

F.No.11-65/2012-IA.III
Government of India
Ministry of Environment, Forest and Climate Change
(IA-III Section)

Indira Prayavaran Bhawan,
Jor Bagh Road, New Delhi-3
Dated: 25th January, 2016

To,

The Metropolitan Commissioner,
Mumbai Metropolitan Region Development Authority (MMRDA),
Bandra - Kurla Complex, Bandra (East),
Mumbai - 51 (Maharashtra)

Sub: Mumbai Trans Harbour Link by Mumbai Metropolitan Region Development Authority (MMRDA) - CRZ Clearance - reg.

Sir,

This has reference to your proposal forwarded by the Member Secretary, Maharashtra Coastal Zone Management Authority (MCZMA) vide their letter No.CRZ 2015/CR 236/TC 4 dated 26th November, 2015 to this Ministry for grant of clearance in terms of the provisions of the Coastal Regulation Zone (CRZ) Notification, 2011 under the Environment (Protection) Act, 1986.

2. The Hon'ble National Green Tribunal (WZ) at Pune, vide their order dated 15th October, 2015 in Appeal No.4/2013 has set aside the CRZ Clearance dated 19th July, 2013 accorded to the above project by the Ministry with the direction to remit the matter to MoEFCC to consider it afresh. The Hon'ble Tribunal has ordered to examine the impacts of the project on mangroves eco-system, habitat of flamingos, mudflats besides other impacts. They have also directed to ascertain whether provisions of the Environment Impact Assessment (EIA) Notification, 2006 are applicable to the said project. Directions have been given to MoEFCC to take decisions independently on merit in eight weeks, and CRZ Clearance given to the project by MoEFCC has been kept in abeyance for six (6) months.

3. In compliance of the directions of the Hon'ble NGT, the proposal for '**Mumbai Trans Harbour Link (MTHL)**' by Mumbai Metropolitan Region Development Authority (MMRDA) was considered by the Expert Appraisal Committee (EAC) in the Ministry for Infrastructure Development, Coastal Regulation Zone, Building/ Construction and Miscellaneous projects, in its meetings held on 22-23 December & 30th December, 2015.

4. The details of the project, as per the documents submitted by the project proponents (PP), and also as informed during the above said EAC meetings, are reported to be as under:-

(i) The project was first accorded Environmental Clearance under the CRZ Notification, 1991 and the EIA Notification, 1994, vide letter dated 11th March, 2005. However, the project could not take off within the validity period of 5 years of the EC due to irrational offers received from bidders. Subsequently, the CRZ Clearance dated 19th July, 2013 was issued under CRZ Notification, 2011, based on the recommendations of MCZMA vide their letter dated 15th June, 2012, and taking into consideration the submissions of the project proponent that the proposal is to construct sea link and it does not attract the provisions of EIA Notification, 2006.

(ii) The present project 'Mumbai Trans Harbour Link' (MTHL) envisages construction of 6 lanes road bridge across the Mumbai Harbour, which aims at facilitating decongestion of



Mumbai by improving connectivity between the Island City & main land (Navi Mumbai). The project involves construction of a bridge across the Mumbai harbour between Sewri on the island city side (in the Mumbai Port Trust area) and Chirle on the Navi Mumbai side. The link is about 22 km long with a 16.5 km bridge across the sea and a 5.5 km long viaduct on the land. The exit and entry into the six and freeway would be through interchanges at the end points and at the intermediate points on the Navi Mumbai side.

(iii) As per the Coastal Zone Management Plans (CZMP) of Mumbai and Navi Mumbai, the proposed alignment of 22 km MTHL project passes through CRZ-I, CRZ-II, CRZ-IV. The Sewri end of 1.5 km alignment (chainage 1.0 to 2.5 km) passes through mud flats, sparse mangroves and abuts the flamingos breeding site. The Nhave end of the 0.6 km alignment (chainage 16.98 to 17.5 km) also passes through mudflats and sparse mangroves.

(iv) The Maharashtra Coastal Zone Management Authority (MCZMA) has recommended the project vide their letter No. CRZ 2015/CR 236/TC 4 dated 26th November, 2015.

