

F.No.11-122/2011-IA.III
Government of India
Ministry of Environment & Forests
(IA Division)

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

Dated:03rd January, 2014

To
The Managing Director & Chief Executive Officer,
Vizhinjam International Seaport Limited,
1st Floor, Vipanchika Tower, Near Govt. Guest House,
Thycaud, P.O. Thiruvananthapuram-695014, Kerala

Contact Person Details:
Shri A.S. Suresh Babu,
Tel/Fax: 471-2328616,
Email: mail@vizhinjampport.in

Subject: Environmental and CRZ clearance for Development of Vizhinjam International Deepwater Multipurpose Seaport at Vizhinjam in Thiruvananthapuram District, Kerala by M/s. Vizhinjam International Seaport Ltd. – Reg.

This has reference to your application No: VISL/EC/MoEF/2013 dated 29.08.2013 and subsequent letters dated 21.10.2013, 29.10.2013 and 23.11.2013 seeking prior clearance for the above project under the EIA Notification, 2006 and CRZ Notification, 2011. The proposal has been appraised as per prescribed procedure in the light of provisions under the EIA Notification, 2006 and CRZ Notification, 2011 on the basis of the mandatory documents enclosed with the application viz., the Questionnaire, EIA, EMP, HTL/LTL & CRZ demarcation report, Recommendation from Kerala Coastal Zone Management Authority (KCZMA) and specific study reports on long term shoreline changes, mathematical modelling 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 19th - 21st September, 2013, 28th - 30th October, 2013 and 20th - 23rd November, 2013.

2. It is inter-alia, noted that the Port is proposed to be developed by Vizhinjam International Seaport Ltd. (VISL), a fully owned Company of the Government of Kerala. The proposal involves the development of an all-weather, multi-purpose, deep-water, mechanized, greenfield port at Vizhinjam (Latitude 08^o22'20"N and Longitude 77^o00'00"E) in Thiruvananthapuram District. The Port having a natural deep draft of (-) 18m, located hardly 18 Km from the international shipping route is primarily intended to attract the largest container vessels (18000 TEU/165,000 DWT) to tap the lionshare of the Indian transshipment cargo now being handled by the nearby foreign ports and is envisioned as the future transshipment hub of the Country. The dedicated cruise terminal has been designed to become the Country's tourism gateway. Considering the strategic importance of the Port located at the tip of Indian peninsula, berths for Indian Navy and Coast Guard are also planned under the National & Coastal security perspectives, as required by the Ministry of Defence, Government of India. Berths for multipurpose cargo like timber and raw cashew and fishery berth are also planned.

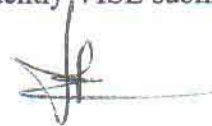


3. The project is proposed to be developed in three phases; Phase I, Phase II and Phase III. Phase I consists of 800 M Container Terminal, 300M Cruise cum Multipurpose Terminal, 500M Navy berth, 120M Coast Guard berth, 100M Port craft berth and 500M Fish landing berth. Phase II consists of additional 400M Container Terminal, Phase III consists of additional 800M Container Terminal, additional 200M Cruise cum Multipurpose Terminal and 250M Liquid Terminal. The length of breakwater in Phase I is 3180 M, to be extended by 200 M in Phase II (making the overall length to 3380 m) and to be extended further by 700M in Phase III (making the overall length to 4080M). The total area to be developed for all three phases is estimated at 450.59 Ha. This includes the harbour area within breakwater including water spread area (167 Ha), port infrastructures & ancillaries in land including road & railways (140.42 Ha) and port infrastructure in reclaimed land (143.17 Ha). The reclamation requirement in Phase I is 66.00 Ha, Phase II is 16.00 Ha and Phase III is 40.00 Ha totalling to 122 Ha, with a provision for future reclamation of 21.17 Ha. Phase I development is planned during 2014-17, Phase II in 2024-2027 and Phase III in 2034-37. Accordingly the project proponent has sought the environmental clearance for Phase I only considering the clearance validity limitations of 5 years, even though the shoreline, modeling and related studies have been done for the full Phase development.

