

Minutes of the 148th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) held on 24th November, 2020

MINUTES OF THE 148th MEETING OF MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY HELD ON 24th NOVEMBER, 2020

The 148th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held under the Chairmanship of Principal Secretary (Environment). In view of present pandemic situation of COVID-19, it was decided to appraise the proposals by using information technology facilities. Hence, the proposals were appraised through Videoconferencing technology on Cisco WebEx platform on 24th November, 2020. List of members present in the meeting is at **Annexure-I**.

Confirmation of 147th meeting:

The minutes of the 147th meeting of the MCZMA held on 27th & 28th October, 2020 are confirmed without any changes.

Item No.1: Proposed construction of tourism jetty at Dahisar, Mumbai by Maharashtra Maritime Board (MMB)

The MMB officials presented the proposal before the Authority. The MMB presented that the Mangrove Cell has requested MMB to construct the Jetty for tourism purpose at Dahisar to facilitate effective water ways at Dahisar & Gorai Mangrove Park. Dahisar is densely populated mangrove area and lot of people visit the mangrove area. Tourist will have a ride through boat to see the mangroves and migratory birds. The proposed jetty is having 37 m length and 5 m width.

The MCZMA in its 147th meeting held on 27th & 28th Oct, 2020 deferred the proposal since the MMB had recently submitted the EIA report

The Authority noted that the MMB has submitted the rapid EIA report, as per which, construction of the structure will cause no harm to the mangroves. The stay time of the boats or vessels for construction period can lead to pollution cause of oil sludge or other pollutants. But the impacts envisaged are of temporary nature. The impacts can be mitigated using monitoring plans.

The Authority noted that as per approved CZMP of 2011, the proposed project location falls in CRZ-I (A) i.e. 50 m mangrove buffer zone area.


Member Secretary


Chairman

Minutes of the 148th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) held on 24th November, 2020

The Authority noted that as per para 4(i) (f) of CRZ Notification, 2011 Construction and operation for ports and harbours, jetties, wharves, quays, slipways, ship construction yards, breakwaters, groynes, erosion control measures are permissible activities.

As per amended CRZ Notification dated 28th November, 2014 published by MoEF, For the projects specified under 4(i)(except with respect to item (d) thereof relating to building projects with less than 20,000 sqm of built up area) and for the projects not attracting EIA Notification, 2006, clearance from SEIAA is required based on the recommendation from MCZMA.

The Authority discussed that projects of creation of Mangrove Park at Dahisar and Gorai would help in spreading awareness about the mangrove ecosystems among people. This will help in conservation and protection of mangroves. The proposed jetty would be required to facilitate the movement of the people through water way at mangrove parks.

In the light of above, after deliberations, the Authority decided to recommend the proposal from CRZ point of view to SEIAA with subject to following conditions:

1. PP should ensure that proposed activities in CRZ areas are as per provisions of CRZ Notification, 2011 (amended time to time).
2. Prior High Court permission should be obtained since, the proposed jetty is situated in 50 m mangrove buffer zone area.
3. Environment Management Plan should be implemented effectively during construction and operation phase of the project.
4. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
5. All other required permissions should be obtained before the commencement of the project.

Item No.2: Amendment in the existing CRZ recommendation by MCZMA for 7.1 km for HDPE pipeline in deep sea side and 3.35 km on land for carrying treated effluent from Tarapur MIDC by MIDC.


Member Secretary


Chairman

Minutes of the 148th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) held on 24th November, 2020

The project proponent presented the proposal before the Authority. Earlier, the MCZMA in its 113th meeting held on 11.8.2016 discussed the proposal of treated effluent pipeline from Tarapur MIDC having length 7.1 km in the sea. Accordingly, the MCZMA vide letter dated 27.10.2016 recommended the proposal from CRZ point of view to MoEF&CC, New Delhi subject to certain conditions.

