

Proceedings of the Karnataka State Coastal Zone Management Authority (KSCZMA) Meeting held on 19th December 2011 at Committee Room No: 253, II Floor, Multi Storied Building (Gate-II), Dr. B.R.Ambedkar Veedhi, Bangalore-560001 under the Chairmanship of the Additional Chief Secretary to Government, Department of Forest, Ecology & Environment (DFEE), Bangalore.

Members present: As per the list enclosed.

The Chairman welcomed the members and the other officers present. The agenda was taken up for deliberation. The agendawise deliberations and decisions are as follows:

- 1. Review of compliance on the direction issued by the Ministry of Environment and Forests under section 5 of Environment (Protection) Act, 1986 for identification of violations of the provisions of CRZ Notification, 1991 and taking action against the violators in accordance with the law. (FEE 67 CRZ 2009)**

The Secretary to Government, Ecology and Environment Department informed that the Deputy Commissioners of the coastal districts have been invited to this Authority meeting specially to review the compliance on the direction issued by the Ministry of Environment and Forests, Government of India to the State Coastal Zone Management Authority under section 5 of Environment (Protection) Act, 1986 vide letter No. 11-83/2005-IA-III dated 25th January 2011 to identify the violations of the Coastal Regulation Zone Notification, 1991 within 4 months and to initiate action. The Secretary to Govt. informed that the direction includes the following actions:

- a) Identify the violations of the Coastal Regulation Zone Notification, 1991, and the approved Coastal Zone Management Plan thereunder within their respective jurisdiction in a period of four months from the receipt of this directions;
- b) initiate action under the Environment (Protection) Act, 1986 upon the identified violations within four months thereafter;
- c) upload the relevant details of the identified violations, including the action taken on the violations, as per paras (a) and (b) above on their respective website, every fortnight.

The Secretary further informed that the Deputy Commissioners of the coastal districts have been requested vide D.O. letter No. FEE 67 CRZ 2009 dated 07.07.2011 of the Additional Chief Secretary to Govt., Forest, Ecology and Environment Department and the Chairman, KSCZMA to get all the CRZ violations identified and take action to remove them. The Deputy Commissioners were also requested to arrange to send a detailed report comprising of details of violation and the violator to enable the Karnataka State Coastal Zone Management Authority to take necessary action in accordance with the law and as per the directions of the Ministry of Environment and Forests.

The Secretary to Government, Ecology and Environment Department further added that in the meantime, the District Coastal Zone Management Committees have been constituted as per the provisions of CRZ Notification, 2011 under the chairmanship of the Deputy Commissioners of the concerned districts to assist the Authority in carrying out the responsibilities casted upon as per the CRZ Notification, 2011, vide the Government Order No. FEE 155 CRZ 2011, dated 19.10.2011.

It was further informed that the task of identification of violation involves a massive search operation for identification of all the violations in identified CRZ area of 350 sq km all along the 320 km Coast and approximately 572 KM estuary, creeks, back water etc. The issues such as asserting the ownership, date of constructions / activities undertaken, permissibility of such activity as per the notification with respect to the notification are time consuming and requires sufficient manpower and resources. Assistance of Panchayats and local bodies in securing information with regard to the property details, ownership, clearance obtained if any, etc. for proceeding against the violators need to be ensured by the district administration. Therefore, an action plan is required to be prepared in consultation with the Deputy Commissioners of the concerned coastal districts. The Deputy Commissioners of the coastal districts are invited to participate in the Authority meeting with details regarding the identification of violation and action initiated in their respective districts.

The Secretary to Government while giving the need for increasing the thrust for curtailing the violation cases informed that the State Human Right Commission also have issued directions to remove all the shacks, shops and hotels that have been constructed in violation. The said direction also is yet to be fully complied with. The Secretary further added that violations especially involving encroachment of Government land should be identified and removed on priority.

The Regional Director (Env), Udupi screened a documentary prepared with regard to the instances of violation along the coast and on either side of the river, creeks and backwaters. The Regional Director (Env), Mangalore screened the photographs of action taken to remove the structures that were built in violation of provisions of CRZ Notification in the Government land.

While giving a recap of the action taken with regard to the violations in the past by the Authority, it was informed to the Authority that KSCZMA have taken action on the identified 69 individual violations cases from time to time and issued show cause notices. Out of these 64 cases examined, 12 cases were decided as non-violations, 40 cases as violations, adjourned 3 cases for want of additional information, kept 9 cases in abeyance for want of clarification/orders/information from Government of India and other agencies.

Out of the 40 cases decided as violations the structures have been removed in 14 cases and 9 are stayed by the interim order of the Hon'ble High Court. The direction issued for demolition is withheld by the Authority in 3 cases considering the objection filed on the proposed direction. The direction is yet to be complied in 14 cases.

