

**Proceedings of the 1st meeting of Karnataka State Coastal Zone Management
Authority (KSCZMA) held on 8th January 2014**

Members present: As per the list enclosed.

The Chairman welcomed the members present before the first meeting of the newly constituted KSCZMA as per MoEF, GoI Gazette Notification dated 01.10.2013. The subjects were deliberated as per the Agenda.

Agenda No. 1.0: Confirmation of the proceedings of the previous KSCZMA meeting held on 03.09.2013.

The proceedings of the previous KSCZMA meeting held on 03.09.2013 were confirmed.

Agenda No. 1.1: Action Taken Report on the proceedings of the previous KSCZMA meeting held on 03.09.2013.

The Authority viewed seriously the non-furnishing of replies from the Regional Directors (Environment) to the letters of KSCZMA and directed the Secretary, KSCZMA to obtain written replies from the Regional Directors (Environment) and place in the next meeting.

The Authority also decided that the pending list of CRZ clearances from MoEF, GoI, be prepared, updated monthly and brought out in the KSCZMA meetings for monitoring.

In respect of proposals vide file No. FEE 109 CRZ 2013 (Rahildeep Beach Resort) & FEE 21 CRZ 2012 (Apsarkonda Eco Tourism Project) the Authority decided to request the proponent to submit the details latest by June 2014 failing which the proposals will be rejected.

In respect of proposals vide file No. FEE 200 CRZ 2012 (M/s. City Real Estate) & FEE 26 CRZ 2013 (M/s Inland Infrastructures Developers Pvt Ltd), the Director of Fisheries present in the meeting clarified that the fisheries road cannot be considered as an access road and are meant for a specific purpose for facilitating of fishermen's trade. Any urban development due to construction projects in the area may displace the local fishermen eventually.

Agenda No. 2: Proposals before KSCZMA:

A. CRZ clearance for the construction / reconstruction of residential units in CRZ-II area.

- 1. Request for NOC from Sri Prakash T. Soans, Joint Managing Partner, Prabhakar Tile Works for conversion and construction of Labour Rest room building at Sy. No.178/2, Kundapura Kasba Village, Kundapura Taluk, Udupi District. (FEE 209 CRZ 2013)**

It was informed that the above proposed site was inspected by Regional Director (Environment) and has reported that the proposed site comes under CRZ-II with 130 m away from the HTL of Halady River. The proposal has been recommended by the DCZMC.

As per para 1(ii) of CRZ Notification, 2011 CRZ shall apply to the land area between HTL to 100 mts or width of the creek whichever is less on the landward side along the tidally influenced water bodies that are connected to the sea. The Authority noted that the site falls outside CRZ area and does not attract the provisions of CRZ Notification, 2011.

The Authority after deliberations decided to issue an endorsement to the proponent in accordance with the above decision.

B. CRZ clearance for the construction / reconstruction of residential units in CRZ-III area. (Annexure-II).

A. within 100 meters from the HTL of the Sea:

1. Request for NOC from Sri Peter Nazarath, S/o Symon Nazarath for reconstruction of residential unit at Sy No. 50/6, Paduvari Village, Kundapura Taluk, Udupi District (FEE 159 CRZ 2012 / FEE 263 CRZ 2013).
2. Request for NOC from Sri Syed Jafer for re-construction of residential house No. 6-117 at Sy.No.285/5D, Shiruru Village, Kundapura Taluk, Udupi District. (FEE 206 CRZ 2013)
3. Request for NOC from Smt Kuppu D/o Manjamma for re-construction of residential house No. 1-340 at Sy. No.173/7P2, Paduvari Village, Kundapura Taluk, Udupi District (FEE 210 CRZ 2013)
4. Request for NOC from Smt. Bibi Fathima for re-construction of residential house No.6-119 at Sy. No. 285/6, Shiruru Village, Kundapura Taluk, Udupi District. (FEE 208 CRZ 2013).
5. Request for NOC from Smt Nagamma W/o Manju Mogaveera for reconstruction of residential house no. 5-82B at Sy. No. 315/4B1, Shiruru Village, Kundapura Taluk, Udupi District. (FEE 234 CRZ 2013)
6. Request for NOC from Smt. Bibi Hajira for reconstruction of residential house No. 6-116 at Sy. No. 285/5B of Shirur Village, Kundapura Taluk, Udupi District. (FEE 207 CRZ 2013)

The Authority noted that under the CRZ Notification, 2011, the land area falling between the hazard line and 500 m from HTL on the landward side, in case of seafront and between the hazard line and 100 m line in case of tidally influenced water bodies is also declared as CRZ area. The hazard line is being mapped through survey of India all along the coastline of the country taking into account, tides, waves, sea level rise and shoreline changes.

Presently, the CRZ area is only up to 500 m from the HTL for sea front and 100 m or width of the creek, whichever is less in case of tidally influenced water bodies. After the demarcation of hazard line, the extent of CRZ may increase and developmental activities other than those permissible under the CRZ Notification, 2011 shall also not be permissible in the areas between the hazard line and 500 m from HTL on the landward side in case of seafront and between the hazard line and 100 m in case of tidally influenced water bodies.

Accordingly, the KSCZMA in its meeting held on 03.09.2013 after thorough discussion had taken a decision to consider such similar proposals after

the hazard line demarcation by Survey of India entrusted by MoEF, GoI expressing concern over the safety of buildings and those living in it.

