

Minutes of the 55th Meeting of Maharashtra Coastal Zone Management Authority (MCZMA) held under Chairmanship of Secretary (Environment) on 4th August 2009 at Mantralaya, Mumbai

List of the members present at the meeting is enclosed as **Annexure-I**.

Principal Secretary, Urban Development Department, Mantralaya; Principal Secretary, Industries Department, Mantralaya; Principal Secretary (Fisheries), Agriculture & ADF Department, Mantralaya; Additional Chief Secretary (Revenue), Mantralaya; President (Vanaraj Pratishthan); Dr. (Mrs.) Leela J. Bhosale (Botanist) and Dr. S. K. Gupta, Department of CESE, IIT, Powai, Mumbai could not attend the meeting. The meeting was adjourned for 30 minutes for quorum.

Item No. 1: Confirmation of the Minutes of the 54th Meeting of the Maharashtra Coastal Zone Management Authority held on 16th July 2009

The minutes of the 54th Meeting of the Maharashtra Coastal Zone Management Authority were confirmed by the Authority without any modifications.

Item No. 2: Action taken on the decision taken in the 54th Meeting of the Maharashtra Coastal Zone Management Authority held on 16th July 2009

Follow-up actions in respect of decisions taken in the previous Meeting of the Authority were noted.

Item No. 3: Proposed re-development of building under renewal scheme on plot bearing C.S. No. 306 of Colaba Division in 'A' Ward at Rajwadkar Street, Mumbai for Solid Waste Management (SWM) staff Quarters of MCGM

Authority after deliberations decided to recommend the project to MoEF since proposed activity falls in CRZ-II landward side of the existing road and cost of the project being more than Rs. 5 crores, subject to the condition that there would be no change in land-use, FSI will be as per DCR, 1967 and construction will be as per CRZ Notification, 1991 and clarifications given by MoEF time to time.



Item No. 4: Environmental and CRZ permission for 'Mirya Bay Sub-project' of 'TA 4965-IND: Sustainable Coastal Protection and Management Project' by the Asian Development Bank (ADB)

Associate Consultant, ADB presented the case before the authority and explained all the details of proposed activity. He mentioned that, the ADB technical assistance has prepared a project for sustainable coastal protection and management at Mirya Beach, District Ratnagiri to solve the severe coastal erosion; thereby providing security to property owners and business by protecting the fragile environment. He mentioned that there would be no dredging activity involved in the proposed project. Rather, the dredged sand in the other projects would be utilized here. He mentioned that the temporary impacts of the said activity will last for 3-4 months. He also mentioned that they have decided to involve the local community during the implementation and further monitoring of the project.

He also explained about the 'beach nourishment' practices including pumping of nourishment material onto a beach, piling of material at high/ low water mark to allow waves to move material onto the beach and create a natural profile. He specifically mentioned that the material used for filling of sand and other project activities would be helpful to hold the soil and nourishment of the sea-shore. This can be supportive to natural establishment of aquatic ecosystem. He also mentioned that deliberate efforts will also be made to initiate the growth of aquatic biota.

Authority noted that, the siltation of the fishing harbor is a key issue in Mirya Bay, where migration of the local sediment has been blocked by the harbor in the South of the Bay and there is a need to restore the degraded beach and dunes primarily as a means of coastal protection and reduce the movement of sand to offer better access for local fishermen. Authority also noted that, the commencement of the project will take place in September, 2010 after the review of ADB and it is to be completed within 5 months. Authority also noted that the cost of this project is Rs. 48.5 crores. Authority after discussion decided to recommend the case to MoEF for further necessary actions.

Item No. 5: Destruction of Mangroves in Mira-Bhayander Region

The matter was placed before the Authority. Mr. Shivmurthy Naik, Municipal Commissioner, Mira-Bhayander Municipal Corporation attended the meeting. Authority asked him to give clarification regarding the destruction of mangroves in Mira-Bhayander Region and violations of CRZ Regulations. He said that the debris was dumped in this



region for a short period before he assumed the charge this year. According to him, ever since he has taken over, there is no such thing happening in this region. He mentioned that he has given strict orders that no such activity should occur as mangroves come under protected forest land. However, Authority directed him to give a proper reply of this statement to the newspaper and take precautionary measures and strict actions to stop such violations and ensure that there is no violation of Court Order given in case of 3246/ 2004 and 87/ 2006.

