

**Tamil Nadu Road Sector Project**  
**Draft EA, and EMP Documents (December 2002)**  
**Comments on Environmental Safeguards**

S.No	Comments	Addressal				
<b>General Comments</b>						
1	<p>OP 4.01 Environmental Assessment: The Team was commended for the overall quality of EA. The meeting discussed the attached written comments shared to the meeting and some potential areas for improvement such as removing inconsistencies between the PAD, ISDS and EA on the number of by-passes, and dividing the EMPs into three broad categories:</p> <p>(a) Overall project related EMPs (policy, pre-construction related, capacity building etc.)</p> <p>(b) Construction related EMPs (contract specific EMPs); and</p> <p>(c) Post-construction related EMPs.</p>	<p>The EMP is divided into Pre-construction / construction stage activities of the PIU, Construction Supervision Consultants and the Contractor. Apart from which there are activities in the post construction stage. A new section on the overall project related activities is added in the Table 3.1, for Environmental Management Measures., page 10, Environmental management plan, February 2003</p>				
2	<p>The draft EMP monitoring indicators could be simplified and made more realistic by focusing on key relevant indicators such as borrow pit rehabilitation, top soil conservation, tree plantation/survival rate etc., rather than ambient air and water quality or biodiversity.</p>	<p>Monitoring indicators for Biodiversity is intended only for maintenance corridors. However, the provision is reviewed and excluded from the indicators. The modification is carried out in Table 7, environmental monitoring plan, Page 29, Environmental and Resettlement Management Plan, February 2003</p>				
3	<p>The Task Team (TT) confirmed that the borrower has obtained all necessary clearances from statutory agencies such as Ministry of Environment and Forests, State Pollution Control Board, Forest Department, Public Works Department. During appraisal, the TT will assess/review the actions taken or proposed by the borrower to comply with clearance conditions imposed by various agencies and assess the potential design and cost implications and environmental impacts from the proposed interventions such as the condition to raise sections in the flood prone areas to 1m above HFL (High flood level)</p>	<p>Conditions of clearance are being satisfied by the PIU to the extent possible. Compliance reports to the MoEF are being sent to the MoEF regularly as per the stipulated conditions. The extent of compliance is being notified to the agency. Sections are raised 1m above the HFL at most of the places. The drainage problem is resolved by increasing the road level or by increasing the width of the bridge/culvert waterway. Hence it does not necessarily include raising of road level at all low lying stretches 1 m above HFL. The same shall be intimated to the MoEF in the compliance report due at the start of construction stage.</p> <p>Compliance reports for the perusal of bank has been prepared for conditions stipulated by the Forest Department and State Pollution Control Board.</p>				
4	<p>The risk section in the PAD should refer to the public interest litigation against a previous Asian Development Bank (ADB) supported project, the High Court directive on the East Coast Road and clarify the mitigation actions proposed in this project.</p>	<p>The Public Interest Litigation in case of East Coast Road was due to three reasons:</p> <ul style="list-style-type: none"> <li>• Execution of the project without environmental clearance and without Environmental Impact Assessment</li> <li>• Indiscriminate removal of all avenue trees</li> <li>• Acquisition of land through compulsory acquisition provisions of LA Act, which does not have adequate compensatory packages.</li> </ul> <p>The various events pertaining to environmental issues in the implementation of the ADB project is presented below:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">24.12.92</td> <td>Interim Order of HC Against Tree Cutting requiring environmental clearance</td> </tr> <tr> <td style="text-align: center;">22.2.93</td> <td>EIA sent to MoEF by project authorities</td> </tr> </table>	24.12.92	Interim Order of HC Against Tree Cutting requiring environmental clearance	22.2.93	EIA sent to MoEF by project authorities
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		<p>24<sup>th</sup> and 25<sup>th</sup> April 93</p> <p>Environmental Appraisal Committee (EAC) visit the site</p> <p>11.10.93</p> <p>Interim orders of HC against road work<sup>1</sup></p> <p>19.12.93</p> <p>EAC convenes a sub-committee and the sub-committee visits the project</p> <p>13.1.94</p> <p>ADB representatives make an independent assessment of the environmental status</p> <p>11.2.94</p> <p>Environmental clearance granted with certain conditions</p> <p>8.4.94</p> <p>TN Govt accepts the conditions put forth by MoEF</p> <p>21.4.94</p> <p>Interim orders vacated by the HC</p> <p>15.9.95</p> <p>MoEF suspends the environmental clearance</p> <p>8.4.96</p> <p>Court order suspension of work</p> <p>29.4.96</p> <p>ADB suspends the loan</p> <p>19.6.96</p> <p>Suspension revoked by MoEF based on visits by EAC</p> <p>20.6.96</p> <p>Construction Work resumed</p> <p>31.398</p> <p>Work completed</p> <p>In the proposed TNRSP, stakeholders are involved in the decision making since the initial stages of project preparation, even during selection of the route. Environmental assessments, Resettlement action plan is prepared and the reports are for public display as well as are open for the comments of stakeholders.</p> <p>Tree cutting has been minimized and trees only which are a safety hazard are being removed. All trees beyond 1.5m from the edge of the shoulder are being retained.</p> <p>Compensation for the PAPs is as per the R&amp;R policy approved for the project by the GoTN, which is liberal in compensation and fixing of price of land for compensation is through private negotiations unlike the ECR project.</p> <p>Hence, the Risk factors as in ECR are mitigated in the proposed TNRSP. Lessons learnt from the east coast road is added in the Policy and legal framework, Chapter 2, Environmental Impact Assessment, as Table 2.4, Page 2-13.</p>	
5	The Current EMP budget allocation will be reviewed during appraisal and will include costs of only those tasks to be carried out by the Highways Department (HD) above and beyond those elements of the EMPs that are undertaken through provision in the contract documents. For example, the current significant allocation in the budget for provision of safety equipment for construction workers should be shown as a cost under civil works. The Borrower should also reassess the standard and cost for tree sapling guards.	The budgetary allocations are reviewed. Certain provisions in the main contract as provision of silt traps, safety equipment are limited to the main contract. Cost of all mitigation measures are found to be rational except for iron tree guards, which is now modified. – Section 1 of Cost estimates for environmental management, February 2003	
6	The TT confirmed that a composite map showing the location of quarries and borrow material is part of the contractors pre-construction activities.	The composite map is appended to the EMP for including in the contractors provision. – Appendix 3.14, Appendices to EMP for TNRSP01, 02 and 04,	

<sup>1</sup> According to this, no new section is to be opened up for construction. This did not apply to all sections that were already opened for civil construction

		Appendix 3.13 for Appendices to EMP for TNRSP03
7	<p>OP 4.04 Natural Habitats is triggered by this project and the ISDs and PAD should be revised to reflect this. The draft Natural Habitat Action Plans appear to be reasonable. In order to assess the effectiveness of the proposed Action Plan, however, particularly provision of under-passes and water holes, in terms of their designs and locations, the TT agreed to commission a rapid assessment of projects under implementation.</p>	<p>The water holes are provided in Mudanai RF itself under other schemes and is found to be successful. Reports from the forest divisions has been obtained. Provision of water holes is implemented in Mudanai RF, Chengam forest division, where the present provision is proposed. Report from the Ranger of the forest division indicates the functionality of the provision in reducing the wildlife crossings. The letter to this effect from the ranger is appended to the EIA as Appendix 8.6, Volume II, Appendices to EA, February 2003.</p>

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