The Authority after deliberation, decided to write to MoEF, GoI from the Chairman of the Authority that the Authority is awaiting for the hazard line demarcation by Survey of India by March 2014 and if the same is not provided by MoEF, the existing CRZ norms as per CRZ Notification, 2011 will be applied. The Authority decided to take up the above proposals at the meeting after March 2014.

B. within 100 Meters from HTL River/Creek:

1. Request for NOC from Sri Vasudeva S. Poojary S/o Somayya for reconstruction of residential house No.5-123, at Sy. No.168/3, Kirimanjeshwara Village, Kundapur Taluk, Udupi District. (FEE 233 CRZ 2013).

It was informed that the above proposed site was inspected by Regional Director (Environment) and has reported that the proposed site comes under CRZ-III (NDZ) with 230 m away from the Sea HTL and 15 m away from the River HTL. The plinth area of the proposed building is 400 Sft and is verified by the Regional Director (Environment), Udupi. The proposal has been recommended by the DCZMC.

It was informed to the Authority that the Regional Director (Environment) has forwarded application in prescribed format, RTC, survey map of the site, tax assessment extract for the period 1989-90, Certificate from Grama Panchayat for change of door number, approved CZMP map and draft digitized map showing the proposed area.

As per para 8(i)III.CRZ-III A of CRZ Notification, 2011 reconstruction of existing authorized structure is permitted not exceeding existing floor space index, existing plinth area and existing density.

The Authority after deliberations decided to issue NOC as the proposal is a permitted activity under para 8(i) III CRZ -III A of CRZ Notification 2011.

2. Request for NOC from Smt. Nagamma W/o Late Sri. Mudura Kharvi for Reconstruction of residential house No.10-22A at Sy. No.1/6DP2, Uppunda Village, Kundapur Taluk, Udupi District. (FEE 232 CRZ 2013)

It was informed that the above proposed site was inspected by Regional Director (Environment) and has reported that the proposed site comes under CRZ-III (NDZ) with 170 m away from the Sea HTL and 40 m away from the River HTL. The plinth area of the proposed building is 80 Sqm as verified by the Regional Director (Environment), Udupi. The proposal has been recommended by the DCZMC.

It was informed to the Authority that the Regional Director (Environment) has forwarded application in prescribed format, RTC, survey map of the site, tax assessment extract for the period 1984-85, approved CZMP map and draft digitized map showing the proposed area.

As per para 8(i)III.CRZ-III A of CRZ Notification, 2011 reconstruction of existing authorized structure is permitted not exceeding existing floor space index, existing plinth area and existing density.

The Authority after deliberations decided to issue NOC as the proposal is a permitted activity under para 8(i) III CRZ -III A of CRZ Notification 2011.

C. within 100 to 200 Meters from the HTL of the Sea:

- 1. Request for NOC from Sri. Syed Mahammad Ajmal for re-construction of residential house No. 6-114 at Sy.No.284/5, Shiruru Village. Kundapur Taluk, Udupi District. (FEE 205 CRZ 2013)**

The Authority perused the proposal and decided to wait for the approval of the Comprehensive Plan of CRZ area in Udupi District from MoEF, GoI as per the provisions under para 8(iii) CRZ -III A(ii) of CRZ Notification, 2011.

Agenda No. 3: Preparation of Coastal Zone Management Plan under Coastal Regulation Zone Notification, 2011-reg.

It was informed to the Authority that Regional Directors (Environment) of the Coastal Districts have submitted village-wise and map-wise comments/suggestions to the Department. The draft CRZ maps furnished by NHO, Dehradun have also been uploaded to the website of KSCZMA. Few comments from general public have been received. In this regard the Secretary to Government (E&E), DFEE has taken a review meeting on 03.01.2014 and the Regional Directors (Environment) have been directed to attend the head office for incorporating the suggestion/comments on to the draft CRZ maps.

The Authority after deliberation decided to defer the subject to the next meeting with directions to Secretary, KSCZMA to make detailed presentation for consideration for approval of the Authority for CZMP as per CRZ Notification, 2011.

Agenda No. 4: Preparation of comprehensive plan in consultation with the traditional coastal communities including fisher folk and incorporating necessary disaster management plan in accordance with the provisions of CRZ Notification, 2011.

It was informed to the Authority that as directed in the KSCZMA meeting held on 3rd September 2013, the Comprehensive Plan of CRZ for Udupi District has been uploaded to KSCZMA website to elicit comments/suggestions from stake holders and general public. Comments and objections are awaited.

Further, it was also informed to the Authority that as per the above KSCZMA meeting decision, the Regional Director (Environment), Uttara Kannada District has been directed to engage institutions in preparation of Comprehensive Plan of CRZ for Uttara Kannada District. The Regional Director (Environment), Dakshina Kannada District has been directed to follow the due process of advertising the Comprehensive Plan for the District under preparation.

In this regard the Secretary to Government (E&E), DFEE has taken a review meeting on 03.01.2014 with Regional Directors (Environment) of the coastal districts wherein Smt. Deepika Shetty has made a presentation on the Draft Comprehensive Plan of Udupi District entrusted to her. She has been requested to incorporate certain changes in the same. She has also been requested to complete the comprehensive plan of Dakshina Kannada District within one month and that of Uttara Kannada District within two months.

The Authority after deliberation decided to defer the subject to the next meeting with directions to Secretary, KSCZMA to make detailed presentation for consideration for approval of the Authority for Comprehensive Plan of Udupi District. Smt. Deepika Shetty needs to be invited for the meeting.

