



NATIONAL ENVIRONMENT & PLANNING AGENCY

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AMENDED

THE NATURAL RESOURCES CONSERVATION AUTHORITY ACT
The Natural Resources Conservation (Permits and Licences)
Regulations, 1996

Permit to Undertake Enterprise, Construction
Or Development in a Prescribed Area
[Pursuant to Section 9 (2)]

Permit No. 2012-06017-EP00109

Application Date: 8 June 2012

Amended: 1 July 2013

Issue Date:

The Permittee: Jamaica North South Highway Company Limited

Of: 2nd Floor, JAMPRO Building, 18 Trafalgar Road, Kingston 10

Is hereby authorized to undertake:

Construction of new highway

At: Moneague to Mammee Bay, St. Ann

In accordance with the terms and conditions specified in the Schedule

This Permit is granted subject to the Terms and Conditions set forth in the
Schedule below

SCHEDULE

The Natural Resources Conservation Authority under its mandate to ensure the proper management, conservation and protection of the physical resources of this island has pursuant to Section 9 of the Natural Resources Conservation Authority Act and the Natural Resources Conservation (Permits and Licences) Regulations 1996 established a system of permits for prescribed activities as mandated by the Natural Resources (Prescribed Areas) (Prohibition of Categories of Enterprise, Construction and Development) Order, 1996. It is an implied condition of every permit that based on the information presented in the Project Information Form, the Application Form and where applicable the Environmental Impact Assessment and any addendum or adjustments made thereto, that the Authority is of the view that the activity subject to all the conditions stipulated in this Permit is not likely to be injurious to public health or the environment. Where new regulations are made or existing regulations are amended by the Minister under the Natural Resources Conservation Authority Act 1991 or other statute this permit shall be deemed, upon promulgation of such regulations or statute to automatically be amended to conform to such regulations or statute.

This Permit comprises all ten (10) pages of this document, the Permit Application and the Project Information Form both dated 4 June 2012 received and date stamped by the Natural Resources Conservation Authority 8 June 2012, documents titled, "NATIONAL ROAD OPERATING AND CONSTRUCTING COMPANY COMMENTS FROM THE NATIONAL ENVIRONMENT PLANNING AGENCY REGARDING THE MONEAGUE TO OCHO RIOS HIGHWAY DEVELOPMENT PROJECT" dated 15 February 2013 received and date stamped by the Authority 15 February 2013, "ENVIRONMENTAL IMPACT ASSESSMENT Proposed Highway 2000 North South Link - Moneague to Ocho Rios" dated 21 March 2013 prepared by CL ENVIRONMENTAL CO. LTD. received and date stamped by the Authority 8 April 2013 and "ARCHAEOLOGIC IMPACT ASSESSMENT Highway 2000 North - South Link Development Project Moneague - Mammee Bay, St. Ann" prepared by JAMAICA NATIONAL HERITAGE TRUST Archaeology Division Field Unit received and date stamped by the Authority 7 March 2013 and Map titled, "Highway 2000, Phase 2A Revised CHEC Section 3 Alignment" dated 8 May 2012 received and date stamped by the Authority 8 June 2012 and all accompanying addenda.

Description of Permitted Activity

This Permit is for Section 3 of the North-South Leg of Highway 2000, which is to be a 4 lane controlled access, tolled motorway with a design speed of 80 kph and maximum gradient of 8%. The highway will be approximately 16 km and begin at the existing Moneague round-a-bout – which is likely to be converted to an interchange with the A1 road – and end with a round-a-bout at Mammee Bay, where the road meets the North Coast Highway. The toll plaza will be located between km 54 and km 55 in the vicinity of the abandoned Reynolds Bauxite Mines site and an interchange will be constructed at km 55+200 to provide access to the Claremont to St. Ann's Bay main road. The road will have 17 crossings (overpasses and underpasses) and is scheduled to be completed within 36 months of commencement. To facilitate the construction works, a site yard/office is proposed to be constructed, the location of which has not yet been determined.

Definitions

"Permittee" means the holder of this permit.

"Agency" means the National Environment and Planning Agency established pursuant to S.4 of the Executive Agencies Act.

"Authority" means the Natural Resources Conservation Authority established pursuant to Section 3 of the Natural Resources Conservation Authority Act.