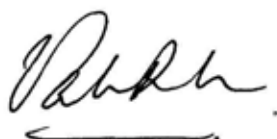
Item No. 6: Construction of Major Bridge on Bankot-Velas-Kelshi-Harne Road (MSH-4) on Kelshi Creek in District Ratnagiri

The Superintendent Engineer, Ratnagiri (PW) Circle presented the case before the Authority for the revised proposal for the construction of MSH-4 on Kelshi Creek, Ratnagiri. He gave the details of the present position of construction work of the bridge. He mentioned that, as per the revised proposal, the curve (of about 9 m) in proper bridge is proposed with additional works to protect the sand dunes. However, only 50 sq. m. area out of 5525 sq. m. area covered by mangroves will be affected on the Southern bank of Kelshi Bridge falling under approaches. He also assured that the PWD will carry out the compensatory plantation/ re-plantation, protection and conservation of mangroves under experts' supervision.

Authority deliberated on the options so as to avoid the cutting of mangroves due to the construction. However, Authority directed the PWD to take prior permission of Hon. High Court before any construction on sparse mangroves area admeasuring 50 sq. m. which is less than 1000 sq. m. Authority also directed them to finalize an appropriate area with detailed study for the compensatory plantation/ re-plantation of mangroves. Authority recommended the project to MoEF subject to the condition that PWD obtains prior permission of Hon. High Court.

Item No. 7: Establishment of a connectivity link from Kharghar to Taloja at Pendhar in Navi Mumbai

Officials of CIDCO presented the case before the Authority. Authority noted that, about 1000 sq. m. area covered by mangroves will be affected due to the proposed activity. However, the specific details of the project activity are not submitted by CIDCO elaborating location of pillars, exact area under pillars, pathways, destruction of mangroves etc. Hence, Authority decided to direct CIDCO to submit all the required



details with the detailed study of impacts on the areas covered by mangroves due to the proposed activity. Authority also noted that CIDCO will have to obtain prior permission of Hon. High Court for the said construction in area covered by mangroves and also noted that activity as such is not permissible in CRZ-I (i) area since density of mangroves is more than 1000 sq. m. Authority also directed CIDCO that they should take initiatives towards the conservation and cultivation of mangroves in surrounding areas as a part of compensatory plantation/ re-plantation of mangroves to be affected.

Item No. 8: Proposal regarding change of HTL and removal of CRZ-I category for M/s. Gogte Salt & Chemicals at Vasai, Dist. Thane

Project Proponent presented the case before the Authority. He stated that, the Government of Maharashtra has leased out land in Thane District to M/s. Gogte Salt & Chemicals admeasuring about 622 Hectors from Villages Chulne, Girij, Gas, Diwanman and Achole in Vasai Taluka for salt production for a period of 25 years from 1964. The lease period was further extended for a period of 25 years. He mentioned that the land under reference is situated at a height of about 1.5 to 2.0 m above the HTL of Nalla abutting the Eastern Boundary of the land. He also mentioned that the bund was made on the Nalla since 1964 to hold the salt water in the land for the production of salt.

Project Proponent also mentioned that CIDCO has put up some reservations for Police Headquarters & Parade Ground, DP Roads, Parking Lots, Sports Complex, Bus Stand, Play Ground, etc. on Gogte Saltpan lands. Hence, they are in discussion with CIDCO authorities to jointly develop the rental housing scheme approved by MMRDA on the said land subject to reclassification approval of NCZMA & MCZMA. He also mentioned that such salt pans were not indicated as CRZ-I in the draft Development Plan prepared by CIDCO in 1998, based on the HTL given by Chief Hydrographer, Government of India.

He mentioned that Center for Earth Science Studies (CESS), Thiruvananthpuram had made draft CZMP for the Vasai-Virar region and submitted to Urban Development Department. However, In the CZMP prepared by CESS said area is also shown in CRZ-I (ii). Therefore, the Proponent appealed to the Authority that the saltpan is artificial as water was pumped into the land from the Nalla and CESS had thus wrongly taken the HTL for saltpan land as its landward boundary as the saline water was reaching to that extent artificially by pumping.



Hence, the Project Proponent appealed to the Authority that the CRZ is not applicable to this artificially constructed saltpan and CRZ Notification of river, creek and backwater is only applicable to land under reference.

Authority noted all the points explained by the Proponent. Authority also noted that CESS report is still in draft stage and it should be placed before the MCZMA for onward submission to MoEF for information. However, as the case pertains to the re-demarcation and change in CZMP, permission of MoEF will be necessary. Hence, after discussion Authority recommended to refer the case to MoEF for further necessary actions.

Item No. 9: Regarding CRZ permission for the proposed reconstruction of existing building 'Jadhavji Mansion' on land bearing CS No. 320, Plot No. 17, Colaba Division, Cuffe Parade

Project Proponent presented the case before the Authority. Authority noted that proposed site falls in CRZ-II landward side of existing road and cost of the project is more than Rs. 5 crores. After discussion, Authority decided to recommend the proposal to MoEF subject to conditions that:

1. FSI will be given as per DCR, 1967 only and not as per DCR, 1991 strictly and Corporation should ensure the implementation of the same.
2. Construction should be as per CRZ Notification, 1991 and clarifications given by MoEF time to time.