Agenda No. 5: Establishment of Biomass briquetting plant in place of existing fish factory at Door No. 9-130 at Sy No.138/2, Paduthonse Village, Udupi Taluk & District by M/s. Green Bio Fuel Company (FEE 12 CRZ 2013).

1. The proposal is for setting up of biomass briquetting plant by M/s. Green Bio Fuel Company by renovating the existing fish cutting mill at Door No. 9-130 at Sy. No. 138/2 of Paduthonse Village, Udupi Taluk & District.
2. The extent of land is 0.50 acre converted for industrial purpose in 1974-75. The total project cost is Rs. 40 Lakhs.
3. The land is in the name of Shri. B. Sarvottham S/o Late Sri. Annappa Pujari as per RTC. The proponent has taken the land along with the fish cutting mill (built in 1988-89) on lease agreement and the proponent intends to renovate this existing building into a briquetting plant.
4. The proposed plant is 160 m away from sea HTL and falls within NDZ of CRZ-III.
5. As per para 8(i) III-A (ii) of CRZ Notification, 2011 No new construction is permitted in NDZ except for repairs/reconstruction of existing authorized structure not exceeding existing FSI & existing plinth area.
6. As per para 8(i) III (A) (iii)(g) of CRZ Notification, 2011 facilities for generating power by non-conventional energy sources is permitted in CRZ-III (NDZ).

It was informed that the subject was taken in the KSCZMA meeting dated 3rd September 2013. The Members of the Authority had sought more information on the process of manufacture of briquettes and quantum of pollution out of the process which could not be made available to the Authority. Hence the Authority had decided to defer the subject insisting the project proponent to make presentation of the project before next meeting of the Authority.

Sri. K. M. Asim, Partner explained the project details with the process involved in the proposed biomass briquetting plant. He explained that the plant consists of (1) Sizing Up Unit and (2) Briquetting Press. In the sizing up unit, various agricultural biomass residues such as rice husk, wood pieces are converted into powder form and then homogeneously mixed. In the briquetting press, the powder is pressed under heat and pressure using starch as binder to get solid cylindrical briquettes. The Authority noted that the pollution load is reduced due to the change in the industrial activity.

The Authority after deliberation decided to issue NOC to the proposed biomass briquetting plant as per para 8(i) III (A) (iii)(g) of CRZ Notification, 2011 with a condition that the proponent shall obtain CFE/CFO from KSPCB.

Agenda No. 6: Seeking clarification to sanction 9 acre of land out of Survey No 10/1 of Baikampadi Village of Mangalore by Karnataka Industrial Area Development Board, Mangalore -reg (FEE 61 CRZ 2013).

It was informed that the subject was considered in the KSCZMA meeting dated 3rd September 2013. The Authority had deferred the proposal to the next meeting insisting the presence of the Principal Secretary to Government, Industries and Commerce Department.

The Authority discussed in detail the report of Regional Director (Environment), Mangalore dated 15.12.2013. The Regional Director (Environment) has reported that Sy. No. 10/1 is located between MRPL/ODC road and Kudumbooru Hole and is of 9 Acres extent. Kudumbooru Hole a tributary of Gurupur River is 50 m wide at this point. There are 50 m wide mangroves grown along the Kudumbooru Hole. The land in question is partly covered with mangroves and is marked as CRZ-I area as per CZMP (approved 1996). Further, he has reported that 150 m wide area between mangroves and MRPL/ODC road is vacant and covered with shrubs. The balance area excluding 50 m buffer from mangrove area and MRPL/ODC road was jointly surveyed by KIADB officials with Regional Director (Environment) on 4.12.2012. As per the joint inspection report which is supported by survey sketches this balance area is of 4.2 Acres extent. The Regional Director (Environment) again inspected the proposed area on 04.02.2013 and has reported that the said 4.2 Acres of area is outside CRZ as per para 1 of CRZ Notification, 2011. The remaining area of 4.8 Acres out of 9 Acres of proposed area must be protected for mangrove vegetation as per the CRZ Notification, 2011. However, the said 4.2 Acres is recommended by Regional Director (Environment) for sanction.

In view of the above, the Authority observed that out of 9.0 acres of KIADB land, 4.2 acres is outside CRZ area (excluding 50m buffer from mangroves) and the remaining 4.8 acres comes under CRZ-I which is covered with mangroves. The Authority after deliberation decided that 4.2 acres of land may be sanctioned to the applicants with a condition that the remaining 4.8 acres of land be developed for ecotourism with mandatory conservation and protection of existing mangroves which was agreed by the Director (Technical Cell), Industries & Commerce Department attending the meeting.

Agenda No. 7: Request for NOC from M/s. Uttara Kannada District Sahakari Meenu Marata Federation Ltd, Branch-Mavinkurve for construction of a diesel bunk of 240 Sqm at Sy. No. 15A1/2, 15A1/3, 15A1/4, 15A1/5 & 15A1/6, Mavinkurve Village, Bhatkal Taluk, Uttara Kannada District (FEE 211 CRZ 2013).

M/s. Uttara Kannada District Sahakari Meenu Marata Federation Ltd, Branch-Mavinkurve has submitted application for NOC for construction of a diesel bunk of 240 Sqm (15 m X 16 m) at Sy. No. 15A1/2, 15A1/3, 15A1/4, 15A1/5 & 15A1/6, Mavinkurve Village, Bhatkal Taluk, Uttara Kannada District. The Regional Director (Environment) has inspected the site and has reported that the site falls in CRZ-III (NDZ) and is 160 m from sea HTL and 40 m from Sharabi River HTL.