"Representation" means any information implied or express on which the Authority has relied to grant this Permit and includes all the information contained in the Application Form, the Project Information Form and the Environmental Impact Assessment Report where applicable, addenda and all supplementary documentation and information including but not limited to correspondence.

The Permittee hereby undertakes to comply with all the following terms and conditions:-

General Conditions

1. All works carried out pursuant to this Permit shall be performed under the professional supervision of trained personnel who are qualified and competent to carry out the functions and duties of the Permitted Activity and who are conversant with the accompanying safety requirements and the hazards to workers, the public and the environment.
2. The Permittee shall not assign, transfer or dispense with this Permit or part with any benefit under it except with the prior written consent of the Authority.
3. Any reference to time in this Permit shall be computed as of the date of issue of this Permit.
4. The Authority reserves the right to alter, amend or introduce new conditions to this Permit at any time.
5. The Authority may in its sole discretion revoke or suspend this permit if it is satisfied that a breach of any term or condition, implied or express, subject to which this permit has been granted has been committed.
6. The Permit is granted subject to any existing legal rights of third parties.
7. This Permit does not dispense with the Permittee's obligations under any other law, nor does it authorize a contravention of any statute, regulations, the common law or breach of any agreement.
8. The Authority reserves the right to review this Permit periodically and may initiate administrative and/or judicial action for any violation of any condition by the Permittee, its customers or guests, its agents, employees, servants, contractors or assignees.
9. A copy of this Permit shall at all times be placed in a prominent place at the location of operation (or business as the case may be) and shall be in such characters and in such position as to be conveniently read by the persons having functions and duties which are or may be affected by the matters set forth in this authorization.
10. The company shall maintain and keep in good repair all equipment used in carrying on the process (or operation) as the case may be. Maintenance shall be carried out in accordance with the manufacturers' recommendations or in such better manner or at such greater frequency as operational experience may show to be appropriate.
11. There shall be safe and adequate access to all sampling and monitoring points.
12. The Permittee shall keep all records of the operation including any environmental monitoring results for a period of not less than five (5) years, computed from the date on which the records were made and such records shall be available for inspection at any reasonable time by any authorized member or officer of the Authority.
13. Any amendment to the records shall be made in such a way as to leave the original result legible. Only authorized persons may make amendments to records and every such amendment shall bear the signature of the said authorized person.
14. The failure of the Authority to enforce at any time or for any period any one or more of the terms or the conditions of this Permit shall not be a waiver of its right at any time subsequently to enforce all the terms and conditions of this Permit.
15. Any member of the Authority or any authorized officer of the Authority may at any reasonable time make such periodical inspections and investigations in respect of the activities that are herein permitted for the purpose of ascertaining whether the terms and conditions of this permit are being observed or not and the Permittee shall allow such authorized officer to conduct such inspections.
16. If there is any proposed change in the ownership of the Permittee notification of such change shall be given to the Authority at least one (1) month prior to such change.

17. If the permitted activity does not commence within five years after the date of issue of this Permit, then this Permit is void and the Permittee shall re-apply for a new Permit.

Specific Conditions

1. The Permittee shall comply with all the representations made in the Permit Application and the Project Information Form both dated 4 June 2012 received and date stamped by the Natural Resources Conservation Authority 8 June 2012, documents titled, "NATIONAL ROAD OPERATING AND CONSTRUCTING COMPANY COMMENTS FROM THE NATIONAL ENVIRONMENT PLANNING AGENCY REGARDING THE MONEAGUE TO OCHO RIOS HIGHWAY DEVELOPMENT PROJECT" dated 15 February 2013 received and date stamped by the Authority 15 February 2013, "ENVIRONMENTAL IMPACT ASSESSMENT Proposed Highway 2000 North South Link - Moneague to Ocho Rios" dated 21 March 2013 prepared by CL ENVIRONMENTAL CO. LTD. received and date stamped by the Authority 8 April 2013 and "ARCHAEOLOGIC IMPACT ASSESSMENT Highway 2000 North - South Link Development Project Moneague - Mammee Bay, St. Ann" prepared by JAMAICA NATIONAL HERITAGE TRUST Archaeology Division Field Unit received and date stamped by the Authority 7 March 2013 and Map titled, "Highway 2000, Phase 2A Revised CHEC Section 3 Alignment" dated 8 May 2012 received and date stamped by the Authority 8 June 2012 and all accompanying addenda.
2. The Permittee shall ensure that all correspondence, notifications, plans, reports or any other documents being submitted to the Agency and/or Authority pursuant to any General and/or Specific Condition of the Permit are addressed to "Manager, Enforcement Branch, National Environment and Planning Agency, 10 Caledonia Avenue, Kingston 5" or emailed to EnforcementManager@nepa.gov.jm.
3. The Permittee shall execute a Deed of Indemnity, indemnifying the Authority and the Government of Jamaica against all actions, proceedings, claims, losses, damages, injuries, demands, costs and expenses, which may become payable by the Authority or the Government of Jamaica as a result of any work carried out in pursuance of this Permit.
4. The Permittee shall implement the mitigation measures as proposed in Section 9 of the document titled "ENVIRONMENTAL IMPACT ASSESSMENT Proposed Highway 2000 North South Link - Moneague to Ocho Rios" dated 21 March 2013 prepared by CL ENVIRONMENTAL CO. LTD. received and date stamped by the Authority 8 April 2013.