Thereafter, the proposal was discussed in 165th and 179th meeting of the Expert Appraisal Committee (EAC) at New Delhi held on 11.08.2016 & 28.11.2017. The EAC, New Delhi in its 175th meeting decided as follows:

"subject to fulfilling other statutory requirements for CRZ clearance, the project could be considered for granting CRZ clearance, limitedly and only for completing the civil and infrastructure works for laying of 7.1 Km. Pipeline envisaged for the marine outflow of the effluents from the CETP. Such a clearance would however be subject to the following additional conditions:

- i. No discharge / release of effluents would be allowed in the pipeline until and unless the proponent placed before the Committee, the analysis and effluent related information, as noted in para 7 above and seeks clearance from MoEF&CC for the same.*
- ii. An independent study regarding the inflow / outflow from the CETP may also be carried out through NEERI and its report may be submitted before the EAC along with other parameters, as listed in para 7 above"*

The MoEF&CC, New Delhi vide letter dated 27.12.2017 sought information / documents as per decision taken in 179th meeting of EAC. However, the MoEF&CC, New Delhi vide letter dated 27.12.2019 delisted the proposal, as project was pending with MIDC for want of additional details since 28.11.2017. MoEF&CC, New Delhi requested MIDC to submit afresh proposal on Parivesh Portal.

The MIDC vide letter dated 30.1.2020 submitted application to MCZMA for laying of HDPE pipeline of 10.45 km which was considered in 146th meeting held on 04.09.2020. MCZMA deferred the matter for want of more additional information.

The PP presented that MIDC is applying the project again for an amendment in earlier CRZ recommendation of MCZMA. Now, the MIDC is seeking clearance for


Member Secretary


Chairman

Minutes of the 148th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) held on 24th November, 2020

total length of pipeline having 10.45 km (3.35 km on land & 71. km in sea) for carrying treated effluent from Tarapur MIDC.

The proposed treated effluent disposal pipeline of 10.45 km will run from Tarapur MIDC CETP to Navapur deep sea at point with geo coordinates 19 47 24" N 72 37 36" E with a water depth of 12 m with respect to CD is found suitable for the project release quantity 120 MLD. The necessary studies has been carried out by the National Institute of Oceanography (NIO), Goa and accordingly, the disposal point for the treated effluent is recommended at 19 47 24" N 72 37 36.

The PP presented that at present, treated effluents from Tarapur CETP having capacity of 25 MLD are discharged near shoreline, thus harming the coastal environment. Residents of nearby villages and fishing communities have been demanding action against industries polluting the environment. Considering the likely expansion of water intensive industrial textile and chemical units, effluent quantity is likely to reach 80 MLD. MIDC has already commenced construction of additional effluent treatment plant of 50 MLD capacity at Tarapur. On directions of the Maharashtra Pollution Control Board, the MIDC has taken up this project.

The proposal involves laying of new 7.1 km of HDPE pipeline in deep sea and replacement of 3.35 km (0.76 km in CRZ) of existing PSC pipeline for carrying treated effluent from Tarapur MIDC.

a) 7.1 km pipeline in the sea:

- Construction of 3.5 m wide temporary approach road using initial lining of 2mm Geo textile film
- 1000 mm dia Polyethylene Pipes with 6 kg/cm² design pressure. 7.1 km (0.9 km intertidal) long line will be laid using 12 m long PP pipes sections, 2.5 m below the sea bed.
- Providing erecting and placing RCC primary and secondary blocks as per design
- Stringing, Block fixing, floating, aligning and sinking on the pre-excavated trench bed/sea bed.

b) 3.35 km pipeline on land:

- Providing, laying, joining 1200 mm dia HDPE PN-4 class pipes from Ch 2364 at Navapur creek to ch 3360 drop chamber at shoreline near Navapur creek.


Member Secretary


Chairman

Minutes of the 148th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) held on 24th November, 2020

- RCC chambers, anchor blocks, BPT and drop chambers at the end.

As per approved CZMP, 2011, the proposed pipeline passes through CRZ I, CRZ III and CRZ IV area. No mangroves in and around project site.

PP has also submitted CRZ map (1:4000 scale) indicating proposed pipeline in the sea. The PP has submitted the Rapid EIA/ EMP report for the project. The MIDC presented the alignment of the pipeline on google image, as per which:


| Length of pipeline (km) | CRZ status | Landward/Seaward |
|-------------------------|-----------------|-----------------------|
| 10.45 | IB, III, and IV | Both |
| 2.59 | Non CRZ | Landward side 3.35 km |
| 0.15 | CRZ III | |
| 0.16 | CRZ IB | |
| 0.45 | CRZ III | |
| 0.56 | CRZ IB | |
| 6.54 | CRZ IV | Seaward side 7.1 km |

The PP presented that at present, 5.72 km stretch of pipeline has been constructed in the sea portion, considering the clearance granted by the EAC, New Delhi in its 175th meeting held on 28.11.2017.