The Regional Director (Environment) has forwarded RTC, Survey map of the site, CZMP sheet, draft digitized CRZ map extract. The Regional Director (Environment) has reported that as per Para 8(i)III. A(i) of CRZ Notification, 2011. The NDZ shall not be applicable in such area falling within any notified port limit and also as per para 8(i)III. A(iii) (e) facilities for receipt and storage of petroleum products and liquefied natural gas as specified in annexure II of CRZ Notification, 2011.

The Authority after deliberation decided to issue NOC to the above project as it is a permitted activity under the said provisions of CRZ Notification, 2011.

Agenda No. 8: Request for NOC from M/s. Uttara Kannada District Sahakari Meenu Marata Federation Ltd, Branch-Tadadi for construction of a diesel bunk of 6X4 Sqft at Sy. No. 1117/A1, Gokarna Village, Kumta Taluk, Uttara Kannada District (FEE 212 CRZ 2013).

M/s. Uttara Kannada District Sahakari Meenu Marata Federation Ltd, Branch-Tadadi for construction of a diesel bunk of 6X4 Sqft at Sy. No. 1117/A1, Gokarna Village, Kumta Taluk, Uttara Kannada District. The Regional Director (Environment) has inspected the site and has reported that the site falls in CRZ-III (NDZ) and is 440 m from sea HTL and 30 m from River HTL.

The Regional Director (Environment) has forwarded RTC, Survey map of the site, CZMP sheet, draft digitized CRZ map extract. The Regional Director (Environment) has reported that as per Para 8(i)III A(i) of CRZ Notification, 2011. The NDZ shall not be applicable in such area falling within any notified port limit and also as per para 8(i)III. A(iii) (e) facilities for receipt and storage of petroleum products and liquefied natural gas as specified in annexure II of CRZ Notification, 2011.

The Authority after deliberation decided to issue NOC to the above project as it is a permitted activity under the said provisions of CRZ Notification, 2011.

Agenda No. 9: Request for NOC from Smt. Padmavathi Damodhar Moger to set up 100 TPD capacity ice plant at Sy. No. 20A1E, Hebale Village, Bhatkal Taluk, Uttara Kannada District. (FEE 213 CRZ 2013).

Smt. Padmavathi Damodhar Moger has requested NOC for setting up 100 TPD capacity of ice plant at Sy. No. 20A1E, Hebale Village, Bhatkal Taluk, Uttara Kannada District in 00-03-08 Gunta non agricultural land. The Regional Director (Environment) has inspected the site in presence of the proponent on 20.09.2013 and has reported that the project area as road on the northern side and habitations surrounding the site. The site is 230 m from sea HTL and 10 m from Venkatapura River HTL.

The Regional Director (Environment) has submitted RTC, Survey map of the site, CZMP sheet, draft digitized CRZ map extract, joint inspection certificate and ice plant building plan along with estimate.

As per para 8(i)III CRZ-III A(iii) (l) of CRZ Notification 2011, within NDZ of CRZ-III, there is provision for setting up of ice plants.

The Authority after deliberation decided to issue NOC to the above project as the project is proposed to be located outside NDZ area (0-200 m from the HTL of the sea front on the landward side) of CRZ-III under para 8(i)III CRZ-III (B) of CRZ Notification 2011.

Agenda No. 10: Construction of a beach resort at Sy. No. 159, 160 & 264, Paduvaru Village, Kundapur Taluk, Udupi District by M/s. Byndoor Beach Resort (FEE 141 CRZ 2013).

The following background details of the KSCZMA meeting deliberations were placed before the meeting:

KSCZMA Meeting held on 02.05.2006:

- The Authority have perused the report of the DCF, CRZ dated 29.09.2003 and the recommendation of District Coastal Zone Management Committee, Udupi dated 27.08.2003 and noted that Shri. Manohar Shetty, Byndoor Beach Resort has undertaken activities in violation of the provisions of the CRZ Notification.
- Shri Manohar Shetty was given Notice dated 23.09.2003 by the DCF, CRZ, Udupi.
- The DCF, CRZ, Udupi inspected the site on 14.10.2003 and 21.10.2003 and the issue was again discussed in DCZMC meeting held on 29.10.2003 and the proposal was recommended to the KSCZMA for clearance.
- The KSCZMA after discussion decided to issue the proposed direction under section 5 of the Environment (Protection) Act, 1986 for closure/ demolition of the Beach Resort.
- The proposed direction was issued accordingly on 05.06.2006.

KSCZMA Meeting held on 08.08.2006:

- Authority perused the reply dated 12.06.2006 submitted by the proponent in response to the proposed direction and stated that the structures in zero to 100m were the old structures that existed prior to the inception of CRZ Notification and got repaired. The proponent requested for grant of three months time for procuring the required records to prove that the said structures existed prior to the inception of CRZ Notification.
- The Authority noted that the Member Secretary, KSCZMA inspected the project site on 23.07.2006 and deferred the subject.

KSCZMA Meeting held on 19.01.2007:

- The Authority considered the request made by the proponent and granted 45 days time for submission of the proof for the existence of structures prior to the inception of CRZ Notification.