Documentation Required

5. The Permittee and/or its agents shall, at least 4 weeks prior to the commencement of the Works, submit a schedule of the works to the Manager, Enforcement Branch, National Environment and Planning Agency, 10 Caledonia Avenue, Kingston 5 or by email to EnforcementManager@nepa.gov.jm.
6. The Permittee and/or its agents shall submit for the approval of the Agency/Authority, a detailed Environmental Monitoring and Mitigation Plan **within sixty (60) days of the date of issue herein or at least thirty (30) days prior to the commencement of any Works, whichever is first**. This Plan shall include, but shall not be limited to:
 - Person(s) responsible for environmental management and their qualifications
 - Details for the monitoring of water quality (to include but not be limited to TSS, TDS, oil and grease), air quality (fugitive dust/ particulate matter) and noise
 - Measures to be employed to control runoff and water turbidity, sedimentation or debris flow into existing waterways; water pollution; noise pollution; fugitive dust and air pollution, preservation of archaeological features; including but not limited to operational and engineering control measures
 - Contingency measures to be employed for cleaning up any accidental spills – fuel, oil or hazardous material - that may occur
 - Sample format for monitoring reports.
7. The Permittee and/or its agents shall submit to the Agency/Authority for approval,

Environmental Statements for any work, which falls outside of the current road reservation prior to carrying out any such activity.

8. The Permittee and/or its agents shall submit, for approval, a Flora and Fauna Management Plan to the Authority/Agency **within sixty (60) days of the date of issue herein or at least thirty (30) days prior to the commencement of any Works, whichever is first.** The Plan shall include but not be limited to:
 - List of endemic, protected or threatened species
 - Measures to be employed to protect identified endemic, protected or threatened species
 - Mapping of bird feeding trees and trees with trunks greater than 18cm in diameter and the measures to be employed to compensate for the loss of any such tree to be impacted by the construction activities
 - Measures to be employed to allow for the detection and protection of bats
9. The Permittee shall conduct an assessment of the proposed highway route alignment to determine whether bats utilize the area. The methodology to be used to conduct the assessment shall be forwarded to the Agency for approval **within sixty (60) days of the date of issue herein or at least thirty (30) days prior to the commencement of any Works, whichever is first.**
10. The Permittee shall conduct an assessment along the highway alignment of all sinkholes/crevices/caves to confirm if any bats are present. The methodology to be used to conduct the assessment shall be forwarded to the Agency for approval **within sixty (60) days of the date of issue herein or at least thirty (30) days prior to the commencement of any Works, whichever is first.**
11. The Permittee and/or its agents shall submit, for approval, a Habitat Compensation and Re-vegetation Plan to the Agency within 3 months of the date of issue herein. The Plan shall include but not be limited to:
 - Details for the planting of trees to compensate for the loss caused by the Works
 - Details for the re-vegetation of areas along the highway, including cut slopes, benches, bridge approaches, interchanges, camp sites, sites of batching plants, etc.
 - Measures to be employed to compensate for the loss of habitat for any sensitive or commercially viable species (eg. bats, bees, orchids, etc.) impacted by the Works
12. The Permittee and/or its agents shall submit, for approval, a Site Rehabilitation Plan to the Authority/Agency within 3 months of the date of issue herein. The Plan shall outline the mechanisms to be implemented to restore the location of the construction work site to predevelopment conditions. In addition, the plan shall outline measures to be taken to restore areas that may have been contaminated by substances such as oil.
13. The Permittee and/or its agents shall develop an Emergency Response Plan (ERP) for the construction and operation phases with the approval of the Office of Disaster Preparedness and Emergency Management (ODPEM) and Fire Department. The Emergency Response Plan shall be submitted to NEPA within 3 months of the date of issue of this Permit.
14. The Permittee and/or its agents shall develop a Waste Management Plan which must be submitted for the approval of the Agency/Authority **within sixty (60) days of the date of issue herein or at least thirty (30) days prior to the commencement of any Works, whichever is first.** The Plan shall include but not be limited to:
 - The designation of appropriate waste storage areas
 - Waste collection and removal schedules
 - System for the supervision and monitoring of the various types of waste
15. The Permittee and/or its agents shall prior to the commencement of any land clearance, submit to the Agency/Authority for approval, a detailed Flood Control and Drainage Management Plan for the entire alignment, with special emphasis placed on the impacts and proposed measures to mitigate the impacts on the communities of Moneague, Golden Groove and Steer Town.