4. The whole land required for port infrastructure in the landward side for all the three Phases (140.42 Ha) is proposed to be procured in Phase I itself. Thus the Phase I land requirement is 206.42 Ha including 140.42 Ha of backup and ancillary land and 66.00 Ha reclaimed land. The Phase I reclamation quantity of 7.6 million m³ is proposed to be dredged from the Port basin and the approach channel by deepening it to (-)18.4M and to (-) 20.8M respectively. No routine maintenance dredging or disposal is anticipated as per the modelling & sedimentation studies.

5. The other port infrastructure include container yards, cargo handling equipment, port crafts, navigational aids, operations building, workshops, fire station, weigh bridge, gate houses, water, power, sub-station, lighting, road/rail connectivity, truck terminal, ware house, IT system, security system, administration building, staff colony, facilities for Cruise, Navy, Coast Guard, Fishing berth, dispensary, Guest house, canteen, storm water drainage system, pond for water harvesting, pollution control system, dust suppression system, greenbelt etc. The water requirement is 0.5 MLD in Phase I and 1.0 MLD in masterplan. A 3.3 MLD water treatment plan has already been commissioned and the source is Vellayani Lake. From the net availability of 2.49 MLD after treatment, 1.49 MLD is being distributed to the Vizhinjam fishing village as part of the Corporate Social Responsibility (CSR) activities of VISL. The power requirement of the operation Phase of 33.3 MVA is proposed to be met from the Kerala State Electricity Board grid through a dedicated 220/110 KV supply line with GIS substation. Block capital cost estimate for development of Phase I is about Rs. 5,187 Crores.

6. The project was earlier appraised by the EAC in its meeting held during 18th - 20th Jan 2011 and 23rd - 24th June 2011 and the TOR for the EIA study was approved. Based on the approved ToR, a comprehensive EIA study has been performed including long term shore line change and modeling studies through M/s L&T Ramboll Consulting Engineers Ltd, a NABET accredited consultant. The draft EIA report was published and the Public Hearing was conducted through the Kerala State Pollution Control Board on 29th June 2013 at the project site. The State Pollution Control Board forwarded the proceedings of the Public Hearing to MoEF vide their letter dated 6th July 2013. Subsequently VISL submitted the final



EIA report, presented the TOR compliance and response to the points raised during public hearing to MoEF vide letter dated 29th August 2013.

7. The project falls under activity 7(e) - Port and Harbours - of EIA Notification, 2006 and also attracts CRZ Notification, 2011. The Kerala State Coastal Zone Management Authority (KCZMA) has recommended the project for clearance under the CRZ Notification, 2011 vide their letter dated 24th August 2013, based on the EIA report and the CRZ report from the Centre for Earth Science Studies (CESS), Thiruvananthapuram, which stated that port development at the proposed location is a permissible activity as per the CRZ Notification, 2011.

8. Numerous representations for and against the project were received. The major issues raised in the various representations are false data in Form-I, presence of endangered species not given, site is in CRZ-I area, Shoreline study focus on impacts after 1980 but needs to assess the changes in 1969-73 also, fishery and tourism related impacts not addressed /mitigated in final CEIA, Difficulties in crossing the ship channel and to fish in deep sea, Dredging might cause extensive damage & pollution, no specific parameters in ToR on tourism and impact on tourist was not studied, EIA study area was taken as 10 against 15 km, unscientific site selection, violation of CRZ/MoEF, ToR compliance, Pollution & social relevant impacts already being felt. The Additional Chief Secretary, Government of Kerala provided comments on the various representations vide letter dated 17th October 2013. Project Proponent provided and presented before the EAC the information / clarification along with the references on each of the issues raised.

9. The EAC Noted that Vizhinjam International Seaport Limited (VISL), purchased land for the development of the project including land for a 2 Km long and 45 m wide port road. As part of the Kerala State Transport Project works of the Kovalam-Kaliyikkavila stretch, adjoining the proposed port road, the State Government initiated construction of a temporary service road of 670 M length and 10 m width through the land in possession of VISL, without clearance. The construction initiated on 16th August 2010 was stopped on 4th July 2012 after completing 550m, based on the revelation that part of the above stretch of road fell in the 200m/500m landward zone of the HTL as per the CRZ Notification, 1991/2011. According to OM dated 12.12.2012 and its amendments, PP has submitted Board resolution vide letter No. 21.11.2013. The State Govt. was addressed to initiate credible action on the violation by invoking powers under Section 19 of the Environment (Protection) Act, 1986 for taking necessary legal action under Section 15 of the Act for the period for which the violation has taken place and provide evidence to MoEF of the credible action taken before grant of clearance. The Additional Chief Secretary, Government of Kerala vide letter dated 01.01.2014 has informed that a complaint (CMD No.22/2014) was filed in the Court of the Chief Judicial Magistrate, Thiruvananthapuram on 01.01.2014 against M/s Vizhinjam International Seaport Ltd for the violation.