KSCZMA Meeting held on 3rd and 4th August 2007:

- The Authority perused the documents submitted by the project proponent vide letter dated 01.03.2007 and 14.04.2007.
- The Authority directed the Regional Director (Env), Udupi to verify the documents and the receipts submitted by the project proponent with the original records of the concerned Panchayat.

KSCZMA Meeting held on 30.01.2008:

- Perused the tax paid receipts for the year 1984/86 pertaining to the structures that are alleged to have been constructed in violation of the provisions of the CRZ Notification.

- The subject was deferred with the direction to the Regional Director (Env), Udupi to verify with Panchayath documents.

KSCZMA Meeting held on 30.06.2008:

- The Authority perused the report of the Regional Director (Env), Udupi dated 21.05.2008
- The Authority after deliberation opined that the structures appeared to be temporary nature
- The Authority decided to with draw the direction under section 5 of the Environment (protection) Act and to recommend the proposal to MoEF, Govt. of India for post facto CRZ clearance subject to the condition that no permanent construction to come up in the 200 meters 'No Development Zone'.

Based on the decision taken in the State Coastal Zone Management Authority after verification of the records that the structures existing in the 'No Development Zone' were constructed prior to the inception of the CRZ Notification and does not constitute violation, the proposal has been forwarded to Ministry of Environment and Forests, Government of India, New Delhi vide letter No. FEE 9 CRZ 2005 dated 25.07.2008.

The proponent has submitted that the said proposal was considered in the 78th meeting of the Expert Appraisal Committee for Coastal Regulation Zone, Infrastructure Development and Miscellaneous projects of the Ministry of Environment and Forests, Govt. of India held on 20th to 22nd July 2009 and the Expert Committee has recommended for issue of clearance.

However, Ministry of Environment and Forests have addressed a letter to the Chairman, Karnataka State Coastal Zone Management Authority under a copy to the project proponent requesting "to re-examine the details and submit the comments on the violation and on the action taken and also regarding post facto clearance" vide letter No. F-No.11-73/2008-IA.III dated 8th December 2009.

The proceedings of the meetings of the Karnataka State Coastal Zone Management Authority held on the dates mentioned in the preceding paras and the documents submitted by the proponent goes to prove that the structures that are in existence in the 'No Development Zone' of the CRZ-III that is up to 200 meters from HTL were constructed prior to the inception of CRZ Notification and therefore does not constitute violation. The proponent has proposed to use these structures for the temporary occupation of tourists in accordance with the provisions of the Law.

Though the constructions between 200 to 500 meters from HTL were commenced without the required clearance the construction works have been stopped with the issue of direction under section 5 of E (P) Act. The proponent is said to have been awaiting clearance for completion of the construction. The Authority have considered this fact and have decided to recommend the proposal to MoEF, Govt. of India as it is a pro-tourism activity.

Accordingly, the Ministry of Environment and Forests, Govt. of India have been addressed vide letter dated 25.11.2010 about these developments and the decision of the Authority along with the copies of the relevant documents.

The MoEF, GoI vide letter dated 04.06.2013 addressed to the Chairman, KSCZMA have informed that as per OM dated 12.12.2012, State Government needs to initiate credible action on the violations by invoking powers under Section 19 of the Environment (Protection) Act, 1986 for taking necessary legal action under Section 15 of the Act for the period for which the violation has taken place and the evidence provided to MoEF, GoI of the credible action taken. The MoEF, GoI has requested to initiate necessary action under Section 15 of the Environmental (Protection) Act, 1986 and inform the credible action taken to the Ministry.

Further, the MoEF, GoI in a separate letter addressed to the project proponent (M/s. Akkayya Consultancy Services) of same date (i.e. 04.06.2013) has informed that the violation has to be dealt as per Ministry's OM No. J-11013/41/2006-IA-II(I) dated 12.12.2013, as per 5(i) of the above OM, the clearance shall be issued to the project only after the matter relating to the violations has been put up to the Board of Directors of the company or to the Managing Committee/CEO of the Society, Trust, Partnership/individually owned concern for consideration of its environment related policy/plan of action as also a written commitment in the form of a formal resolution to be submitted to MoEF/SEIAA to ensure that violations of the Environment (Protection) Act etc. will not be repeated.

The MoEF, GoI has requested the proponent to submit a written commitment as above within 60 days and further action on the project proponent will be based on the receipt of the same. A copy of the letter is marked to Chairman, KSCZMA for information. The project proponent vide letter dated 18.06.2013 has submitted the above said resolution to MoEF, GoI with a copy marked to Chairman, KSCZMA for information.

The Authority noted that the structures within 0- 200 m from the Sea HTL (i.e., No Development Zone) were of temporary nature and built prior to 19-02-1991 i.e. the inception of CRZ Notification, 1991 and reiterated the earlier decision of the KSCZMA meeting dated 30.06.2008.

Regarding the structures that have come up between 200 - 500 m from the HTL of sea, the Authority decided to issue Show Cause Notice to the proponent under Section 15 of the said Act for not obtaining prior CRZ clearance and for levy of penalty under Section 19 of the Act at the maximum rate of Rs. One Lakh per structure. The Authority directed the Secretary, KSCZMA to obtain a report from Regional Director (Environment) on the number and location of the structures that are in existence and in operation supported by drawings to facilitate issue of show cause notice.

Agenda No. 11: Request of DC, Udupi on taking up land conversion issues

Not a matter for consideration of the Authority at this stage and hence the subject was withdrawn to be brought up, if required.