The Deputy Commissioners, Uttara Kannda and Udupi Districts have expressed a view that the Government should make some budgetary provision for the task of removal of violations as and when such directions are issued by the Authority. The Secretary to Government, Ecology and Environment Department suggested that the funds available with the District Administrations, Urban Local Bodies and Gram Panchayat can be made use of for this purpose as it is an obligatory statutory compliance on the part of the District Administrations and the local bodies. The Authority after discussion, requested Secretary, Ecology and Environment Department to earmark certain funds for this purpose. Such pooled funds can be placed at the disposal of District Coastal Zone Management Committee.

The Deputy Commissioner, Uttara Kannada District suggested that the task of identification and removal of violations would be easier if a meeting of the Hon'ble Ministers and members of Legislative Assembly and Council is arranged under the chairmanship of either the Hon'ble Chief Minister or the Environment Minister and the statutory provision and need for removal of violation is appraised. The Authority suggested to have workshop at the district level inviting the elected representatives and impressed upon for extending their cooperation to ensure compliance to the direction issued by the Government of India.

During the discussion, the Deputy Commissioners invited reference to the direction issued by the Additional Chief Secretary to Govt. Forest, Ecology and Environment Department and the Chairman, KSCZMA with regard to preparation of "comprehensive plan incorporating the necessary disaster management provision and sanitation plan in consultation with the traditional coastal communities including fisher folk as required under the CRZ Notification, 2011". The Deputy Commissioners informed that preparation of such a plan requires consultation and involvement of services of technical institutions for which a separate fund is required.

The Authority after discussion, suggested that such plan can be prepared with a support of urban local bodies and the panchayats. The plan should have the aspects of emergency preparedness during eventualities and proper sanitation measures. The Authority also suggested that the urban local bodies are required to provide necessary UGD facility and treatment plants whereas the panchayat should insist while approving the plan individual houses should invariably have proper scientifically designed septic tank and soak pits as suggested by the Karnataka State Pollution Control Board.

While summing up the discussion, it was decided that the individual violation are identified, records with regard to the location, ownership of the land, date of construction, kind of violation, etc. need to be prepared by the Deputy Commissioners with the help of Regional Director (Env) of the concerned districts and are discussed in the District Coastal Zone Management Committee meeting before sending recommendation to the State Coastal Zone Management Authority. The identified violators may be given an opportunity of being heard in the District Coastal Zone Management Committee meeting. The Authority requested the Deputy

Commissioners to complete the task in a time bound manner on top priority as the time limit prescribed by the Ministry of Environment and Forests is already lapsed.

The Authority also directed that the CRZ Notification and a leaflet on do's and don'ts in different zones of CRZ should be printed in Kannada and widely circulated for the benefit of public.

2. Consideration of proposals seeking CRZ clearance for establishment of ice plants returned by the Ministry of Environment and Forests (FEE 36 CRZ 2011)

The Secretary to Govt., Ecology and Environment Department informed to the Authority that the following proposals seeking CRZ clearance for establishment of ice plants were considered in the KSCZMA meeting held on 14.03.2011 and 15.09.2011.

KSCZMA meeting dated 14.03.2011:

- i) CRZ Clearance for construction of 30 Ton capacity Ice plant and cold storage unit at Sy. No. 262/1C1A1 of Kodavoor Village, Malpe, Udipi Taluk by M/s Shree Ram Fisheries- regarding. (FEE 36 CRZ 2011)
- ii) CRZ Clearance for construction of 40 Ton capacity Ice plant at Sy. No. 39/4 AP1 of Navunda Village, Kundapur Taluk by M/s Mehnaz fisheries- regarding. (FEE 3 CRZ 2011)
- iii) CRZ Clearance for Construction of Ice Plant at Sy.No. 265/1A1 of Kodavur Village, which is in 'C' Block of the Malpe Fishing Harbour by M/s. Malpe Marines- regarding (FEE 22 CRZ 2011)
- iv) CRZ Clearance for construction of 50 Ton capacity Ice plant and 200 Ton capacity cold storage unit at Sy. No. 262/1C1A of Kodavoor Village, Malpe, Udipi Taluk by Sri Keshav Kundar, M/s Yashaswini fisheries- regarding. (FEE 37 CRZ 2011)
- v) CRZ Clearance for construction of 50 Ton capacity Ice plant and 25 Ton capacity cold storage unit at Sy. No. 262/1C1A1 of Kodavoor Village, Malpe, Udipi Taluk by M/s Suhas Enterprises, Malpe - regarding. (FEE 39 CRZ 2011)
- vi) CRZ Clearance for construction of ice plant of 60 MT Capacity at Sy.No. 263/9P1 of Kodavur Village by M/s. Vaishnavi Ice Plant (FEE 15 CRZ 2011)
- vii) CRZ Clearance for construction of Ice Plant of 45 Tons Capacity and cold storage at Sy. No. 265/1A2 of Kodavur Village which is within Malpe Fishing Harbour by M/s. Purse-seine Fishermen Primary Corporative Society Ltd., Udipi (FEE 5 CRZ 2011)
- viii) CRZ Clearance for construction of 2 Ice plant of 30 Ton capacity each at Sy. No. 132/7A and 132/11A of Fisheries Harbour, Gangolli, Kundapura Taluk by M/s Udith Enterprises- regarding. (FEE 35 CRZ 2011)