The Authority noted that as per para 3(v) of the CRZ Notification, 2011, Facilities required for *Discharging treated effluents into water course with approval under the water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) is a permissible activity.*

As per para 4.ii (d) of the CRZ Notification, 2011, "*laying of pipelines, conveying systems, transmission line*" requires clearance from MoEF, New Delhi.

The Authority noted the complaint received in the matter from Thane Jilha machchimar Madhyawari Sangh Maryadit, Palghar and Akhil Bhartiya Mangela Samaj Parishad mentioning that despite no clearance from MoEF, laying of the pipeline is being under taken by the PP.


Member Secretary


Chairman

Minutes of the 148th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) held on 24th November, 2020

The Authority discussed that the laying of the pipeline carrying treated effluents in deep sea from the CETP, Tarapur is crucial in order to avoid mitigate the water pollution at Navapur area.

The Authority further discussed that the MIDC misinterpreted the minutes of the EAC, New Delhi (175th meeting) as CRZ clearance for completing the civil and infrastructure works for laying of 7.1 Km and started the work of laying of pipeline in the sea. As per submission of the MIDC, at present, around 5.72 km length of the pipeline has been laid in the sea.

In the light of above, the Authority after detailed discussion and deliberation decided that the proposal could be forwarded to MoEF, New Delhi for further necessary decision in the matter.

Item No.3: Proposed construction of Third Chemical Berth at Pir Pau Jetty by Mumbai Port Trust (MbPT)

The Mumbai Port Trust Officials presented the proposal before the Authority. The Mumbai Port is situated almost midway (Latitude 18°54' N, Longitude 72°49' E) on the west coast of India. There are multiple existing facilities at Mumbai Port such as Dry Cargo Handling - Indira Dock, Marine Oil Terminals at Jawahar Dweep, Bunders, Dry Dock, Storage.

MbPT also has three chemical berths for handling specialized chemicals and POL products including LPG 1) Old Pir Pau - Now restricted to smaller Barges due to MTHL 2) First Chemical Berth (FCB) - Displacement Load 47,000 T and 3) Second Chemical Berth (SCB) - Displacement Load 72,000 T. The SCB is located 650 m away from the FCB in the same alignment on the south of FCB.

The capacities of first and second chemical berth are 2 MMTPA and 2.5 MMTPA, respectively. Even though the berth occupancy is high, due to lesser parcel size, the traffic handled is less than the capacity of berths. Considering the berth occupancy of more than 70% and also as requested by the users, it would be necessary to construct the third chemical berth.



Member Secretary



Chairman

Minutes of the 148th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) held on 24th November, 2020

Now, the MbPT has proposed the construction of Third Chemical Berth at the North of existing First Chemical Berth at a distance of 300 m at Pir Pau Jetty. Latitude- 18°58'48.33"N and Longitude- 72°55'10.80"E

The proposed development will mark a boost to the commercial activity in the region. With the Ujjwala Yojna, there is demand for increase in LPG from present 0.9 MMTPA to 1.5 MMTPA. Proposed expansion will lead to increase the chemical cargo handling capacity of berths at Pir Pau Jetty and thus will benefit the Mumbai Port by increasing the overall port capacity for chemical vessel handling.

It was presented that the MbPT on 21st January, 2020 has obtained the ToR for the said project from MoEF&CC, New Delhi. One of the condition is to obtain the CRZ recommendation from the MCZMA along with CRZ map in 1:4000 scale superimposing the project.

Details of proposed Third Chemical Berth are as follows:

| Sr. No | Description | Quantity | Unit |
|--------|---|----------|----------------|
| 1 | Mooring Dolphin (Size :- 12 m x 12 m, Nos :- 4) | .576 | m ² |
| 2 | Berthing Dolphin (Size :- 22m x 13.5 m, Nos :- 2) | 594 | m ² |
| 3 | Jetty Head (Size :- 9.00 m x 58.00 m) | 522 | m ² |
| 4 | Unloading Platform (Size 14.50 m x 25.80 m.) | 374.10 | m ² |
| 5 | Approach trestle (Size :- 300m x 14 m) | 4200 | m ² |
| 6 | Catwalk (2 catwalks of length 45m , 2 catwalks of length 58 m | 206 | m |
| 7 | Pipeline & Firefighting | 1 | L.S |
| 8 | Dredging | | |
| 8a | Dredging in Berth Pocket(Size:-300 x 60 m , Avg. Depth of cut:- 4 m | 72000 | m ³ |
| 8b | Dredging in turning circle Dia. 460 m ,Avg. Depth of cut 1 m | 1,53,000 | m ³ |