Agenda No. 12: CRZ Clearance for structures by M/s. Naveen Hotels Ltd and M/s. R.N. Shetty Trust at Murudeshwar (FEE 100 CRZ 2012)

The Authority noted that the agenda note is devoid of project details, HTL demarcation, applicability of the CRZ rules, supportive drawings, copies of the relevant judgments & MoEF, GoI inspection report along with EIA/EMP report. The Authority decided to defer the subject to the next meeting.

Additional Agenda:**Agenda No. 1: Request of NOC from Sri. Praveen Shetty S/o Divakara Shetty for construction of residential house at Sy. No. 142/21P of Surathkal Village, Mangalore Taluk, Dakshina Kannada District.(FEE 228 CRZ 2013).**

The Regional Director (Environment), Mangalore has submitted the proposal along with Form-1, document from Mangalore City Corporation (MCC), record of land ownership, survey sketch of site, site plan and building plan, proof for the authorized fisheries road constructed prior to 19-02-1991, CZMP of the proposed site, commitment letter regarding solid waste and liquid waste management. The proponent proposes to have septic tank since there are no existing UGD facilities in the area. The total built area is 140.86 Sqm with ground floor. The area is inside the municipal limits of MCC. On the western side (seaward) there is a fisheries road (Guddekopla-Doddakopla road) and old houses constructed prior to 19-02-1991.

The Regional Director (Environment), Mangalore inspected the proposed site and reported that the site falls in CRZ-II distance from the HTL of Sea 280 mts. The proposal has been recommended by DCZMC during the meeting held on 13.11.2013.

The relevant provisions under the CRZ Notification, 2011, pertaining to the construction in CRZ- II area is as under:

- 1) as per provisions under para 8 II(i) and (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures subject to existing local town and country planning regulation including the existing norms of FSI or FAR.
- 2) As per provisions under para 8 II(iii) re-construction of authorized building permitted subject to the existing FSI or FAR norms and without change in present use.

The Authority after deliberation decided to issue NOC to the above proposal since it is a permitted activity under para 8 II CRZ-II of CRZ Notification, 2011.

Agenda 2: Request of NOC from Sri. Narayana R. Karkera S/o Ramaya A. Ayvarana for construction of residential house at Sy. No. 22/15P6 of Sasihitlu Village, Mangalore Taluk, Dakshina Kannada District. (FEE 229 CRZ 2013).

The Regional Director (Environment), Mangalore has submitted the proposal along with Form-1 and documents such as RTC, Survey Sketch of site, site plan and building plan, with total built area is 134.19 Sqm. Proof for the authorized fisheries

road constructed prior to 19-2-1991(Mukka-Sasihitlu Road) towards seaward side of the plot and CZMP of the proposed site, commitment letter regarding solid waste and liquid waste management. The proponent proposed to have septic take since there is no existing UGD facilities in the area.

The Regional Director (Environment) inspected the proposed site and reported that the site falls in CRZ-II distance from the HTL of Sea 80 mts and 160 mts from HTL of river. The proposal has been recommended by DCZMC during the meeting held on 13.11.2013

The relevant provisions under the CRZ Notification, 2011, pertaining to the construction in CRZ- II area is as under:

- 1) as per provisions under para 8 II(i) and (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures subject to existing local town and country planning regulation including the existing norms of FSI or FAR.
- 2) As per provisions under para 8 II(iii) re-construction of authorized building permitted subject to the existing FSI or FAR norms and without change in present use.

The Authority after deliberation decided to issue NOC to the above proposal since it is a permitted activity under para 8 II CRZ-II of CRZ Notification, 2011.

Agenda 3: Request of NOC from Sri. Yusuf Hyder S/o Mayyadi Beary for construction of residential house at Sy. No. 26/1DP of Surathkal Village, Mangalore Taluk, Dakshina Kannada District. (FEE 230 CRZ 2013).

The Regional Director (Environment), Mangalore has submitted the proposal along with Form-1, document from Mangalore City Corporation, record of land ownership, Survey Sketch of site, site plan and building plan. Proof for the authorized fisheries road constructed prior to 1991 and CZMP of the proposed site, commitment letter regarding solid waste and liquid waste management. The total built area is 331.48 Sqm (G+2). The proponent proposed to have septic take since there is no existing UGD facilities in the area.

The Regional Director (Environment), Mangalore inspected the proposed site and reported that the site falls in CRZ-II distance from the HTL of Sea 440 mts. The proposal has been recommended by DCZMC during the meeting held on 13.11.2013.

The relevant provisions under the CRZ Notification, 2011, pertaining to the construction in CRZ- II area is as under:

- 1) as per provisions under para 8 II(i) and (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures subject to existing local town and country planning regulation including the existing norms of FSI or FAR.
- 2) As per provisions under para 8 II(iii) re-construction of authorized building permitted subject to the existing FSI or FAR norms and without change in present use.

The Authority after deliberation decided to issue NOC to the above proposal since it is a permitted activity under para 8 II CRZ-II of CRZ Notification, 2011.

Agenda 4: Request of NOC from Smt. Dayavathi M. Kotiyan D/o Late Chennamma for construction of residential house at Sy.No.75/30 of Idya Village, Mangalore Taluk, Dakshina Kannada District. (FEE 252 CRZ 2013).