16. The Permittee and/or its agents shall submit for the approval of the Agency/Authority and the Mines and Geology Division a Geotechnical Report for the approved alignment, within 3 months of the date of issue herein and prior to the commencement of any land clearance at km63+500 to km65+000. This report shall include, but is not limited to the following:
 - Geotechnical models and analysis
 - Geophysical (seismic) surveys
 - Peak ground acceleration and site spectral response to be used in slope stability analysis
 - Qualitative and quantitative assessments of rock/soils
 - Proposed solution to treat with any geotechnical issues identified

17. The Permittee and/or its agents shall submit for the approval of the Agency/Authority within 3 months of the date of issue herein a detailed Water Resource Risk Management Plan for the entire road alignment to be approved by the Agency, WRA and NWC prior to any construction. This plan must include, but is not limited to the following:
 - Water quality monitoring and stormwater quality control, with special attention be given to areas with sinkholes, wells and the low points along the alignment
 - Sediment control plan
 - Location of engineering solutions (structural and non-structural) to treat highway runoff during construction and operation
 - An assessment of the sinkholes and wells to be affected by the proposed alignment of the highway. This assessment shall include but not be limited to a capacity, flora and fauna assessment of the sinkholes
 - Plan for preserving the wells that fall within the corridor of the approved road alignment

The following must be considered in the developing of the Water Resources Management Plan:

 - Aquifer water quality must be protected from high turbidity rainfall runoff/inflows, spills of hazardous materials and discharges from the works

18. The Permittee and/or its agents shall, within 3 months of the date of issue herein, submit for the approval of the Water Resources Authority and the Agency, a detailed Operation and Maintenance Manual for the protection, maintenance and cleaning of the engineering solutions for water quality control to sinkholes and wells. The Manual must include but not be limited to the following:
 - Specific pollutants being treated for
 - Proposed standards for the pollutant discharge to the sinkholes and wells
 - Proposed frequency for monitoring of ambient water quality
 - Proposed method and frequency for monitoring of runoff to be discharged to the sinkholes and wells

19. The Permittee and/or its agents shall, within 3 months of the date of issue herein, submit a copy of the contract for the protection, maintenance and cleaning of the engineering solutions for water quality control.

20. The Permittee is expressly forbidden from blocking or negatively impacting any wells within the alignment.

Applicable Standards

21. Noise level shall not exceed 75dBA at the boundary of the road reservation at any given time, save and except where otherwise specified by the Agency/Authority.

22. Where the road passes through a residential area, noise level shall not exceed 55dBA or ambient conditions, whichever is higher, at the boundary of the road reservation at any given time.

23. Noise level shall not exceed 45dBA or ambient conditions, whichever is higher, at the northern boundary to the Steer Town Primary and Junior High School at any given time.

24. The Permittee shall ensure that any storm water generated during the construction and operation of the highway, complies with the NRCA Jamaica National Trade Effluent

Standards, 1995.