Member Secretary


Chairman

Minutes of the 148th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) held on 24th November, 2020

Capital Dredging:

As per CWPRS report, the dredged material is being disposed-off at DS-3 dumping location which is an offshore dumping ground and located at latitude 18°54'23"N and longitude 72°41'29"E:

- Berth Pocket - 300m x 60m, Depth - 13 m CD
- Turning Circle - 460m dia., Depth - 10.50 m CD
- Only soil dredging. Total quantity - 2.25 lakh cum

The MbPT has submitted the CRZ map in 1:4000 scale prepared by the IRS, Chennai with superimposing of the project layout. As per the said map, proposed Third Chemical Berth is situated in CRZ IV A (water area). There are no mangroves at the project site.

It was further presented that requirement of water for construction phase about 10 KLD will be met from water transported through tankers/barges from MCGM source. The existing drinking facility at Pir Pau will be sufficient for the new project. There will be no additional water requirement for operation phase of Third Chemical berth. The existing 1000KVA dry type transformer will be replaced by 2500 KVA transformer

The MbPT presented the EIA report. Saline features of the EIA report stating the mitigation measures are as follows:

Land/Soil Environment Impact Mitigation:

1. Proper Oil Spill Management Plan as well as barricading/isolation along with
2. Danger/inflammable sign to be provided on the existing chemical berths.
3. Appropriate measures should be taken for the storage, handling and transportation of
4. construction materials as well as the construction waste arising during the construction activities.
5. The existing approach trestle should at all times be kept clean and tidy and appropriate
6. measures should be taken for the storage, handling, transportation and disposal of oily
7. construction and waste material.


Member Secretary


Chairman

Minutes of the 148th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) held on 24th November, 2020

8. Marine water and sediment quality monitoring to be done prior to construction as well as during operation phase.

Air Impact Mitigation:

1. To minimize the impacts caused by airborne particulates, necessary guidelines will be followed such as providing enclosed storage facilities for DG sets during construction phase.
2. Covering the construction materials with tarpaulin during their transportation.
3. All construction machinery should be well maintained and use of appropriate air pollution control equipment should be mandatory as required.

Marine Water and Ecology Impact Mitigation:

1. All the construction and preparatory activities will be carried out during dry seasons only.
2. Construction materials to be stacked together by fencing it with brick or earthing in order to prevent spillage into the water. Also, these materials to be stacked away from the water bodies.
3. Garbage to be collected-in and disposed-off daily in order to check the solid wastes entering into the water body.
4. Protection bunds shall also be constructed along vulnerable stretches to prevent movement of excavated material into adjoining water bodies and mudflats.
5. All piling and dredging equipment shall be well monitored and maintained ensuring less vibration and emission generations.
6. The dredged material to be disposed-off at the designated locations as per CWPRS - Pune, report to avoid any adverse impact on marine water quality.
7. The ships will not be permitted to discharge treated or untreated effluents in the sea. After the completion of proposed project, the activities at the site will be highly managed and facilitated with well-organized infrastructures. In addition, the major efforts for the betterment of the marine environment will be the regular task of the schedule during the operation phase.

The Authority noted that as per para 4(i) (f) of CRZ Notification, 2011 Construction and operation for ports and harbours, jetties, wharves, quays,


Member Secretary


Chairman

Minutes of the 148th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) held on 24th November, 2020

slipways, ship construction yards, breakwaters, groynes, erosion control measures are permissible activities.