The Regional Director (Environment), Mangalore has submitted the proposal along with Form-1 and documents such as land conversion from Mangalore City Corporation & record of land ownership, Survey Sketch of site, site plan and building plan, with total built area is 75.50 sqm with ground floor, Proof for the authorized fisheries road constructed prior to 19.02.1991 and CZMP of the proposed site, commitment letter regarding solid waste and liquid waste management. The proponent proposes to have septic tank since there is no existing UGD facilities in the area.

The Regional Director (Environment) Mangalore has inspected the proposed site and reported that the site falls in CRZ-II distance from the HTL of Sea 480 mts and that the proposal has been recommended by DCZMC during the meeting held on 13.11.2013.

The relevant provisions under the CRZ Notification, 2011, pertaining to the construction in CRZ- II area is as under:

- 1) as per provisions under para 8 II(i) and (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures subject to existing local town and country planning regulation including the existing norms of FSI or FAR.
- 2) As per provisions under para 8 II(iii) re-construction of authorized building permitted subject to the existing FSI or FAR norms and without change in present use.

The Authority after deliberation decided to issue NOC to the above proposal since it is a permitted activity under para 8 II CRZ-II of CRZ Notification, 2011.

Agenda 5: Request of NOC from Sri. Sri. Dinesh I. Saliyan & others C/o Late Susheela I. Puthran, Hosabettu Village, Mangalore Taluk for construction of residential House at Sy. No. 34/10P2 of Hosabettu Village, Mangalore Taluk, Dakshina Kannada District. (FEE 253 CRZ 2013).

The Regional Director (Environment), Mangalore has submitted the proposal along with Form-1, RTC, survey sketch of site, proof for the authorized fisheries road constructed prior to 19.02.1991 and CZMP of the proposed site. On the western side (seaward) there is a fisheries road and old houses constructed prior to 19-02-1991.

The Regional Director (Environment), Mangalore has inspected the proposed site and has reported that the site falls in CRZ-II . The distance from the HTL of Sea is 120 mts. The proposal has been recommended by DCZMC during the meeting held on 13.11.2013.

The relevant provisions under the CRZ Notification, 2011, pertaining to the construction in CRZ- II area is as under:

- 1) as per provisions under para 8 II(i) and (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of

- existing authorized structures subject to existing local town and country planning regulation including the existing norms of FSI or FAR.
- 2) As per provisions under para 8 II(iii) re-construction of authorized building permitted subject to the existing FSI or FAR norms and without change in present use.

The Authority after deliberation decided to issue NOC to the above proposal since it is a permitted activity under para 8 II CRZ-II of CRZ Notification, 2011.

Agenda 6: Request of NOC from Sri. Santhosh Kumar S/o Sundara Poojary for construction of residential house at Sy. No. 25/2P2 of Surathkal Village, Mangalore Taluk, Dakshina Kannada District. (FEE 254 CRZ 2013).

The Regional Director (Environment), Mangalore has submitted the proposal along with Form-1, documents from Mangalore City Corporation, record of land ownership, survey sketch of site, site plan and building plan, proof for the authorized fisheries road constructed prior to 19.02.1991, CZMP of the proposed site, commitment letter regarding solid waste and liquid waste management. The total built area is 186.57 sqm with ground floor. The proponent proposed to have septic take since there is no existing UGD facilities in the area. The area is inside the municipal limits of MCC. On the western side (seaward) there is a fisheries road (Mukka-Sashihitlu road) constructed prior to 19-02-1991.

The Regional Director (Environment), Mangalore inspected the proposed site and reported that the site falls in CRZ-II distance from the HTL of Sea 70 mts. The proposal has been recommended by DCZMC during the meeting held on 13.11.2013.

The relevant provisions under the CRZ Notification, 2011, pertaining to the construction in CRZ- II area is as under:

- 1) as per provisions under para 8 II(i) and (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures subject to existing local town and country planning regulation including the existing norms of FSI or FAR.
- 2) As per provisions under para 8 II(iii) re-construction of authorized building permitted subject to the existing FSI or FAR norms and without change in present use.

The Authority after deliberation decided to issue NOC to the above proposal since it is a permitted activity under para 8 II CRZ-II of CRZ Notification, 2011.

Agenda 7: Request of NOC from Sri. Damaodhara Karkera, Mangalore for construction of Fisheries boat repair and fish net mending shed building at Hoigebazar Village, Mangalore Taluk, Dakshina Kannada District. (FEE 255 CRZ 2013).

The Regional Director (Environment), Mangalore has submitted the proposal along with Form-1, survey sketch of site, site plan and building plan, CZMP of the proposed site, commitment letter regarding solid waste and liquid waste management. The total built area is 380.96 sqm. The proposed site comes in port land.

The Regional Director (Environment), Mangalore has inspected the proposed site and reported that the site falls in CRZ-II distance from the HTL of Sea 610 mts & 20 Mts from HTL of River. The proposal has been recommended by DCZMC during the meeting held on 13.11.2013.

The relevant provisions under the CRZ Notification, 2011, pertaining to the construction in CRZ- II area is as under:

- 1) as per provisions under para 8 II(i) and (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures subject to existing local town and country planning regulation including the existing norms of FSI or FAR.
- 2) As per provisions under para 8 II(iii) re-construction of authorized building permitted subject to the existing FSI or FAR norms and without change in present use.
- 3) Further, Para 3 (i) (a) those directly related to waterfront or directly needing foreshore facilities (e) reconstruction, repair works of dwelling units of local communities including fishers in accordance with local town and country planning regulations.