25. The Permittee shall comply with the Natural Resources Conservation Authority Ambient Air Quality Regulations, 2006.
26. The Permittee shall comply with the Ambient Air Quality Standards Regulations for Jamaica - August 1996.

Monitoring

27. The Permittee shall undertake and submit monthly monitoring reports to the Manager, Enforcement Branch of the National Environment and Planning Agency, 10 Caledonia Avenue, Kingston 5 or by email to EnforcementManager@nepa.gov.jm with copies to the Water Resources Authority, The Mines and Geology Division, The National Works Agency, and the Environmental Health Unit of the Ministry of Health during the construction and operation phases of the development. This information shall include, but shall not be limited to:
 - The date, exact place (GPS coordinates) and time of sampling or measurement for water and air quality
 - The person(s) and/or organisation responsible for performing the sampling or measurement.
 - The date(s) analyses were performed
 - Analytical techniques or methods used
 - The results of water and air quality analysis
 - Details of any environmental incidents, including spills or damage to sensitive flora or fauna and corrective actions taken
 - Details of assessments of the implemented mitigation measures implemented as per the approved Environmental Monitoring and Mitigation Plan
 - Details of any artifact, archeological, cultural, economic or ecological feature, unique specimen or significant deposits of fossils found during construction; actions taken and outcomes
 - Details of the emptying of chemical toilets, to include evidence to support the collection and disposal at an approved sewage treatment facility.
28. The Permittee shall commence monitoring of noise, ambient air quality and stormwater runoff as follows:
 - Immediately
 - Monthly at all active areas of construction and areas impacted by the construction of the highway (during construction)
 - Monthly at all major drainage features (during operation)
 - Within 24 hours of any significant event

During Construction and Operation

29. The Permittee and/or its agents shall in the event of any breach of the Standards referenced in Specific Conditions 21 – 26 above; as verified by the monitoring results submitted to National Environment and Planning Agency, submit a Compliance Plan to ensure that the activity is brought into compliance with the standards.
30. The Permittee and/or its agents shall notify the Authority of the need for any work, which falls outside of the current road reservation and shall seek permission for same prior to carrying out any such activity.
31. **Works during the construction phase shall only be conducted between the hours of 7a.m. to 7p.m. on Mondays to Saturdays, save and except with written permission from the Authority/Agency.**
32. **Works during the construction phase may be conducted 24 hours daily on Mondays to Saturdays at the following locations as per map titled, "Highway 2000, Phase 2A Revised CHEC Section 3 Alignment" dated 8 May 2012 received and date stamped by the Authority 8 June 2012:**
 - **km 48+500 to km 51+500**
 - **km 55+000 to km 59+500**

▪ km 61+800 to km 63+600

33. **The Permittee shall notify and obtain the written approval of the Agency/Authority prior to any Works during the construction phase on Sundays and public holidays.**
34. The Permittee and/or its agents shall develop and implement a comprehensive plan to control the generation of fugitive dust to include periodic wetting of friable materials and the phased clearing of areas to ensure there is no fugitive dust emission to create a nuisance during the construction phase.
35. The Permittee and/or its agents shall ensure that trucks transporting particulate material during the construction phase are **adequately covered** to prevent the entrainment of particulates in the ambient air.
36. The Permittee and/or its agents shall within 24 hours notify the Agency/Authority and the Jamaica National Heritage Trust of any artifact, archeological, cultural, economic or ecological feature, unique specimen or significant deposits of fossils found during construction of the highway, so that the necessary arrangements can be made to secure same and the Permittee or its agents shall stop the construction activities until authorized to recommence works by the Agency.
37. The Permittee and/or its agents shall ensure that the Works do not impact on the Phoenix Park Great House and the sugar works ruins and aqueduct on the Mammee Bay property, save and except with the prior written approval of the Agency/Authority and the Jamaica National Heritage Trust.
38. The Permittee and/or its agents shall not remove or caused to be removed/damaged any vegetation not located within the approved road alignment.
39. The Permittee and/or its agents shall ensure that there is no blockage of any sinkhole as a result of the Works.
40. The Permittee and/or its agents shall ensure that the solid waste generated, inclusive of demolished material, during the construction phase of the development is disposed of at a municipal dumpsite with the approval of the National Solid Waste Management Authority. A copy of the approval from the National Solid Waste Management Authority shall be submitted to the Manager of the Enforcement Branch, National Environment and Planning Agency, 10 Caledonia Avenue, Kingston 5 or by email to EnforcementManager@nepa.gov.jm prior to the commencement of the development.
41. The Permittee and/or its agents shall ensure that all stockpiles of earth materials used for construction are located within temporarily constructed enclosures to limit fugitive dust.
42. The Permittee and/or its agents shall ensure that all stockpiles of earth material are contained within a berm to prevent this material being transported in terrestrial runoff during rainfall events.
43. There shall be no discharge of oil, oily waste, trade or sewage effluent, chemicals, solid waste, poisonous, noxious or polluting substances, on or into the ground without a Licence from the Natural Resources Conservation Authority.
44. The Permittee shall ensure that adequate numbers of portable, mobile chemical toilets are provided and suitably located to satisfy the needs of workers during construction activities.
45. The Permittee shall ensure that sewage from any portable chemical toilet is disposed of at an approved sewage treatment facility.
46. The storm water drainage plan shall be implemented based on a design approved by the National Works Agency.