In the light of above, after detailed discussion and deliberation, the Authority decided to recommend the proposal to MoEF&CC, New Delhi subject to strict compliance of following conditions:

1. The proposed chemical berth should be carried out strictly as per the provisions of CRZ Notification, 2011 as amended from time to time.
2. Project proponent should implement Environment Management plan for the project effectively and efficiently during construction and operational phase of the project to ensure that coastal environment is protected.
3. MbPT to ensure no spillage of oil from ships/ vessels in the sea. MbPT should ensure proper Oil Spill Management Plan as well as barricading/isolation along with danger/inflammable sign to be provided on the existing chemical berths. During operation phase, accidental spill of chemical/oil should be collected and disposed-off through authorized recyclers.
4. Ships will not be permitted to discharge wastes, treated or untreated effluents in the sea.
5. The dredged material to be disposed-off at the designated locations as per CWPRS - Pune, report to avoid any adverse impact on marine water quality.
6. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
7. PP to ensure that best industrial practices should be followed for fire safety measures and for conservation of coastal environment
8. All other required permissions from different statutory authorities should be obtained prior to commencement of work.

Item No.4: Proposed construction of bridge and road at village Theronda Aglyachiwadi Road, Revdanda, Tal. Alibag, Dist. Raigad by PWD, Alibag

The PWD officials presented the proposal before the Authority. The proposal is construction of new bridge and road on the north west side of village Theronda Aglyachiwadi Road, Revdanda, Tal. Alibag, Dist. Raigad. The proposed length of bridge is 22.20 m.


Member Secretary


Chairman

Minutes of the 148th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) held on 24th November, 2020

PWD officials further presented that the village Theronda has five Padas - Varsolapada, Khandaraspada, Bagarpada, Dhorachiwadi & Agalachi Wadi with all combine population of 4500. The village is surrounded by creek which has backwater of the sea. During high tide and rainy season it is very difficult to get connected with all the padas.

PWD has proposed amall bridge of 22.20 m in length & 8.5 m in width on the creek so that villagers could access farmland which is situated on other side of the creek. As per approved CZMP of Raigad District under CRZ Notification, 2011, the site under reference falls in 50 m mangrove buffer zone i.e. CRZ-IA area.

Expert Members discussed the design of the bridge and pillars of the bridge in the creek may obstruct the free flow of the creek, owing to narrow width the creek which is around 20 meter. The PWD officials concurred with the views of the Authority.

The Authority felt that the PWD need to explore the alternative design of the bridge so as to avoid the obstruction to free flow of the creek. The PWD officials agreed for the alternation of the design of the bridge. Accordingly, the Authority after deliberation decided to defer the proposal for submission of alternative design of bridge by PWD as stated above.

Item No.5: Proposed reconstruction of Nandgaon minor bridge on Bordi Thane Ulva Revas Road MSH-4, part Salva to Murud, Tal. Murud, Dist. Raigad by PWD Alibag

The PWD officials presented the proposal before the Authority. The proposal is reconstruction of Nandgaon minor bridge on Bordi Thane Ulva Revas Road, Tal. Murud, Dist. Raigad by demolishing existing old Minor Bridge. On the existing road, there is old Arch bridge of 4.0 span with solid slab with masonry abutment constructed in 1971 presently in dilapidated condition and approaches gets submerged during monsoon every season. Entire communication in the pocket get stopped during submergence period. Due to coastal highway and Dighi port, it is necessary to construct a minor bridge in place of existing Arch bridge.


Member Secretary


Chairman

Minutes of the 148th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) held on 24th November, 2020

It was presented that the proposed length and width of bridge is 24 m x 12 m. The proposed bridge is very important for Murud & Alibag Taluka as it connects both Taluka places which are also Tourism places. Due to the narrowness of existing bridge, tourist coming to visit beaches and fort of Murud & Alibag are facing heavy vehicles traffic.

As per approved CZMP of Raigad District under CRZ Notification, 2011, the site under reference falls in 50 m mangrove buffer zone i.e. CRZ-IA area.

The Authority noted that as per para 8.I. CRZ I(ii)(g) of the CRZ Notification, 2011, construction of roads on stilts or pillars without affecting the tidal flow of water is a permissible activity.

As per amended CRZ Notification dated 28th November, 2014 published by MoEF, For the projects specified under 4(i)(except with respect to item (d) thereof relating to building projects with less than 20,000 sqm of built up area) and for the projects not attracting EIA Notification, 2006, clearance from SEIAA is required based on the recommendation from MCZMA.

The Authority noted that Nandgaon minor bridge is important connectivity for local inhabitants of the Revdanda and Murud, Raigad and its reconstruction could be allowed. The proposed reconstruction of the bridge would not affect the tidal flow of creek water.