Item No. 10: Regarding CRZ permission for the proposed reconstruction of Municipal Conservancy Staff Quarters on plot bearing CS No. 1097, Fort Division, Cochin Street, Mumbai

Authority after deliberations decided to recommend the project to MoEF since proposed activity falls in CRZ-II landward side of the existing road and cost of the project being more than Rs. 5 crores, subject to the condition that there would be no change in land-use, FSI will be as per DCR, 1967 and construction will be as per CRZ Notification, 1991 and clarifications given by MoEF time to time.



Item No. 11: NOC for proposed construction of helipad at 'Sea Wind', Cuffe Parade, Mumbai by M/s. Ruchi Properties Pvt. Ltd.

Project Proponent presented the case before the Authority and explained all technical details of the proposed activity including the helicopters to be used and their impacts on the surrounding environment with respect to noise pollution. With respect to this, he also explained that to assess the noise impacts on the surroundings, software called 'Integrated Noise Model' (INM) was used. He also explained the outcomes from this model in the form of noise contours at arrival and departure of the helicopters to be used. He also mentioned that, the noise contours show that the average decibel level even at the nearest building of 'Sea Wind' will remain within the norms of 55 dB(A) Leq prescribed by MoEF/ CPCB.

After the presentation, representatives of the organizations who had submitted suggestions/ objections as per the public notice for the proposed activity expressed their views before the Authority.

The representative of 'Chunilal Nagar Co-op. Housing Society Ltd.' said that MoEF had granted only Environmental Clearance for this activity, however, the clearance from CRZ point of view has not been granted. He said that the MCGM has also granted permission for this proposal. He mentioned some important points from the communication letters between the Project Proponent and MoEF. He also mentioned that, MoEF vide letter dated 5th June 2008 has informed to the Proponent that 'the helipads are not permissible in CRZ area except in Lakshadweep and Andaman & Nicobar'. He also mentioned that, Mumbai is the third noisiest city in the world and the proposed activity would be likely to cause major noise pollution. He further said that the permissible noise levels are less than 95 dB as per the WHO standards. He objected to the proposed activity considering the possible adverse impacts of noise pollution on the surrounding residential area. He said that the use of the proposed helipad for the emergency purposes may not be possible due to lack of infrastructure.

The representatives of 'Nariman Point Churchgate Citizens' Association' also objected the construction of helipads for the purpose of personal convenience in the residential areas. They mentioned that the helipads for common purpose should be permitted in such areas where there will be no disturbance to the local residents. They also said that permissions should not be granted to helipad only on the basis of other helipads in the foreign countries.




The representative of 'Awaaz Foundation' said that there were no private heliports anywhere in the world. She said that the recorded noise levels by 'Awaaz Foundation' in this area are more than 100 dB due to the flights of Naval Aircrafts. She mentioned that, no official study had been conducted by the State Government to determine the noise levels generated by helicopters or to test the efficacy of the noise mitigation measures proposed to be taken, both at the helipad site and along the flight path. She also mentioned that the noise monitoring study reports carried out by Government Authorities should be publicized.

On the above objections, the Project Proponent answered that the main objections are about the possibility of noise pollution. They claimed that, their study using computerized modeling showed very less chances of noise pollution, as only 55 dB noise levels were recorded at the nearest building. He mentioned that the duration of this noise would be very short which will be only at the time of take-off and landing of the helicopter only during day time. He also mentioned that the helicopters to be used viz. Bell-222 & Sikorsky generate less noise as compared to others. Hence, he requested the Authority to grant the permission from CRZ point of view.

Authority deliberated on the proposal and objections for the same. Authority further decided to direct the Proponent to carry out the detailed study of noise levels for the entire surrounding area and not only for the path of the flight.

After discussion, the matter was deferred for consultation with other members of MCZMA.

The Meeting ended with vote of thanks to all members.


Chairperson.
MCZMA

Annexure-I

List of the Members present for the 55th Meeting of MCZMA is as follows:

1. Smt. Valsa R. Nair-Singh, Chairperson, MCZMA and The Secretary, Environment Department, Mantralaya, Mumbai
2. Dr. J. M. Phatak, Municipal Commissioner, MCGM, Mumbai
3. Dr. S. B. Chaphekar, Botanist, Mumbai
4. Dr. S. C. Mukherjee & Dr. S. K. Chakraborty, Director-In-Charge, Central Institute of Fisheries Education, Mumbai
5. Dr. B. N. Patil, Member Secretary, MCZMA