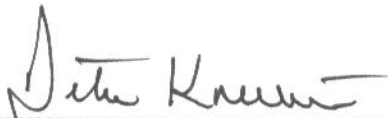
47. The Permittee shall notify the Manager, Enforcement Branch, National Environment and Planning Agency, 10 Caledonia Avenue, Kingston 5, in writing of:
 - The date of commencement of construction of the highway
 - The date when the highway will be commissioned at least two (2) weeks prior to commissioning
48. The Permittee shall develop and submit for the approval of the Agency/Authority appropriate measures for the prevention of the erosion of any cut faces and drainage features during construction and operation.
49. The Permittee and/or its agents shall pursuant to Specific Condition 46 install appropriate permanent measures for the prevention of the erosion of any cut faces and drainage features during construction and operation.
50. The Permittee and/or its agents shall ensure that the storm water drainage plan to be implemented is approved by the National Works Agency prior to implementation and a copy of the relevant approval is submitted to the Agency.
51. The Permittee and/or its agents shall comply with the conditions of the National Works Agency as outlined in their letter dated 4 April 2013 (see attached said letter from NWA).

Approvals Required

52. There shall be no construction between km 56.5 and km 60.0 without the prior written approval of the Jamaica Bauxite Institute and the Authority.
53. The Permittee and/or its agents shall ensure that all licensing requirements for quarrying works are obtained by the contractor prior to the commencement of those activities. In addition, copies of the Quarry Licences shall be submitted to the Manager, Enforcement Branch, the National Environment and Planning Agency, 10 Caledonia Avenue, Kingston 5 or by email to EnforcementManager@nepa.gov.jm.
54. There shall be no blasting or use of explosives in the Permitted Area without the prior written approval of the Mines and Geology Division and prior to submission of the relevant Licences to the Agency.
55. The granting of this Environmental Permit does not relieve the Permittee from complying with any other statutory obligation or from applying for and obtaining any permission, certification, permit or licence required by law. These include but are not limited to Building Permission under the Building Act, Planning Permission under the Town and Country Planning Act and Environmental Permits under the Natural Resources Conservation Authority Act.
56. The Permittee and/or its agents shall provide for the approval of the Authority a detailed layout and building plan for any construction site offices.
57. The Permittee shall apply to the Authority for Environmental Permits pursuant to Section 9 of the Natural Resources Conservation Authority Act for any batching plant and sewage treatment and disposal facility to be erected or constructed in connection with the Permitted Activity and Environmental Licences pursuant to Section 12 of said Act for the discharge of any trade or sewage effluent.
58. The Permittee and/or its agents shall apply to the Authority for an Environmental Permit pursuant to Section 9 of the Natural Resources Conservation Authority Act for the construction of the toll facilities and the associated sewage treatment and disposal facilities in accordance with the Natural Resources Conservation (Permits and Licences) Regulations 1996.

59. The Permittee and/or its agents shall apply for Building Permission under the Building Act, Planning Permission under the Town and Country Planning Act for the construction of the toll facilities, site office or any other development to be undertaken in connection with the permitted activity.

Dated the 23rd day of July 2013



PETER KNIGHT, J.P.
for Natural Resources Conservation Authority



ROBERT COLLIE, J.P.
Secretary
Natural Resources Conservation Authority