In the light of above, after deliberations, the Authority decided to recommend the proposal from CRZ point of view to SEIAA with subject to following conditions:

1. PP should ensure that proposed activities in CRZ areas are as per provisions of CRZ Notification, 2011 (amended time to time).
2. Prior High Court permission should be obtained since, the proposed jetty is situated in 50 m mangrove buffer zone area.
3. PP to ensure that free flow of the creek should not be obstructed.
4. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
5. All other required permissions should be obtained before the commencement of the project.


Member Secretary


Chairman

Minutes of the 148th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) held on 24th November, 2020

Item No.6: Proposal for the work of Training and Desilting of Nalla at various locations in Mira Bhayandar Municipal Corporation by MBMC

The Authority felt that presence of the Municipal Commissioner of Mira Bhayander Municipal Corporation (MBMC) was necessary for the presentation of the proposal before the Authority. Hence, the proposal was deferred.

Item No.7: Proposed WS-533 construction of Chambers for installation of floods gates at various location in Kalanagar vicinity, Bandra (E), H/E ward, Mumbai by MCGM

The MCGM officials presented the proposal before the Authority. The MCGM has proposed construction of Chambers for installation of floods gates at 4 location in Kalanagar vicinity, Bandra (E), H/E ward, Mumbai at Mithri River:

1. Indira Nagar Nalla Outfall
2. Outfall of drain along BKC Road
3. Outfall in Garden opp. MMRDA Office
4. Outfall along Sion Dharavi Bridge

The MCGM presented that proposal involves construction of chambers, installation of flood gates and setting up of pumps. Flood gates would be mainly operational during monsoon season. The MCGM officials stated that no mangroves would be affected for the construction for chambers and flood gates.

As per approved CZMP of 2011, the proposed project location falls in CRZ-I (A) Mangrove 50 m buffer zone & CRZ-II areas.

The Authority noted that as per para 3(iv) (d) of CRZ Notification, 2011 measures to prevent sand bars, **installation of tidal regulators**, laying of storm water drains or for structures for prevention of salinity ingress and freshwater recharge based on carried out by any agency to be specified by MoEF are permissible activities.

As per amended CRZ Notification dated 28th November, 2014 published by MoEF, For the projects specified under 4(i)(except with respect to item (d) thereof relating to building projects with less than 20,000 sqm of built up area) and for


Member Secretary


Chairman

Minutes of the 148th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) held on 24th November, 2020

the projects not attracting EIA Notification, 2006, clearance from SEIAA is required based on the recommendation from MCZMA.

The Authority discussed that installation of flood gates could be allowed being a vital infrastructure project as flood control measure for the city. Expert Members of the MCZMA suggested that access for maintenance of the flood gates should be from the landward side and not from the mangrove side.

In the light of above, the Authority after deliberation decided to recommend the proposal from CRZ point of view to SEIAA with subject to following conditions:

1. PP should ensure that proposed activities in CRZ areas are as per provisions of CRZ Notification, 2011 (amended time to time).
2. No mangroves should be disturbed / cut during construction and operation of the project.
3. MCGM to obtain the NoC from the mangrove Cell for the project.
4. Prior High Court permission should be obtained since, the project is proposed in 50 m mangrove buffer zone area.
5. MCGM to ensure that maintenance of the flood gates should be from the landward side and not from the mangrove side.
6. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
7. All other required permissions should be obtained before the commencement of the project.

Item No.8: Proposal for amendment in CRZ Clearance for Anti Sea Erosion Measures to sea front development & beatification at Aksa beach, Madh, Mumbai Suburban by MMB

The MMB officials presented the proposal before the Authority. The MMB presented that earlier, the MCZMA in its 127th meeting held on 2.11.2018 granted the recommendation to the proposal of construction of Anti Sea Erosion Measure at Aksa Beach, Mumbai. The project involves repairs of old bund, construction of pathway, construction of parapet wall, providing solar street light, length 300 m. Subsequently, the said proposal has received CRZ clearance on 5.3.2019 by the SEIAA as per 158th meeting of the SEIAA.


Member Secretary


Chairman

Minutes of the 148th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) held on 24th November, 2020

Now, the MMB has proposed amendment in CRZ Clearance for Anti Sea Erosion Measures to sea front development & beatification at Aksa beach, Madh, Mumbai Suburban.

