

**Minutes of Meeting of Expert Committee for streamlining environmental clearance procedures including examination and recommendation on various technical issues like review of projects/activities for its inclusion under EIA Notification, 2006, categorization of Category 'B' projects/activities into Category 'B1' & 'B2' under EIA Notification, 2006, review of classification of projects/activities into 'A' & 'B' and General Conditions as contained in the aforesaid Notification, held on 18.05.2017 in the Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, New Delhi.**

A meeting of the above mentioned Expert Committee was held on 18.05.2017 to examine the applicability of EIA Notification, 2006 for:

- (i) construction projects/activities related to Jetties, Multi-Modal Terminals and dredging in the River Ganga for developing National Waterways-1 (NW-1) by the National Waterways Authority of India, Ministry of Shipping Government of India;
- (ii) Small Scale Units, categorisation into B1, B2 Categories and manufacturing of Linear Alkyl Benzene Sulphonic Acid (LABSA);
- (iii) waiver of Environment Clearance to Project Developers on setting up of biomass-based Second Generation (2G) Ethanol Biorefinery.

2. Following members/invitees were present in the meeting:

- Dr S.R. Wate, Chairman
- Dr G.V. Subrahmanyam, Member
- Shri K.P. Nyati, Member
- Shri K. Gowarappan, Member
- Ms Seema Arora, Member
- Dr S.K. Pallerala, Director, MoEF&CC, Special Invitee
- Dr Vinod Kumar Singh, Joint Director, MoEF&CC, Special Invitee
- Dr Ashish Kumar, Joint Director, MoEF&CC, Member Secretary
- Officials of Inland Waterways
- Representatives of SSI Units of Gujrat

2. At the outset Dr S.R. Wate, Chairman apprised the Expert Committee about the sad demise of Shri Anil Madhav Dave, Hon'ble Minister of State (Independent Charge), Ministry of Environment, Forest and Climate Change (MoEF&CC), New Delhi. The Expert Committee placed on record the deep sense of sorrow at the sad demise of Hon'ble Minister and paid homage to the departed soul by observing two minutes silence.

3. The Chairman confirmed the Minutes of the last Meeting held on 02.05.2017 in the

4. Although the main objective of the meeting was to examine the applicability of EIA Notification, 2006 for construction projects/activities related to jetties, Multi-Modal Terminals, dredging etc., the Chairman was requested to consider in agenda other issues related to applicability of EIA Notification, 2006 for (i) Common Municipal Waste Treatment Facilities, (ii) biomass-based Second Generation (2G) Ethanol Biorefinery, (iii) manufacturing of LABSA along with the categorisation of small scale units into B1 or B2 categories of projects for obtaining environmental clearance. The Chairman agreed to include these issues in the agenda and thereafter detailed deliberation took place on all the agenda items.

5. The summary of deliberations and key recommendations emerged during deliberation are as under:

**A. Applicability of EIA Notification, 2006 for jetty construction in rivers and dredging in rivers and Inland Waterways development projects**

6. The representatives of the Inland Waterways Authority of India (IWAI), Ministry of Shipping mentioned that they are in the process of implementation of the 'Jal Marg Vikas Project' for augmentation of navigational aids in the Haldia-Varanasi stretch of National Waterway-1 (NW-1). The project involves the development of navigation in 1390 Km length from Varanasi to Haldia running through the Ganges, Bhagirathi and Hoogly river system with having fixed terminals at Haldia, Farrakka and Patna and floating terminals at most of the riverside cities like Kolkata, Varanasi etc. The project also involves the construction of Multi-Modal Terminals, Jetties and dredging.

7. It may be important to note that river ecosystems, in general, have unidirectional flowing water with dynamic flow rates, containing many different micro & macro aquatic habitats and plants and animals that have adapted to live within water flow condition. A variety of plants can be found growing in a river system. The water of Ganga is rich in a diverse faunal regime with 140 species of fish and 90 species of amphibians, 12 species of freshwater turtles and also endangered *magar* and *gharial* crocodiles as well as bull sharks and Gangetic sharks (endangered) down near the Bay of Bengal in estuarine terminals apart from dolphins. These are the vital part of Ganga's ecosystem. As per the report of IIT Consortium, biological profile of Lower Ganga (Varanasi-Farakka), LGB (Farakka-Sagar) includes a variety of Diatoms, Green Algae, Zoo Benthos, 35/37 fish families with 12/16 RET species and higher vertebrates like turtles, Gangetic Dolphins, Crocodile etc.

