

Approved **MINUTES OF THE 4TH MEETING OF STATE LEVEL EXPERT APPRAISAL COMMITTEE (SEAC) KERALA, HELD ON 2ND JUNE, 2012 AT BANQUET HALL, GOVT. GUEST HOUSE, THYCAUD, THIRUVANANTHAPURAM**

The fourth meeting of SEAC Kerala was held on 2nd June 2012 at Banquet Hall, Govt. Guest House, Thycaud, Thiruvananthapuram. Representatives of project proponents/consultants attended the meeting at relevant durations. The agenda included the evaluation of three new projects and reconsideration of one old proposal. The meeting started at 10.30 am and the following members of SEAC Kerala were present in the meeting:

1. Dr. N.G.K. Pillai - Chairman, SEAC
ICAR Emeritus Scientist &
Former Director CMFRI
2. Dr. Oommen V. Oommen - Vice-Chairman, SEAC
3. Prof. (Dr.) K. Sajan - Member, SEAC
4. Dr. P.S. Harikumar - Member, SEAC
5. Dr. E.A. Jayson - Member, SEAC
6. Dr. Harikrishnan K. - Member, SEAC
7. Dr. C.N. Mohanan - Member, SEAC
8. Dr. V. Anitha - Member, SEAC
9. Dr. Khaleel Chovva - Member, SEAC
10. Sri. John Mathai - Member, SEAC
11. Shri. Eapen Varughese - Member, SEAC
12. Shri. P. Sreekantan Nair - Secretary, SEAC
Director,
Department of Environment & Climate Change

Chairman, SEAC welcomed all the participants. Thereafter, regular agenda items were taken up for deliberations:

Item No. 04.01 Confirmation of the **Minutes of the 3rd meeting of State Level Expert Appraisal Committee (SEAC) Kerala, held on 5th May, 2012 at Melody Hall, Mascot Hotel, Thiruvananthapuram**

Confirmed.

Item No. 04.02 **Action taken report on the decisions of the 3rd SEAC meeting**

Noted.

Item No. 04.03 **Application for environmental clearance for the proposed construction of a Resort cum Villa Project at Paruthippara of Ramanattukara Village, Kozhikode District, Kerala, in Sy. Nos.2/1, 2/2A, 3/1, 2, 3, 4, 5, 9/4, 5, 10, 11/1, 2& 12/1 by M/s Waterline Hotels Pvt. Ltd. (File No: 15/SEIAA/KL/628/2012)**

SEAC observed that even though mangrove species are present in the site, the site does not come under CRZ – I but comes under CRZ – III as there is no dense growth of mangroves in the area specified. The committee urged the proponent to preserve the natural greenery as such by retaining the coconut trees and existent mangroves within the site without going for landscaping. The committee also suggested to plant native mangrove species like *Rhizophora* spp. and *Avicennia* spp. along the water body adjoining the site. The proponent has provided a rain water storage pond of 70,000 KL capacity as they are not depending on the water supply from KWA. The top level of the pond will be 1-2 m above the present ground level. SEAC was of the opinion that the pond should be structurally elevated to prevent flood water. The rainwater harvested will be filtered using multi grade filter and disinfected before use. The committee found the 11 hectares of land with 3 m of annual rainfall and surface run off channelizing to ponds sufficient to recharge the pond. The proponent said that the storage pond will be lined internally by impervious polypropylene composite liner material for which the committee asked for technical explanation. It was explained as a polypropylene cross linked imported material having a life span of 100 years having no adverse effect on environment. The committee observed that, in the perspective view of the project site, some construction is seen in the No Development Zone and asked clarification from the proponent whether any permanent constructions are erected in that zone. The proponent explained it as a pathway which is only a temporary walkway. Question was raised regarding the usage of excavated material from the construction of pond for landscaping. But this usage is not possible since silty clay cannot be used for landscaping. Regarding the soil analysis reports, the committee raised concern on the clayey nature of the soil and said that it should have mentioned whether the clay is expanding clay or non-expanding clay, as the soil test was conducted at 1 m difference. It is also observed that the

project site is a tourism destination area. Considering all the above, the SEAC directed the proponent to submit assurance for the following:

1. Assurance in the form of affidavit that 14 m wide access road shall be provided.
2. Biodiversity listing regarding flora, especially mangrove species specific to the project site may be got certified by the Biodiversity Monitoring Committees/Bhoomitrasena Clubs of the locality or by any subject expert from the nearby R&D organizations/Government/Aided colleges.
3. Assurance that the quality of drinking water will be continuously monitored and the test reports will be displayed for public information.
4. IS codes 1893-2002, 456, 13920 shall be implemented considering the high liquefaction potential of the soil.
5. Ensure river bank protection with mangroves.
6. Existing mangrove species to be retained and available mangrove species should be planted along the banks of the river and between HTL and LTL. i.e., mangrove afforestation with suitable plant species should be made.
7. There should be some mud flats available for birds.
8. Adequate provisions to address runoff from nearby area should be provided.
9. Around the pond and inside the pond, safety measures and security provisions are to be made compulsorily.
10. RWH structure has to be sufficiently elevated so as to address any flood water condition.
11. Assurance in the form of affidavit should be given that a 14 m wide road connecting the main road shall be provided.
12. Leave the No Development Zone as such undisturbed, and even landscaping is not permitted. No tampering should be done with the existing vegetation in the 100 m zone.
13. An assurance in the form of affidavit that, before securing the occupancy certificate, the project proponent shall submit an affidavit to the LSG department that whatever commitments made before the SEAC and recommendations made by the SEAC/ SEIAA shall be fully complied with and at any later stage, if found not complied with, the authorized signatory of the proponent shall be personally held responsible, should be submitted by the proponent.

DEFERRED the proposal for reconsideration on receipt of all the above.

Item No. 04.04 **Application for obtaining environmental clearance for the construction of a Residential Project ‘CHOICE PARADISE’ at Village Nadama, Taluk Kanayannur, Thripunithura Municipality, District Ernakulam, Kerala in Sy. Nos. 1307/2, 1309/2,3, 1302/5, 1304/2 and 1303/2 by M/s Choice Constructions (File No: 18/SEIAA/KL/671/2012)**

SEAC observed that the proponent had already started construction way back in 2007 without securing prior environmental clearance and has building permit valid up to 2013. As per MoEF norms, height limit was specified as 60 m beyond which no further construction is permitted. But the maximum height of the building which has already been constructed is 121.83 m. The committee raised concern in this regard as this is the tallest building in South India as of now. The proposal had already been placed for consideration before the EAC. Hence the committee sought proof from the project proponent regarding the current status of proposal in the MoEF. The proponent assured that the minutes of the proceedings of the EAC shall be provided regarding the same. The committee found that the width of the road provided is less considering the height of the building in case of fire incidences. The building has 5 hospital elevators (having a capacity of 26 persons) and 4 passenger elevators (having a capacity of 18 persons). It was found that the fire fighting measures provided for such a tall building is lagging behind security/safety measures.

The proposal has been DEFERRED for SITE INSPECTION to examine whether the building comply with all the environment/safety requirements. It was also decided to seek the expertise of Prof. Madhu, from Fire and Safety Department, Cochin University of Science and Technology, during site visit.

Item No. 04.05 **Application for obtaining environmental clearance for the proposed construction of a Commercial Complex Project at Village Pettah, Taluk Thiruvananthapuram, District Thiruvananthapuram, Kerala in Sy. Nos. 1545, 1545/1-1, 1503/1, 1498/1, 1545/1-2, 1548/1, 1548/1-1, 1548, 1501/2, 1502, 1503/1, 1498/1, 1498/3, 1550/1-1, 1550/1-2, 1551/3-1, 1551/3-2, 1551/3-3, 1550/2, 1543/2-2, 1542/A-1, 1542/A-2, 1542/B, 1544/2, 1543/2-3, 1543/2, 1544/3 and 1544 by M/s Yespeesons Enterprises (File No: 24/SEIAA/KL/970/2012)**

Two wells are proposed for the proposed project but yield test of one of the wells is not done so far. As per the water requirement for the proposed project, 30-40 KLD of additional water should be met from sources other than the two wells. In the water quality reports 0.8 mg of fluoride is reported. As stated in the reports, 1.5 mg is not the desirable limit of

fluoride. The microbiological quality reports even though showed the number of *Escherichia coli* in normal range, it was suggested to treat the water before using it. Photographs of the site shows presence of wetland and land record shows part of a land as nilam. It is mentioned in the proposal that ground water recharge is not possible in the area. Basement of parking space is below water table which is a matter of concern. So this area should be made water proof which incurs additional expenditure. The solution to this problem is to elevate the building a little high so that the basement will be above the water table. Sand will be removed from the site which in turn may create social tensions and bring other issues as sand is a commodity. The proponent was asked regarding the disposal of the sand. Out of the total 41 percent of open space, the space allotted for green area development is very less. Since the proposed site is near National Highway the committee raised concern regarding the traffic management. The proponent has provided provisions for entry through NH and exit through the side road of Parvathi Puthanar r. Parking facilities provided in 5th floor and terrace is by way of ramp. Considering all the above, the SEAC directed the proponent to submit the following:

1. Assurance that IS codes 1893-2002, 456, 13920 shall be implemented.
2. Assurance in the form of affidavit should be given that the water logged area in the site would be retained for ground water recharge.
3. Fresh environmental quality analysis should be done by accredited laboratories and the reports should contain among others, date(s) of sampling, analysis and reporting, etc. Rechecking the microbiological quality report submitted is suggested.
4. NOC from Airports Authority of India should be provided.
5. Calculate the yield from the wells and rework the water requirements.
6. Biodiversity listing regarding flora, especially mangrove species, and fauna specific to the project site may be got certified by the Biodiversity Monitoring Committees/Bhoomitrasena Clubs of the locality or by any subject expert from the nearby R&D organizations/Government/Aided colleges.
7. An assurance in the form of affidavit that, before securing the occupancy certificate, the project proponent shall submit an affidavit to the LSG department that whatever commitments made before the SEAC and recommendations made by the SEAC/ SEIAA shall be fully complied with and at any later stage, if found not complied with, the

authorized signatory of the proponent shall be personally held responsible, should be submitted by the proponent.