The proposed activities involves a) Garden for senior citizens and children play area, b) Entrance and parking, c) Food Plaza, d) Lawns & Toilets, e) Gym and space for yoga, f) Wooden Shacks and steps, g) Bamboo Shades and steps and h) Volley ball Courts.

The Authority discussed the proposal and noted that activities are proposed along the Aksa Beach. The Authority felt that the MMB need to superimpose the layout of the project on approved CZMP, 2011 in 1:4000 scale in order to ascertain the project activities viz a viz its CRZ status. Accordingly, the Authority decided to defer the proposal for compliance by MMB as stated above.

Item No.9: Proposed construction of passenger jetty & allied facilities at Balkum, Dist: Thane by Maharashtra Maritime Board (MMB)

The MMB officials presented the proposal before the Authority. It was presented that there is existing jetty at the site at Balkum, Dist: Thane. MMB has now proposed the strengthening and extension of the jetty in the creek by 20 meter.

Member from the Mangrove Cell submitted that a site visit needs to be carried out in order to verify whether the proposed extension of the jetty would affect mangrove vegetation. The Authority further discussed the Rapid EIA report submitted by the MMB and requested MMB to submit the executive summary of the potential impacts of the project and its mitigation measures. MMB agreed to submit the same at the earliest.

In the light of above, the Authority after deliberation decided to defer the proposal for the compliances as follows:

- Mangrove Cell shall make a site visit in order to verify wither the project will disturb mangroves. Mangrove Cell shall submit a report to the Authority.


Member Secretary


Chairman

Minutes of the 148th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) held on 24th November, 2020

- MMB need to submit the site specific EIA report with the executive summary of the report stating the impact of the project and mitigation measures.

Item No.10: Construction of solid jetty at Guhagar, Tal. Guhagar, Dist. Ratnagiri by Harbour Engineer, PWD (OA No. 135 of 2017 in Balvant M Parcure Vs Harbour Engineer, Ratnagiri before Hon. NGT)

The project proponent presented the proposal before the Authority. The PP presented that office of Harbour Engineer, PWD is seeking the CRZ clearance for the solid jetty at Guhagar, Tal. Guhagar, Dist. Ratnagiri. It was further presented that construction of jetty was completed in the year 2013-2014. Providing armour layer on both sides of jetty, lighting work and seating arrangement work is to be completed. Now the remaining work will be completed as per the NGT order 24.9.2020 in Application no. 135/2017 (WZ). As per the approved CZMP, 2011, the site is situated in CRZ I (B) area.

The Authority noted the background of the matter and order dated 24.9.2020 in Application no. 135/2017 (WZ) (Balvant Parchure V/s PWD) pertaining to construction of illegal jetty at Guhagar.

The Authority noted that the jetty at Guhagar was constructed for tourism purpose and since it was constructed without the CRZ clearance, the MCZMA in its 99th meeting held on 16 may 2015 issued propose direction under section 5 of the Environment protection Act, 1986 why the construction activity shall not be stop and further why the legal action shall not be initiated against the PP.

Subsequently, Application no. 135/2017 (WZ) was filed by Balvan Parchure before the Hon'ble NGT, Pune against the Harbour Engg, Ratnagiri & Ors alleging the CRZ violations in the construction of jetty at Guhagar. Hon'ble NGT, Pune passed an order dated 16.3.2020 directing the MCZMA to submit the affidavit stating the action taken in the matter. Pursuant to said order of the Hon'ble NGT, MCZMA immediately by letter dated 21.04.2020 & reminder letter dated 29.6.2020 directed the District Collector Ratnagiri who is the Chairman of District Coastal Zone Management Committee (DCZMC) to take immediate action in CRZ violations


Member Secretary


Chairman

Minutes of the 148th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) held on 24th November, 2020

development/constructions with regard to Jetty and action taken report shall be submitted to MCZMA for further submission to the Hon'ble NGT. In response to the MCZMA letter dated 21.04.2020 the Chairman District Coastal Zone Management Committee (DCZMC) Ratnagiri by letter dated 03/08/2020 directed the Harbour Engineer, Harbour Division Ratnagiri to demolish the jetty and submit the report

The Authority noted that the DCZMC on 3.8.2020 reported that the Assistant Harbour Engineer, Harbour Sub-Division Dapoli Dist. Ratnagiri on 31st August, 2020 has begun the work of demolition of jetty with the help of JCB and partially demolished the Jetty. It was further reported that the said jetty is situated in the sea and considering the larger high tides in the sea in the present rainy situation, the transportation of labour and machinery is highly cumbersome. Hence, in order to avoid any mishap/ loss of life, it is requested that the demolition of the remaining part of the jetty will be carried out in the calm sea situation after October, 2020, as reported by the Harbour Engineer.