(v) The total cost of the project is Rs.11,370 crore.

(vi) As per the report, 14.48 km (66%) alignment falls in creek water, 2.1 km (12%) passes through mudflats and 4.92 km (22%) alignment is on land. CRZ-I areas particularly Sewri mudflat and Shivaji Nagar mudflat are ecological important. The mangroves area affected at Sewri end is 576 sqm and is 9306 sqm at Chirle side of the proposed Sea link.

(vii) For navigational spans, a minimum vertical clearance of 2.5 m below the bridge above the highest HTL, whereas it is 9.1 m elsewhere is envisaged.

(viii) Rapid EIA studies were carried out for preparation of EIA/EMP reports wherein, mitigation measures were proposed to ameliorate the impacts due to the proposed construction/operation of the project, especially addressing the issues of mudflats/migratory birds.

(ix) Since the entire sea link is proposed on viaduct, area occupied by piers only will be affected. Compensatory mangrove plantation in area of 30 ha in Nhave side is proposed for loss of 0.1776 ha of mudflats/mangroves due to piers.

(x) The BNHS, an expert institution, has been engaged for addressing various aspects on environmental management, especially related to migratory birds and other issues.

(xi) The project proponent presented the EMP with the details as under:-

S.No.	Environmental attribute	Remark	Cost (in Rs.)
1.	Environmental Monitoring- Air Act, Water Act, Noise levels	Air Noise Water-Marine and Land Solid waste Ecology and Eco-system Fishing etc- Quarterly during CP	8 crore
2.	Compensatory Mangrove Restoration Plan	With the help of Forest department	25 crore
3.	Implementation of the suggestions given by BHNS	In accordance with their report	25 crore
4.	Noise barriers	Along 4.5 x 2 = 9 km stretch abutting mudflats where flamingos gather	45 crore

5.	Mitigation of marine water pollution caused due to the surrounding industries and Sewage from Urban Bodies, by providing Funding and Capacity Building for Enabling Effluent Treatment	Identifying sources, treatability report, implementation of restoration and ETP	40 crore
6.	Contribution to Mangroves Fund, an initiative by Govt. of Maharashtra for Conservation and Protection of Mangroves in Coastal areas by depositing Seed Money. This can be used for Survey & Demarcation of Notified areas; Purchase of vehicles and equipments for anti Encroachment drives, etc.	In accordance with their report this money will be deposited with GoM for restoration, conservation and Protection of mangroves in coastal areas	25 crore
7.	Oil Spill Mitigation Plan	State of the air Oil Spillage mitigation equipment, etc	10 crore
8.	<ul style="list-style-type: none"> • Habitat quality assessment and monitoring • Surveillance management and monitoring team for migratory birds, marine flora, turbidity in sea floor, etc • Corpus fund for mudflat restoration program 	Carrying out detailed habitat quality monitoring of mudflats, migratory birds, marine flora and fauna and surveillance study	20 crore
9.	Appointment of Bird Monitor and his assistant till Restoration of Baseline data	Monthly monitoring during CP and Seasonal monitoring during OP	4 crore
10.	DMP, Fire fighting, Risk Analysis	Necessary equipment, Quick Response Vehicles etc for implementation of the detailed DMP	15 crore
11.	Sustainable development including establishing Nature Interpretation Centre	Establishing a centre for training and workshops at schools and college level	10 crore
12.	Safety and Security	It includes setting up safety measures and security measures including telecommunication systems, safety boats, wireless communications etc for emergency	15 crore
13.	Energy conservation	To use LED, Solar lamps on the bridge, ROW's etc	10 crore
14.	Landscaping-Plantation of trees, flowering plants etc.	Along the entire bridge alignment	8 crore
15.	Compensation and Capacity Building of Fisher folks due to Temporary and Permanent Loss of Fishing ground	Compensating affected fisher folk community welfare, etc	75 crore

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5. The EAC, after deliberation on the proposal in its 155th meeting held on 30 December, 2015, recommended the project for grant of CRZ Clearance. As per recommendations of the EAC, the Ministry of Environment, Forest and Climate Change hereby accords CRZ Clearance to the above project '**Mumbai Trans Harbour Link (MTHL)**' by Mumbai Metropolitan Region Development Authority (MMRDA), under the provisions of the CRZ Notification, 2011 and amendments thereto, and circulars issued thereon, and subject to the compliance of the specific and general conditions as below:-

A. SPECIFIC CONDITIONS:

(i) All the terms and conditions stipulated by the MCZMA in their letter No.CRZ 2015/CR 236/TC 4 dated 26th November, 2015, shall be strictly complied with.

