

No. 10-14/2009-IA.III
Government of India
Ministry of Environment & Forests

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27/3/10

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

Dated: 19th March, 2010.

To
M/s. Gangavaram Port Limited,
Hansa Crest, 1st Floor,
Plot No.62, Road No.1,
Jubilee Hills,
Hyderabad - 500 033,
Andhra Pradesh.

Subject: Environmental and CRZ Clearance for the construction of 5th Berth in Visakhapatnam Andhra Pradesh by M/s. Gangavaram Port Ltd. - Reg.

This has reference to the letter No: 6586/CZMA/2008, dated 24.12.2008 of Special Chief Secretary, E.F.S. & T. Department, Govt. of Andhra Pradesh and subsequent letter dated 25.05.2009 and 02.11.2009 received on 07.12.2009 seeking prior Environmental and CRZ Clearance for the above project under the EIA Notification - 2006 and CRZ Notification, 1991. The proposal has been appraised as per prescribed procedure in the light of provisions under the EIA Notification - 2006 and subsequent amendment in 2009 and CRZ Notification, 1991 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 23rd - 24th April, 2009 and 21st - 23rd December, 2009.

2. It is interalia, noted that the original project was accorded Environmental Clearance for the construction of four berths and one exclusive berth for the port crafts besides providing ware housing facilities and transit sheds on 07.11.2008. The present proposal intends to develop the exclusive berth permitted earlier to accommodate the Port crafts into a full fledged General Cargo Berth with a draft of 14.50 m as part of augmenting the facilities to ensure better utilization of the constructed space. The total extent of the port area is 2,800 acres. The present proposal pertains to change of Cargo profile, to allow bigger vessels in the port, increase in number of berths, change of dimensions of berths, changes in cargo storage area etc. with an additional investment of Rs. 250 crores with a cumulative projected cost being in the order of Rs. 1650 crores.

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3. The revised scope of the project includes the changes in the orientation of breakwaters, which is based on currents, and wave pattern of the sea. The estimated quantum of net annual littoral drift is assessed to be of the order of 9,00,000 cum moving from south to north. As per the Mathematical modeling, the long shore current along the southern breakwater indicates that sediments transport takes place along the breakwater towards the entrance channel. In the case of Gangavaram the average net sediment transport is estimated to be in the order of 0.9 million cum per year. The sand trap has been provided. The sand trap is designed between - 6.0 m and - 14.0 m contours outside the south breakwater to trap 0.5 to 0.6 million Cum of sediments per year. The starting point of the southern breakwater is shifted towards southern hill known as Meraka Mettta without any adverse impacts on shore. The length of southern breakwater is indicated as 1750 meters and oriented at 46° - 234° . The northern breakwater is 800 m long and oriented 153° - 333° . The orientation of the entrance channel to the port has been fixed at 84° - 264° . The width of the approach channel as per the report is 200 m with a dredged depth of - 20.2 m below CD and maneuvering area is -19.3 m below CD. The General Cargo berth will be 240 m. length, 21 m. width and with 14.50 m. draft.

4. As per the approved Coastal Zone Management Plan (CZMP), the entire port area is classified as CRZ-III. The Environmental Impact Assessment Report, Detailed Feasibility Report, Risk Assessment and Oil Spill Response Plan on Emergency Action Plan, Report on Demarcation of LTL, HTL, and CRZ Lines by National Institute of Oceanography, carried out. (The Andhra Pradesh Pollution Control Board issued Consent Order for Establishment (CFE) through Order No. 113/PCB/CFE/RO-VSP/HO/2008, dt. 11.08.2008,) for conversion of Berth earmarked for Port crafts into General Cargo Berth to handle containers and other dry cargo like agriculture products.

5. The Environment, Forests, Science and Technology Department, Govt. of Andhra Pradesh recommended the proposal vide letter No.6586/CZMA/2008, dated 24.12.2008 for the issue of Environmental Clearance.