8. The representatives from IWAI made a detailed presentation before the committee wherein various technical, economic and social aspects of the proposed waterways system and construction activities/projects therein were discussed. It was also informed that in order to move a 2000 tonne barge...

9. Maintenance dredging will be done to get the minimum depth of 2.2 m to 3.0 m varying from place to place. The dumping of the dredged material will be done back to the river (which, according to Expert Committee, would have an additional burden on the river ecosystem).
10. The proposed site also encompasses the Kashi Turtle Sanctuary (Varanasi) and Vikramshila Gangetic Dolphin Sanctuary (Bhagalpur), two major hotspots from conservation of rare and endangered species point of view. It was also informed that various EIA studies for the proposed project have already been carried out in view of the ecological sensitivity of the region. The West Bengal State Coastal Zone Management Authority (WBSCZMA) has already forwarded their recommendation to the MoEF&CC for Haldia Modal Terminal with reference to Coastal Regulation Zone (CRZ) clearance and the proposal was discussed at the meeting of the Expert Appraisal Committee meeting held on 11<sup>th</sup> May 2017 in the Ministry.
11. The IWAI representatives pointed out towards the provisions mentioned in item 7(e) of the Schedule under EIA Notification, 2006 amended from time to time and claimed that that the maintenance dredging is exempted from obtaining environmental clearance. They also mentioned that as per the Ministry's Sustainable Sand Mining Management Guidelines, 2016, the de-silting of the reservoir, dredging for upkeep and maintenance of structures, channels and averting natural disasters will not be treated as mining for the purpose of environmental clearance.
12. The Committee heard the presentation and argument made by project proponent in favour of proposed project for development of NW-1 between Varanasi and Haldia for a stretch of 1390 km. The IWAI representatives also indicated the issues associated with water depth creation as per the vessel size, maintenance dredge required, issues related to flora fauna and studies that are carried out for turtle sanctuary, dolphin conservation including social impact assessment and risk assessment for bunkering facilities, storage for conventional fuel and creating a LNG (Liquid Natural Gas) facility at specified facilities at Gazipur, it appears that project must have environmental impact assessment as an integral part of DPR or otherwise must be supported by additional documents for addressing environmental issues. Therefore, the committee felt that, in the interest of such project and their sustenance, both during the time of creation or operation for longer duration with environmental and social viability of the project must be included in the EIA Notification, 2006 and be appraised as 'Category A' project with reference to specific issues addressing river as living entity, changing hydrology, riparian rights, transboundary impacts, protection of banks, and floodplain zones of the river system.
13. It is further reiterated that in item 7(e) of the Schedule under the EIA Notification, 2006, as amended from time to time, it is mentioned, "*Maintenance dredging is exempt provided it formed part of the original proposal for which Environment Management Plan (EMP) was prepared and environmental clearance obtained.*" One of the Expert Committee

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October 2016, has already recommended ToR along with public hearing prescribed for a proposal on Development of Stretch of Mandovi River (NW-68), Zuari River (NW-111) and Cumberjua Canal (NW-27) of National Waterway in the State of Goa by the M/s Inland Waterway Authority of India.

14. After detailed deliberations during the meeting, the committee clarified that the proposal for implementation of 'Jal Marg Vikas Project' for augmentation of navigational aids in the Haldia-Varanasi stretch of National Waterway-1 (NW-1) by Nwai is covered under the EIA Notification, 2006 and be appraised as 'Category A' project with reference to specific issues addressing river as living entity, changing hydrology, riparian rights, transboundary impacts, protection of banks, and floodplain zones of the river system. Also, the maintenance dredging involved in this project cannot be exempted from environmental clearance as the project has not obtained any prior environmental clearance as provided in column 5 of item 7(e) of EIA Notification as amended from time to time. In order to bring more clarity regarding the applicability of such projects under EIA Notification, 2006, the Expert Committee recommended for amending the EIA Notification, 2006 to include 'Inland Waterways, Jetties and Multi-Modal Terminals under the list of items requiring prior environmental clearance. However, Public Hearing in respect of Inland Waterways may be restricted to areas where facilities such as jetties, terminals, storage are created.

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