10. The Expert Appraisal Committee, have noted that the project proponent has assessed all likely impacts due to the project comprehensively and arrived at suitable EMP's. Also responded properly to all the issues raised in the Public hearing as well as in various representations made against the project. 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 EC and CRZ Clearance for the project. Accordingly, the Ministry hereby accords necessary EC and CRZ Clearance for the above project as per the provisions of as per the provisions of



Environment Impact Assessment Notification, 2006 and CRZ Notification, 2011 and its subsequent amendments, subject to strict compliance of the terms and conditions as follows:

11. SPECIFIC CONDITIONS:

- (i) "Consent for Establishment" shall be obtained from Kerala 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) Project Proponent shall carry out intensive monitoring with regulatory reporting six monthly on shore line changes to the Regional Office, MoEF.
- (iii) The capital dredged material (7.6 Mm³) shall be utilised for reclamation of berths.
- (iv) Additional fish landing centre shall be developed as part of the proposed Vizhinjam port for upliftment of fisheries sector.
- (v) The project shall be executed in such a manner that there is minimum disturbance to fishing activity.
- (vi) Steps would be taken to safeguard the interests of the fisheries sector as detailed in the Resettlement Action Plan (RAP), Corporate Social Responsibility (CSR) and in the Integrated Fishing Community Management Plan (IFCMP), namely a component of Rs.7.1 crores as part of the compensation package for the fisheries sector, as livelihood restoration measures for mussel collectors, shore seine fishermen and others. Rs.41.30 crores as part of CSR activities in the fisheries sector under (i) water supply scheme (7.3crores) (ii) new fishing landing centre (16crores) (iii) adoption of existing fishing harbor (5crores) (iv) sea food park (4crores) (iii) skill development centre (4crores) (iv) environmental sanitation (3crores) and (v) solid waste management (2crores).
- (vii) Rail connectivity shall be parallel to the harbour road on elevated structures at +4/5.00 m level without affecting the entry to the existing harbor.
- (viii) Compensation packages in accordance with the Central/State Government norms shall be given to all the authorised-cum-affected (having valid clearances as applicable) resort owners.
- (ix) The port shall ensure that all ships under operation follow the MARPOL convention regarding discharge or spillage of any toxic, hazardous or polluting material like ballast water, oily water or sludge, sewage, garbage etc. The emission of NOx and SOx shall remain within permissible limits
- (x) CSR activities shall cover villages within 10 km radius of the project.
- (xi) Oil Contingency Management Plan shall be put in place.



- (xii) All the recommendations/conditions stipulated by Kerala Coastal Zone Management Authority (KCZMA) shall be complied with.
- (xiii) The responses/commitments made during public hearing shall be complied with in letter and spirit.
- (xiv) All the recommendation of the EMP shall be complied with in letter and spirit. All the mitigation measures submitted in the EIA report shall be prepared in a matrix format and the compliance for each mitigation plan shall be submitted to MoEF along with half yearly compliance report to MoEF-RO.
- (xv) The project proponent shall bring out a special tourism promotion package for the area in consultation with the State Government and implement the same along with the project.
- (xvi) The project proponent shall place on its web site its response to the Public Hearing, and representations as presented to the EAC in the 128th meeting held on 23rd November 2013, for information of the general public.
- (xvii) There shall be no withdrawal of groundwater in Coastal Regulation Zone area, for this project. In case any ground water is proposed to be withdrawn from outside the CRZ area, specific prior permission from the concerned State/Central Groundwater Board shall be obtained in this regard.
- (xviii) The Hazardous waste generated shall be properly collected and handled as per the provisions of Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2008.
- (xix) No hazardous chemicals shall be stored in the Coastal Regulation Zone area.
- (xx) The waste water generated from the activity shall be collected, treated and reused properly.
- (xxi) Sewage Treatment facility should be provided in accordance with the CRZ Notification.
- (xxii) No solid waste will be disposed of in the Coastal Regulation Zone area. The solid waste shall be properly collected, segregated and disposed as per the provision of Solid Waste (Management and Handling) Rules, 2000.
- (xxiii) Installation and operation of DG set if any shall comply with the guidelines of CPCB. Oil spills if any shall be properly collected and disposed as per the Rules. Project proponent shall install necessary oil spill mitigation measures.
- (xxiv) No construction work other than those permitted in Coastal Regulation Zone Notification shall be carried out in Coastal Regulation Zone area
- (xxv) The approach channel shall be properly demarcated with lighted buoys for safe navigation and adequate traffic control guidelines shall be framed



