

F. No. 10-45/2017-IA-III
Government of India
Ministry of Environment, Forest and Climate Change
(IA.III Section)

Indira Paryavaran Bhawan,
Jor Bagh Road, New Delhi - 3

Date: 11th September, 2017

To,

Deputy General Manager (Env),
M/s Gujarat Maritime Board,
"Sagar Bhavan", Sector 10/A,
Opp: Air force Station, Sachivalaya,
Gandhinagar – 382010 (Gujarat)

Subject: Development of Coast Guard Jetty and allied facilities within existing Okha Port, at Okha, District- Devbhumi Dwarka, Gujarat by M/s Gujarat Maritime Board - Terms of Reference - reg.

Sir,

This has reference to your proposal No. IA/GJ/MIS/65908/2017 dated 04th July, 2017, submitted the above proposal to this Ministry for seeking Terms of Reference (ToR) in terms of the provisions of the Environment Impact Assessment (EIA) Notification, 2006 under the Environment (Protection) Act, 1986.

2. The proposal for grant of Terms of Reference (ToR) to the project Development of Coast Guard Jetty and allied facilities within existing Okha Port, at Okha, District- Devbhumi Dwarka, Gujarat by M/s Gujarat Maritime Board Board was considered by the Expert Appraisal Committee (Infra-2) in its 21st meeting held on 21-24 August, 2017.

3. The details of the project, as per the documents submitted by the project proponent, and also as informed during the above said meeting, are under:-

- (i) Gujarat Maritime Board (GMB), who operates the intermediate and minor port of Gujarat, has proposed to enhance the cargo handling capacity of existing Okha Port along with the development of a jetty for Indian Coast Guard (ICG) with allied facilities. Okha port is located at Okha Town, Okhamandal Tehsil, DevbhumiDwarka District, Gujarat, at the mouth of Gulf of Kutch.
- (ii) The proposed development includes construction of new jetty, extension of existing wharf, expansion of existing cargo handling capacity, reclamation, beautification of reclaimed area, administration and other control facilities for ICG and other allied facilities. The expansion of port facility is due to the demand in the cargo requirement
- (iii) Since Okha port is under operation before independence, the port facility has obtained Consolidated Consent & Authorization (CCA) for handling 6MTPA of dry bulk cargoes, which has validity upto 2018.
- (iv) The study area of the project site is close to the Gulf of Kutch Marine Sanctuaries/National Parks. The 10km study area includes Reserve Forests, mangroves, salt pans, backwater, islands, settlements, fishermen communities, industries, and with social infrastructure.

- (v) The proposed project has no process/product wastes, no point source emissions, bulk volume of liquid and solid waste generations. Emission from dry bulk cargo handlings will be insignificant on implementing of good environment management practice which is already being implemented. The sewage generated from the port facility is being treated in individual septic tanks. Used spent oils and oil used wastes are being disposed through authorized vendors. The solid and other domestic wastes are being collected and disposed through CPCB and municipal guidelines. The same practice will be implemented after the proposed expansion also.
- (vi) The proposed development will provide direct and indirect employment to the local peoples/stakeholders, due to various port related activities.

4. The EAC, after detailed deliberations in its meeting held on 21-24 August, 2017, recommended the project for grant of ToR as specified by the Ministry as Standard ToR in April, 2015 for the said project/activity (**Annexure-I**) and the following ToR in addition to Standard ToR for preparation of EIA-EMP report. As per the recommendation of the EAC, the Ministry of Environment, Forest and Climate Change hereby accords ToR to the project 'Development of Coast Guard Jetty and allied facilities within existing Okha Port, at Okha, District- Devbhumi Dwarka, Gujarat by M/s Gujarat Maritime Board, for preparation of the Environmental Impact Assessment (EIA) Report and Environmental Management Plan (EMP) with the following additional conditions:

- (i) Importance and benefits of the project.
- (ii) The data collection and impact assessment shall be as per standards survey methods.
- (iii) A separate chapter on status of compliance of Environmental Conditions granted by State/Centre to be provided. As per circular dated 30th May, 2012 issued by MoEF&CC, a certified report by RO, MoEF&CC on status of compliance of conditions on existing port to be provided in EIA-EMP report.
- (iv) Submit a complete set of documents required as per para 4.2 (i) of CRZ Notification, 2011.
- (v) Submit a copy of layout superimposed on the HTL/LTL map demarcated by an authorized agency on 1:4000 scale.
- (vi) Recommendation of the SCZMA.
- (vii) Prior clearance from NBWL shall be obtained in respect of protected area.
- (viii) Various Ports facilities with capacities for proposed project.
- (ix) List of cargo to be handled along with mode of transportation.
- (x) Layout plan of existing and proposed Port.
- (xi) A detailed analysis of the physico-chemical and biotic components in the highly turbid waters round the project site (as exhibited in the Google map shown during the presentation), compare it with the physico- chemical and biotic components in the adjacent clearer (blue) waters both in terms of baseline and impact assessment and draw up a management plan.
- (xii) Study the impact of dredging on the shore line.
- (xiii) A detailed impact analysis of rock dredging.