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 Environmental and CRZ Clearance for the project. Accordingly, the Ministry hereby accord necessary Environmental and CRZ Clearance for the above project as per the provisions of Environmental Impact Assessment Notification - 2006 and CRZ Notification, 1991 and its subsequent amendment in 2009, subject to strict compliance of the terms and conditions as follows:

7. **Specific Conditions :**

- (i) No construction work other than those permitted in Coastal Regulation Zone Notification, 1991 shall be carried out in Coastal Regulation Zone area.
- (ii) Sewage shall be treated and the Treatment Facility shall be provided in accordance with the Coastal Regulation Zone Notification, 1991. The disposal of treated water shall conform the regulation of Andhra Pradesh State Pollution Control Board.
- (iii) Oil spills if any shall be properly collected and disposed as per the Rules.
- (iv) The approach channel shall be properly demarcated with lighted buoys for safe navigation and adequate traffic control guidelines shall be framed. The fishermen shall be suitably educated and informed about the traffic guidelines.
- (v) 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.
- (vi) The project proponent shall take up mangrove plantation/green belt in the project area, wherever possible. Adequate budget shall be provided in the Environment Management Plan for such mangrove development.
- (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) Adequate provision for infrastructure facilities including water supply, fuel and sanitation must be ensured for construction workers during the construction phase of the project to avoid any damage to the environment.
- (ii) Appropriate measures must be taken while undertaking digging activities to avoid any likely degradation of water quality.
- (iii) Borrow sites for each quarry sites for road construction material and dump sites must be identified keeping in view the following:
 - (a) No excavation or dumping on private property is carried out without written consent of the owner.

- (b) No excavation or dumping shall be allowed on wetlands, forest areas or other ecologically valuable or sensitive locations.
- (c) Excavation work shall be done in close consultation with the Soil Conservation and Watershed Development Agencies working in the area, and
- (d) Construction spoils including bituminous material and other hazardous materials must not be allowed to contaminate water courses and the dump sites for such materials must be secured so that they shall not leach into the ground water.
- (iv) The construction material shall be obtained only from approved quarries. In case new quarries are to be opened, specific approvals from the competent authority shall be obtained in this regard.
- (v) Adequate precautions shall be taken during transportation of the construction material so that it does not affect the environment adversely.
- (vi) Full support shall be extended to the officers of this Ministry/ Regional Office at Bangalore 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.
- (vii) 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.
- (viii) The Ministry reserves the right to revoke this clearance if any of the conditions stipulated are not complied with the satisfaction of the Ministry.
- (ix) 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.
- (x) 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.

- (xi) Andhra Pradesh 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 Andhra Pradesh 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 Bangalore.

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.

13. Any appeal against this Environmental Clearance shall lie with the National Environment Appellate Authority, if preferred, within a period of 30 days as prescribed under Section 11 of the National Environment Appellate Act, 1997.

14. 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.

15. 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. The criteria pollutant levels namely; SPM, RSPM, SO₂, NO_x (ambient levels as well as stack emissions) or critical sectoral

parameters, indicated for the project shall be monitored and displayed at a convenient location near the main gate of the company in the public domain.

16. 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.

17. 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.

(Bharat Bhushan)
Director (IA-III)

Copy to:

- (1) The Secretary, Department of Environment, Government of Andhra Pradesh, Secretariat, Hyderabad.
- (2) The Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi - 110 032.
- (3) The Chairman, Andhra Pradesh Coastal Zone Management Authority and Principal Secretary, Environment, Forests and Sciences and Technology, Government of Andhra Pradesh, Hyderabad.
- (4) The Member Secretary, Andhra Pradesh Pollution Control Board, Hyderabad.
- (5) The CCF, Regional Office, Ministry of Environment & Forests(SZ), Kendriya Sadan, IVth floor, E&F wings, 17th Main Road, Koramangala II Block, Bangalore - 560 034.
- (6) IA - Division, Monitoring Cell, MOEF, New Delhi - 110003.
- (7) Guard file.

(Bharat Bhushan)
Director (IA-III)