The Authority after deliberation decided to issue NOC to the above proposal since it is a permitted activity under para 8 II CRZ-II and Para 3 (i) (a) of CRZ Notification, 2011.

Agenda 8: Request of NOC from Sri. Umanatha Suvarna, Mangalore for construction of Fisheries boat repair and fishnet mending shed building at Hoigebazar Village, Mangalore Taluk, Dakshina Kannada District. (FEE 256 CRZ 2013).

The Regional Director (Environment), Mangalore has submitted the proposal along with Form-1, survey sketch of site (Hath sketch), site plan, building plan and CZMP of the proposed site. The total built up area is 380.96 sqm. The proposed site comes in port land.

The Regional Director (Environment), Mangalore has inspected the proposed site and reported that the site falls in CRZ-II distance from the HTL of Sea 590 mts & 10 Mts from HTL of River. The proposal has been recommended by DCZMC during the meeting held on 13.11.2013.

The relevant provisions under the CRZ Notification, 2011, pertaining to the construction in CRZ- II area is as under:

- 1) as per provisions under para 8 II(i) and (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures subject to existing local town and country planning regulation including the existing norms of FSI or FAR.
- 2) As per provisions under para 8 II(iii) re-construction of authorized building permitted subject to the existing FSI or FAR norms and without change in present use.

- 3) Further, under Para 3 (i): (a) those directly related to waterfront or directly needing foreshore facilities (e) reconstruction, repair works of dwelling units of local communities especially fisherfolk in accordance with local town and country planning regulations.

The Authority after deliberation decided to issue NOC to the above proposal since it is a permitted activity under Para 8 II CRZ-II and Para 3 (i) (a) of CRZ Notification, 2011.

Agenda 9: Miscellaneous Matters:

The Authority also took up the following general decisions:

- a. The Regional Directors (Environment) to inspect 25% of the proposals for which NOC is given and verify the conditions imposed. Compliance along with inspection report to be placed in the KSCZMA meeting with the comments of the Secretary, KSCZMA.
- b. The Regional Directors (Environment) to upload the pending applications week-wise and updated weekly in the KSCZMA website.

The meeting ended with thanks to the Chair.

Sd/-

(N. SIVASAILAM)

Principal Secretary to Government and
Chairman, Karnataka State Coastal
Zone Management Authority,
Forest, Ecology & Environment Department.

No. FEE 236 CRZ 2013

(Dr. M.H.Balakrishnaiah)

Secretary, KSCZMA and
Special Director (Technical Cell)
Forest, Ecology & Environment Department.

Meeting of the 1st Karnataka State Coastal Zone Management Authority (KSCZMA) held on 8th January 2014 at Room No: 448, 4th Floor, Multi Storied Building (Gate-II), Dr. B.R.Ambedkar Veedhi, Bangalore- 560001.

LIST OF MEMBERS/OFFICERS PRESENT

1. Sri N. Sivasailam, IAS,
Chairman, KSCZMA &
Principal Secretary to Government,
Department of Forest, Ecology & Environment,
M S Building, Bangalore - 560 001 In Chair
2. Additional Chief Secretary to Government,
Tourism Department,
Vikasa Soudha Bangalore.
[Represented by Sri. K. Narayana, Joint Secretary]
3. The Additional Chief Secretary to Government,
Industries and Commerce Department,
Vikasa Soudha, Bangalore
[Represented by Sri. Kulkarni, Director (Technical Cell), C&I Dept.]
4. Principal Secretary to Government,
Animal Husbandry and Fisheries,
Vikasa Soudha, Bangalore
[Represented by Sri. Veerappa Gouda, Director]
5. Member Secretary,
Karnataka State Pollution Control Board,
No. 49, Parisara Bhavan, Church Street,
Bangalore- 560 076.
[Represented by Sri. D.R. Kumarswamy, CEO]
6. Smt Ritu Kakkar,
Director General,
Environment Management and Policy Research Institute (EMPRI),
'Hasiru Bhavana', Doresanipalya Forest Campus,
Vinayaka Nagara Circle, J. P. Nagar, 5th Phase,
Bangalore-560 076.
7. Director,
Karnataka State Remote Sensing Application Centre, KRSAC,
Department of IT, BT, S&T, 6th Floor, Multi Storied Building,
Bangalore- 560 001.
[Represented by Dr. Shreedhara, Scientist]
8. Dr. B.K. Shivaprasad Rai,
Consultant Surgeon and former Commandant of Home Guards,
Shourya, Martin Pais Road, Hat Hill, Bejai Post, Mangalore-575004,

9. Dr. Gangadhara Gowda
Professor and Head,
Aquatic Environment Management Department,
College of Fisheries, Mangalore.
10. Regional Director (Environment),
Forest, Ecology & Environment Department,
Corporation Commercial Complex,
I Floor, Lalbagh, Mangalore-575 003.
11. Regional Director (Environment),
Forest, Ecology & Environment Department,
1st Floor, C Block, Rajathadri,
District Administrative Centre,
Manipal- 576104.
12. Regional Director (Environment),
Forest, Ecology & Environment Department,
Meera Building, I Floor, Kajubagh, Karwar,
Uttara Kannada District.
13. Dr. M.H. Balakrishnaiah,
Special Director (Technical Cell)
and Secretary,
Karnataka State Coastal Zone Management Authority,
Forest, Ecology and Environment Department.