- (xiv) Action plan for disposal of dredged soil and rocks.
- (xv) Dispersion modeling for the dumping of the dredge materials shall be carried out. The study report shall be incorporated.
- (xvi) Details of air pollution control measures to be taken as well as cost to be incurred.
- (xvii) Total water consumption and its source. Wastewater management plan.
- (xviii) Details of Environmental Monitoring Plan.
- (xix) The impacts of rock excavation and dredging separately.
- (xx) A para-wise compliance to the consent conditions as may have been prescribed by the State Pollution Control Board.
- (xxi) The EIA would follow the orders of the respective courts and include a chapter in the EIA on the Court cases including those at the Supreme Court and the NGT.
- (xxii) The Marine biodiversity impact assessment report and management plan through the National Institute of Oceanography (NIOS) or any other institute of repute on marine, brackish water and fresh water ecology and biodiversity. The report shall study the impact of the project activities on the intertidal biotopes, corals and coral communities, molluscs, sea grasses, sea weeds, subtidal habitats, fishes, other marine and aquatic micro, macro and mega flora and fauna including benthos, plankton, turtles, birds etc. as also the productivity. The data collection and impact assessment shall be as per standards survey methods.
- (xxiii) Disaster Management Plan for the above terminal.
- (xxiv) Layout plan of existing and proposed Greenbelt.
- (xxv) Status of court case pending against the project.
- (xxvi) A tabular chart with index for point wise compliance of above TORs.
- (xxvii) Public hearing to be conducted and issues raised and commitments made by the project proponent on the same should be included in EIA/EMP Report in the form of tabular chart with financial budget for complying with the commitments made.

General Guidelines

- (i) The EIA document shall be printed on both sides, as far as possible.
- (ii) All documents should be properly indexed, page numbered.
- (iii) Period/date of data collection should be clearly indicated.
- (iv) Authenticated English translation of all material provided in Regional languages.
- (v) The letter/application for EC should quote the MoEF&CC File No. and also attach a copy of the letter prescribing the ToR.
- (vi) The copy of the letter received from the Ministry on the ToR prescribed for the project should be attached as an annexure to the final EIA-EMP Report.

- (vii) The final EIA-EMP report submitted to the Ministry must incorporate the issues mentioned in ToR and that raised in Public Hearing. The index of the final EIA-EMP report, must indicate the specific chapter and page no. of the EIA-EMP Report where the specific ToR prescribed by the Ministry and the issue raised in the Public Hearing have been incorporated. Questionnaire related to the project (posted on MoEF&CC website) with all sections duly filled in shall also be submitted at the time of applying for EC.
- (viii) Grant of ToR does not mean grant of EC.
- (ix) The status of accreditation of the EIA consultant with NABET/QCI shall be specifically mentioned. The consultant shall certify that his accreditation is for the sector for which this EIA is prepared.
- (x) On the front page of EIA/EMP reports, the name of the consultant/consultancy firm along with their complete details including their accreditation, if any shall be indicated. The consultant while submitting the EIA/EMP report shall give an undertaking to the effect that the prescribed ToRs (ToR proposed by the project proponent and additional ToR given by the MoEF&CC) have been complied with and the data submitted is factually correct (Refer MoEF&CC Office memorandum dated 4th August, 2009).
- (xi) While submitting the EIA/EMP reports, the name of the experts associated with/involved in the preparation of these reports and the laboratories through which the samples have been got analysed should be stated in the report. It shall clearly be indicated whether these laboratories are approved under the Environment (Protection) Act, 1986 and the rules made there under (Please refer MoEF&CC Office Memorandum dated 4th August, 2009). The project leader of the EIA study shall also be mentioned.
- (xii) All the ToR points as presented before the Expert Appraisal Committee (EAC) shall be covered.

5. The above ToR should be considered for the project 'Construction of two offshore container berths and development of container terminal on BOT basis in Mumbai Harbour by Mumbai Port Trust, in addition to all the relevant information as per the 'Generic Structure of EIA' given in Appendix III and IIIA in the EIA Notification, 2006.

6. A detailed draft EIA/EMP report should be prepared in terms of the above additional ToR and should be submitted to the State Pollution Control Board for conducting Public Hearing. Public Hearing to be conducted for the project in accordance with the provisions of the EIA Notification, 2006 and the issues raised by the public should be addressed in the Environmental Management Plan. The Public Hearing should be conducted based on the ToR letter issued by the Ministry and not on the basis of Minutes of the Meeting available on the web-site.

7. The project proponent shall submit the detailed final EIA/EMP prepared as per ToR to the Ministry for considering the proposal for environmental clearance within 3 years as per the MoEF&CC O.M. No.J-11013/41/2006-IA-II(I) (P) dated 08.10.2014.

8. The consultants involved in preparation of EIA/EMP report after accreditation with Quality Council of India/National Accreditation Board of Education and Training (QCI/NABET) would need to include a certificate in this regard in the EIA/EMP reports prepared by them and data provided by other Organization(s)/ Laboratories



including their status of approvals etc. vide Notification of the MoEF&CC dated 19.07.2013.