The Authority noted the order dated 24.9.2020 passed by Hon'ble NGT, Pune. Excerpts of the said order: *"Reconstruction of the jetty as mentioned in the application are stayed till clearance is obtained in accordance with CRZ Notification and the Notification issued on 14.9.2006 by MoEF&CC, if required. Respondents are directed to finalize the process before 30.11.2020. In case CRZ clearance or necessary requirements are not fulfilled, Respondents are directed to reconstitute and restore the nature and environment within two months after 30.11.2020"*

The Authority asked the PP whether the PP is seeking post facto CRZ approval to solid jetty at Guhagar. The PP stated that the jetty was constructed in the year 2013-2014 for the tourism purpose and being a public project requested the Authority to consider the proposal for grant of post facto CRZ clearance, in the light of CRZ amended Notification dated 6th March, 2020.

The Authority discussed that currently, there is no provision of grant of the post facto CRZ approval, in the CRZ Notification, 2011. However, MoEF&CC, New Delhi had issued amendment dated 6th March, 2018 to original CRZ Notification, 6th Jan, 2011 for grant of post facto CRZ clearance for the projects. The Authority noted


Member Secretary


Chairman

Minutes of the 148th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) held on 24th November, 2020

that window period for the said Notification was upto 30th June, 2018 which is lapsed.

The said notification states that "Such cases where the construction have been commenced before the date of this notification without the required CRZ clearance, shall be considered only by the Ministry of Environment, Forest and Climate Change, provided that the request for such regularization is received in the said Ministry by 30th June, 2018"

The Authority noted that the application submitted by the PWD is not within the window period as stipulated in CRZ amended Notification dated 6th March, 2018. It was further noted that the site of jetty is near to turtle breeding site. This was also reported in the year 2017 by PCCF, Mangrove Cell stating that Guhaghar beach is an important nesting site for Olive Ridley sea turtles. There is a turtle hatchery which is around 100 meter from the said solid jetty. Alterations in the geomorphology of the beach could act as a deterrent to nesting.

In the light of above, the Authority after detailed discussion and deliberation, decided that at present, post facto CRZ approval for the solid jetty at Guhaghar could not be granted as per provisions of the CRZ Notification, 2011. Therefore, the application is rejected from the CRZ point of view.

Discussion Item No.1:

Hon. Supreme Court, New Delhi Order dated 07.11.2019 in Civil Appeal Nos. 668 - 670/ 2017 regarding Adarsh CHS, Colaba Mumbai

The Authority noted that Adarsh CHS has sent a letter dated 20.11.2020 informing about their inability to attend the said meeting. They have requested the Authority to take up the matter after 3 to 4 weeks. Accordingly, the Authority decided to defer the matter.

-----*Meeting ended with vote of thanks to chair*-----


Member Secretary


Chairman

Minutes of the 148th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) held on 24th November, 2020

Annexure I

List of members/officials present in the online meeting:

1. Mrs. Neenu Somraj, DCF, Mangrove Cell, Member MCZMA
2. Mr. Padmakar Nandushekar, Environment Advisor, MIDC, representative of Industries Department, Member MCZMA
3. Shri. Chakradhar Kandalkar, Dy Ch.E. MCGM, Member MCZMA
4. Dr. Mahesh Shindikar, College of Engineering, Pune, Expert Member, MCZMA
5. Dr. A. K. Chaubey, NIO, Expert Member, MCZMA
6. Mr. Maruti Kudale, Ex Director, CWPRS, Expert Member, MCZMA
7. Dr. M. S. Khot, Principal, Chhatrapati Sambhaji Raje Sainik School, Ratnagiri, Expert Member, MCZMA
8. Mr. Narendra Toke, Director, Environment, Member Secretary, MCZMA


Member Secretary


Chairman