Further SEAC decided to stipulate the following specific conditions:

1. Since the site is near the sea and the yield from the well is poor, it is advisable to go for open wells.
2. Channelize storm water runoff to drain into the water bodies present in the site which in turn can recharge the ground water without losing a single drop of water from the plot.
3. As per approved CRZ map there is no road marked. So an approximate 8 m wide area has to be left near the project site without erecting permanent structures.
4. Have larger diameter open wells and not to have deeper bore wells / filter point wells.
5. More green belts in the open area should be provided.
6. The quality of spill over effluent from STP shall be thoroughly monitored to keep it within limits before discharge.
7. Since the site is near Parvathi Puthanar r and comes under CRZ, the width of the creek from the side of the canal should be made as No Development Zone.
8. Level of the basement should be adjusted so that it does not affect free flow of ground water.

DEFERRED the proposal for reconsideration on receipt of all the above.

Item No. 04.06 **Application for environmental clearance for the proposed construction of a Warehouse Project, 'Logistic Park' at Aluva West Village, Aluva Taluk, Choornikkara Panchayat, Ernakulam District, Kerala, in Sy.Nos. 532, 533, 534, 535/1 & 535/3 by M/s Emmay Logistics (I) Pvt. Ltd. (Formerly Sri Asoka Textiles Private Limited)(File No: 7/SEIAA/KL/378/2012)**

The proposal has been RECOMMENDED for environmental clearance stipulating the specific condition that the proponent should submit an undertaking in the compliance certificate that a 5m road width + 3m set aside should be kept totally free for the approach road.

Item No. 04.07 WP(C) 10656/2012 of Honourable High Court of Kerala filed by Sri. Jyothish Kumar - Order of the Hon. High Court to SEIAA to file a report regarding the averments made in the writ petition – Referred to SEAC to examine and report (File No. DoECC/E3/2026/2012)

SEAC decided to make a site visit by a sub-committee consisting of Chairman SEAC, Secretary SEAC, Prof. (Dr.) Kurian Sajjan, Shri. Eapen Varughese and Shri. John Mathai.

Item No. 04.08: Application for obtaining environmental clearance for the proposed construction of Residential Project ‘Purva Grand Bay’ at Ernakulam Village, Kanayannur Taluk, Corporation of Cochin, District Ernakulam, Kerala in Sy. Nos. 843, 2535 & 2536 by M/s Puravankara Projects Limited (File No: 19/SEIAA/KL/717/2012)

As per the certificate issued by the Assistant Conservator of Forests of Mangalavanam Bird Sanctuary, it is mentioned that the aerial distance from the Sanctuary to the project site is approximately 125 meter. SEAC raised concern on this proximity of the project site to the sanctuary and decided to confirm as to whether the project comes under Category A or B and / or whether the General Conditions apply. Moreover, based on the site inspection report submitted by the sub committee, the project proponent is directed to obtain a certificate from GCDA confirming that the FAR is within the limit applicable to Cochin Marine Drive Scheme.

Item No. 04.09: Office Memorandum No. L-11011/47/2011-IA.II (M) dt 18th May 2012 of Ministry of Environment and Forests on mining projects

Vide the Office Memorandum cited above, all mining projects of minor minerals including their renewal irrespective of the size of the lease would require prior environmental clearance. Mining projects with lease area up to less than 50 hectares including projects of minor mineral with lease area less than 5 hectares would be treated as Category B and will be considered by the respective SEIAAs notified by MoEF and following the procedure prescribed under EIA Notification, 2006.

As per the Notification, mining projects require public hearing. Since the mining activities less than 5 hectares covers only a small area and most of the mining projects in Kerala comes under this category, insisting on public hearing for such minor projects may bring unnecessary delay in implementing the project and impede the development of the state. So SEAC decided that no public hearing is required for mining leases less than 5 hectares.

Item No. 04.10:

Letter from Principal Secretary to Government, Environment Department, calling for proposals covering various issues pertaining to control of pollution arising out of high rise buildings

SEAC decided that each member shall mail their suggestions in this regard which will be compiled thereon to make a proposal to be submitted to Government by Department of Environment and Climate Change.

The meeting concluded at 5.00 pm with vote of thanks by the chair.

Chairman SEAC

Secretary SEAC