9. The prescribed ToR would be valid for a period of three years for submission of the EIA/EMP Reports.



(Kushal Vashist)
Director

Copy to:

The Member Secretary, Gujarat Pollution Control Board, Paryavaran Bhavan, Sector-10A, Gandhinagar-382010, Gujarat, Phone: 079-2323 2152, Fax: (079)-2323 2156, Email: ms-gpcb@gujarat.gov.in.

Annexure - I

7(e): STANDARD TERMS OF REFERENCE FOR CONDUCTING ENVIRONMENT IMPACT ASSESSMENT STUDY FOR PORTS, HARBOURS AND INFORMATION TO BE INCLUDED IN EIA/EMP REPORT

- i. Reasons for selecting the site with details of alternate sites examined/rejected/selected on merit with comparative statement and reason/basis for selection. The examination should justify site suitability in terms of environmental angle, resources sustainability associated with selected site as compared to rejected sites. The analysis should include parameters considered along with weightage criteria for short-listing selected site.
- ii. Details of the land use break-up for the proposed project. Details of land use around 10 km radius of the project site. Examine and submit detail of land use around 10 km radius of the project site and map of the project area and 10 km area from boundary of the proposed/existing project area, delineating project areas notified under the wild life (Protection) Act, 1972/critically polluted areas as identified by the CPCB from time to time/notified eco-sensitive areas/interstate boundaries and international boundaries. Analysis should be made based on latest satellite imagery for land use with raw images.
- iii. Submit the present land use and permission required for any conversion such as forest, agriculture etc. land acquisition status, rehabilitation of communities/villages and present status of such activities.
- iv. Examine and submit the water bodies including the seasonal ones within the corridor of impacts along with their status, volumetric capacity, quality likely impacts on them due to the project.
- v. Submit a copy of the contour plan with slopes, drainage pattern of the site and surrounding area.
- vi. Submit the details of terrain, level with respect to MSL, filling required, source of filling materials and transportation details etc.
- vii. Examine road/rail connectivity to the project site and impact on the existing traffic network due to the proposed project/activities. A detailed traffic and transportation study should be made for existing and projected passenger and cargo traffic.
- viii. Submit details regarding R&R involved in the project.
- ix. Submit a copy of layout superimposed on the HTL/LTL map demarcated by an authorized agency on 1:4000 scale along with the recommendation of the SCZMA.
- x. Submit the status of shore line change at the project site
- xi. Details of the layout plan including details of channel, breakwaters, dredging, disposal and reclamation.
- xii. Details of handling of each cargo, storage, transport along with spillage control, dust preventive measures. In case of coal, mineral cargo, details of storage and closed conveyance, dust suppression and prevention filters.
- xiii. Submit the details of fishing activity and likely impacts on the fishing activity due to the project. Specific study on effects of construction activity and pile driving on marine life.
- xiv. Details of oil spill contingency plan.



- xv. Details of bathymetry study.
- xvi. Details of ship tranquillity study.
- xvii. Examine the details of water requirement, impact on competitive user, treatment details, use of treated waste water. Prepare a water balance chart.
- xviii. Details of rainwater harvesting and utilization of rain water.
- xix. Examine details of Solid waste generation treatment and its disposal.
- xx. Details of desalination plant and the study for outfall and intake.
- xxi. Examine baseline environmental quality along with projected incremental load due to the proposed project/activities.
- xxii. The air quality monitoring should be carried out according to the notification issued on 16th November, 2009.
- xxiii. Examine separately the details for construction and operation phases both for Environmental Management Plan and Environmental Monitoring Plan with cost and parameters.
- xxiv. Submit details of a comprehensive Risk Assessment and Disaster Management Plan including emergency evacuation during natural and man-made disasters
- xxv. Submit details of the trees to be cut including their species and whether it also involves any protected or endangered species. Measures taken to reduce the number of the trees to be removed should be explained in detail. Submit the details of compensatory plantation. Explore the possibilities of relocating the existing trees.
- xxvi. Examine the details of afforestation measures indicating land and financial outlay. Landscape plan, green belts and open spaces may be described. A thick green belt should be planned all around the nearest settlement to mitigate noise and vibrations. The identification of species/ plants should be made based on the botanical studies.
- xxvii. The Public Hearing should be conducted for the project in accordance with provisions of Environmental Impact Assessment Notification, 2006 and the issues raised by the public should be addressed in the Environmental Management Plan. The Public Hearing should be conducted based on the ToR letter issued by the Ministry and not on the basis of Minutes of the Meeting available on the web-site.
- xxviii. A detailed draft EIA/EMP report should be prepared in accordance with the above additional TOR and should be submitted to the Ministry in accordance with the Notification.
- xxix. Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given.
- xxx. The cost of the Project (capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out.
- xxxi. Any further clarification on carrying out the above studies including anticipated impacts due to the project and mitigative measure, project proponent can refer to the model ToR available on Ministry website "<http://moef.nic.in/Manual/Port and harbour>".