- (xxvi) The project proponent shall take up development of green belt in the project area, wherever possible. Adequate budget shall be provided in the Environment Management Plan for such development
- (xxvii) The funds earmarked for environment management plan shall be included in the budget and this shall not be diverted for any other purposes
- (xxviii) The project proponent shall set up an organisational mechanism/institutional structure for Environment, Health & Safety & CSR under the supervision of a General Manager as outlined in the EIA Report for effective implementation of the stipulated EHS safeguards & CSR activities.
- (xxix) Staff Colony should be located beyond CRZ area.

12. **GENERAL CONDITIONS:**

- (i) Construction of the proposed structures shall be undertaken meticulously conforming to the existing Central/local rules and regulations including Coastal Regulation Zone Notification, 2011 & its amendments. All the construction designs/drawings relating to the proposed construction activities must have approvals of the concerned Statutory Departments/Agencies.
- (ii) 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.
- (iii) Appropriate measures must be taken while undertaking digging activities to avoid any likely degradation of water quality.
- (iv) 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.
- (v) 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.



- (vi) The project authorities shall make necessary arrangements for disposal of solid wastes and for the treatment of effluents by providing a proper wastewater treatment plant outside the CRZ area. The quality of treated effluents, solid wastes and noise level etc. must conform to the standards laid down by the competent authorities including the Central/State Pollution Control Board and the Union Ministry of Environment and Forests under the Environment (Protection) Act, 1986, whichever are more stringent.
- (vii) The proponent shall obtain the requisite consents for discharge of effluents and emissions under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 from the Kerala State Pollution Control Board before commissioning of the project and a copy of each of these shall be sent to this Ministry.
- (viii) Adequate precautions shall be taken during transportation of the construction material so that it does not affect the environment adversely.
- (ix) 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.
- (x) 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.
- (xi) The Ministry reserves the right to revoke this clearance if any of the conditions stipulated are not complied to the satisfaction of the Ministry.
- (xii) 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.
- (xiii) 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.
- (xiv) Kerala State 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.

13. 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 2006, including the amendments and rules made thereafter.

14. 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.

15. 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 Kerala 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.

16. This 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.

17. Any appeal against this clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

18. 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.

19. The proponent shall upload the status of compliance of the stipulated Clearance 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, NOx (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.

20. The project proponent shall also submit six monthly reports on the status of compliance of the stipulated Clearance 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.

21. 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 Kerala 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 Clearance conditions and shall also be sent to the respective Regional Offices of MoEF by e-mail.

(Lalit Kapur)
Director (IA.III)

Copy to:

- (i) The Additional Chief Secretary, Department of Environment, Government Of Kerala, Thiruvananthapuram, Kerala

- (ii) The Chairman, Kerala Coastal Zone Management Authority and Ex-Officio-Principal Secretary, Science & Technology Department, Sastra Bhavan, Pattom Palace.P.O., Thiruvananthapuram-695004, Kerala
- (iii) The Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD- cum- Office Complex, East Arjun Nagar, Delhi -110032
- (iv) The Member Secretary, Kerala State Pollution Control Board, Plamoodu Jn. , Pattom Palace P O, Thiruvananthapuram-695004, Kerala
- (v) The CCF, Regional Office, Ministry of Environment & Forest(SZ), Kendriya Sadan, IVth floor, E&F wings, 17th Main Road, Koramangala II Block, Bangalore-560034
- (vi) IA – Division, Monitoring Cell, MoEF, New Delhi- 110003
- (vii) Guard file



(Lalit Kapur)
Director (IA.III)