(ii) All the terms and conditions as mentioned in the earlier CRZ Clearance dated 19th July, 2013, shall also be complied with in letter and spirit.

(iii) The Environment Management Plan as presented during the meeting shall be implemented in consultation with all the stakeholders.

(iv) The project/activity shall be carried out strictly be in accordance with the provisions of CRZ Notification, 2011, and shall not affect the coastal ecology of the area including flora and fauna.

(v) The project proponent shall obtain all permissions from concerned authorities prior to commencement of the project, and shall observe all safety requirements onshore and offshore.

(vi) The project proponent shall not undertake any blasting/construction activities during night hours.

(vii) The proposal indicates the diversion of 47.417 ha forest land for which the proponent shall obtain the requisite Forest Clearance. The project may be executed in the entire stretch in non-forest land, and while making application to get the Forest Clearance, the execution of work on non-forest land shall not be cited as a reason for grant of FC and in case FC is declined, the forest land shall be maintained at its existing condition. The PP shall submit an undertaking to this effect at the earliest to the concerned Regional Office to this Ministry.

(viii) All the wildlife mitigation measures as proposed by BNHS in their report dated 23.09.2015 for original alignment shall be implemented with the following modification:-

(a) construction of jetty on both the ends passing through mud flats and mangroves must not exceed 30 months and construction of actual spans must not exceed more that further 12 months.

(b) the distance between the supporting pillars shall remain 50 m as currently proposed by the MMRDA.

(c) MMRDA will partly bear the cost of setting of effluent treatment plant in the region as suggested by BNHS.

(ix) The project proponent shall not undertake any blasting/construction activities during night hours.



B. 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) Full support shall be extended to the officers of this Ministry/Regional Office at Nagpur 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 Nagpur regarding the implementation of the stipulated conditions.
 - (iv) MoEFCC 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 to 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 MoEFCC.
 - (vii) The project proponents shall inform to 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) A copy of the CRZ Clearance letter shall also be displayed on the website of the concerned State Pollution Control Board. The Clearance letter shall also be displayed at the Regional Office, District Industries centre and Collector's Office/Tehsildar's Office for 30 days.
6. The above 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.
7. All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Civil Aviation Department, and clearances under the Forest Conservation Act, 1980 and Wildlife (Protection) Act, 1972 etc. shall be obtained, as applicable by project proponents from the respective competent authorities.
8. 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 CRZ 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, Forest & Climate Change at <http://www.envfor.nic.in>. The advertisement should be made within Seven

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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 Nagpur.

9. 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.

10. 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.

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

12. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zilla Parishad/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.

13. 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.

14. 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 MoEFCC, the respective Zonal Office of CPCB and the SPCB.

15. 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 MoEFCC by e-mail.


25/11/2016
(S.K. Srivastava)
Scientist E

Copy to:-

- 1) The Secretary, Department of Environment, Govt. of Maharashtra, Mantralaya, Mumbai - 32
- 2) The Chairman, CPCB, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi - 32
- 3) The Chairman, Maharashtra Coastal Zone Management Authority, Room No.217 (Annexe), Mantralaya, Mumbai - 32
- 4) The Member Secretary, Maharashtra Pollution Control Board, Sion (E), Mumbai
- 5) The APCCF (C), Ministry of Environment, Forests and Climate Change, Regional Office (WCZ), Ground Floor, East Wing, New Secretariat Building, Civil Lines, **Nagpur** - 1
- 6) Guard File/Monitoring Cell


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