitted by the project proponent and additional clarifications furnished in response to its observations, have recommended for the grant of CRZ and Environment Clearance for the project. Accordingly, the Ministry hereby accord necessary CRZ and Environment Clearance for the above project as per the provisions of EIA Notification, 2006 and Coastal Regulation Zone Notification, 2011, subject to strict compliance of the terms and conditions as follows:

7. SPECIFIC CONDITIONS:

- (i) "Consent for Establishment" shall be obtained from State Pollution Control Board under Air and Water Act and a copy shall be submitted to the Ministry before start of any construction work at the site.
- (ii) The authenticate map of the HTL/LTL together with their respective coordinates at discrete intervals shall be submitted so as to identify them later on the ground if and when necessary.
- (iii) The project shall be executed in such a manner that there shall not be any disturbance to the fishing activity.
- (iv) It shall be ensured that there is no displacement of people, houses or fishing activity as a result of the project.
- (v) No construction work other than those permitted in Coastal Regulation Zone Notification shall be carried out in Coastal Regulation Zone area.

- (vi) The project proponent shall set up separate environmental management cell for effective implementation of the stipulated environmental safeguards under the supervision of a Senior Executive.
- (vii) The funds earmarked for environment management plan shall be included in the budget and this shall not be diverted for any other purposes.

8. GENERAL CONDITIONS:

- (i) Appropriate measures must be taken while undertaking digging activities to avoid any likely degradation of water quality.
- (ii) Full support shall be extended to the officers of this Ministry/Regional Office at Bangaluru by the project proponent during inspection of the project for monitoring purposes by furnishing full details and action plan including action taken reports in respect of mitigation measures and other environmental protection activities.
- (iii) A six-Monthly monitoring report shall need to be submitted by the project proponents to the Regional Office of this Ministry at Bangaluru regarding the implementation of the stipulated conditions.
- (iv) Ministry of Environment & Forests or any other competent authority may stipulate any additional conditions or modify the existing ones, if necessary in the interest of environment and the same shall be complied with.
- (v) The Ministry reserves the right to revoke this clearance if any of the conditions stipulated are not complied with the satisfaction of the Ministry.
- (vi) In the event of a change in project profile or change in the implementation agency, a fresh reference shall be made to the Ministry of Environment and Forests.
- (vii) The project proponents shall inform the Regional Office as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities and the date of start of land development work.
- (viii) A copy of the clearance letter shall be marked to concerned Panchayat/local NGO, if any, from whom any suggestion/representation has been made received while processing the proposal.

(ix) Karnataka Pollution Control Board shall display a copy of the clearance letter at the Regional Office, District Industries Center and Collector's Office/Tehsildar's office for 30 days.

9. These stipulations would be enforced among others under the provisions of Water (Prevention and Control of Pollution) Act 1974, the Air (Prevention and Control of Pollution) Act 1981, the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and EIA Notification 1994, including the amendments and rules made thereafter.

10. All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Civil Aviation Department, Forest Conservation Act, 1980 and Wildlife (Protection) Act, 1972 etc. shall be obtained, as applicable by project proponents from the respective competent authorities.

11. The project proponent shall advertise in at least two local Newspapers widely circulated in the region, one of which shall be in the vernacular language informing that the project has been accorded Environmental Clearance and copies of clearance letters are available with the State Pollution Control Board and may also be seen on the website of the Ministry of Environment and Forests at <http://www.envfor.nic.in>. The advertisement should be made within 10 days from the date of receipt of the Clearance letter and a copy of the same should be forwarded to the Regional office of this Ministry at Bangaluru.

12. Environmental clearance is subject to final order of the Hon'ble Supreme Court of India in the matter of Goa Foundation Vs. Union of India in Writ Petition (Civil) No.460 of 2004 as may be applicable to this project.

11. Status of compliance to the various stipulated environmental conditions and environmental safeguards will be uploaded by the project proponent in its website.

13. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zilla Parisad/Municipal Corporation, Urban Local Body and the Local NGO, if any, from whom suggestions/ representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the company by the proponent.

14. The proponent shall upload the status of compliance of the stipulated EC conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of MoEF, the respective Zonal Office of CPCB and the SPCB.

15. The project proponent shall also submit six monthly reports on the status of compliance of the stipulated EC conditions including results of monitored data (both in hard copies as well as by e-mail) to the respective Regional Office of MoEF, the respective Zonal Office of CPCB and the SPCB.

16. The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of EC conditions and shall also be sent to the respective Regional Offices of MoEF by e-mail.



(E. Thirunavukkarasu)
Deputy Director (IA-III)

Copy to:

- 1 The Principal Secretary, Department of Forest, Ecology and Environment, Government of Karnataka, Multistoried building, K.G. Road, Bangalore - 560 001
- 2 The C.C.F., Regional Office (SZ), Ministry of Environment & Forests, Kendriya Sadan, IV Floor, Environment & Forests Wings, Office (SZ), 7th Main Road, II Block, Koramangala, Bangalore - 560 034.
- 3 The Chairman, CPCB, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi - 32.
- 4 The Chairman, Karnataka State Pollution Control Board-49, Parisara Bhavana, Church Street, Bangalore -560001, Karnataka.
- 5 Guard File.
- 6 Monitoring Cell.



(E. Thirunavukkarasu)
Deputy Director (IA-III)