KSCZMA meeting dated 15.09.2011:

- i) CRZ clearance for establishment of 30 Ton capacity ice plant and 20 Ton capacity Cold storage on a plot area of 500 Sqm in Sy.No.262/1C1A1 of Kodavoor village by M/s Sukruti Ice and Cold Storage-reg. (FEE 40 CRZ 2011)
- ii) CRZ clearance for extension of ice plant building in Door No 2- 221(1) at Sy.No. 1/1P1 of Badanidiyur village by Smt. Dayavathi Suvarna W/o Madhava Suvarna (FEE 164 CRZ 2011)
- iii) CRZ clearance for establishment of 30 Ton capacity ice plant (2 Units) and 50 Ton capacity of Cold storage (1 Unit) on a plot area of 752.62 Sqm in Sy.No.262/C/A of Kodavoor village by M/s Vaishnavi Marine Industries, Malpe-reg. (FEE 191 CRZ 2011)
- iv) CRZ clearance for establishment of 30 Ton capacity ice plant and Cold storage on a plot area of 46 cents of own land in Sy.No.263/4A4 of Kodavoor Village, Udupi Taluk by M/s R.B. Fisheries, Malpe -reg. (FEE 192 CRZ 2011)
- v) CRZ clearance for establishment of 30 Ton capacity ice plant and Cold storage on a plot area of 0.30 Acre of own land in Sy.No.213/1K3 of Kotatattu village, Udupi District by M/s Akshyankitha Ice plant & Cold Storage -reg. (FEE 193 CRZ 2011)

It was informed that the Authority having noted that “those activities not listed in the EIA Notification, 2006” require clearance from the Ministry of Environment and Forests, Government of India decided to recommend these proposals to Government of India as establishment of ice plant is not an activity not covered under the EIA Notification, 2006. Accordingly, these proposals were forwarded to Ministry of Environment and Forests, Government of India along with the recommendation of the Authority.

It was brought to the notice of the Authority that the Ministry of Environment and Forests, Government of India have returned 8 proposals recommended in the meeting held on 14.03.2011 stating that “as per the above Notification and O.M. No. 11-83/05-IA.III dated 24.02.2011 only the projects listed under 4 ii (a) to (i) requires clearance from Ministry of Environment and Forests and other permissible projects shall be regulated by the concerned Authority at State Level”. While the 5 proposals forwarded as per the decision of the Authority dated 15.09.2011 were returned from Ministry of Environment and Forests without any remarks.

The Secretary to Govt., Ecology and Environment Department brought to the notice of the Authority that letter No. FEE 36 CRZ 2011 dated 24.11.2011 have been addressed to the Ministry of Environment and Forests in response to the above said letter suggesting to bring amendment to the necessary provisions of the CRZ Notification, 2011. The issues raised in the said letter is reiterated below:

“Keeping the ancillary activities that are needed by the local community including fisher folk that are not listed in the EIA Notification, 2006 need to be considered at the State Level only. An amendment to the Notification to delete the provision 4 (ii) (a) may also be issued .

The State Coastal Zone Management Authority during the meeting held on 14th March 2011 opined that when the facilities such as iceplants permitted in the NDZ it is understood that

such activities required for the local fishermen are permitted even in 200 to 500 zone of CRZ-III even though it is not expressly mentioned under para 8 CRZ-III B of the CRZ Notification, 2011.

In order to bring a clarity in the statute suitable amendment to the CRZ Notification, 2011 incorporating “facilities required for local fishing communities such as fish drying yards, auction halls, net mending yards, traditional boat building yards, ice plant, ice crushing units, fish curing facilities and the like” as permissible activity under para 8 CRZ III B. area between 200 meters to 500 meters also may be issued.”

A copy of the letter was placed for the perusal of the Authority.

The Authority after discussion, opined that it is not fair on the part of the Ministry to send the proposal back to the Authority without a proper advise and even without a covering letter. The Authority therefore decided to address a D.O. letter from the Chairman, KSCZMA requesting them to consider such proposals which are recommended to MoEF as per para 4.2 (a) of the CRZ Notification, 2011 and issue necessary clearances without much delay. If the Government of India is of the view that such proposals can be cleared at the KSCZMA level it should be clearly spelt out through appropriate communication.

3. CRZ clearance for the construction of residential apartment, “River Rest” at Sy. No.88/1 BP2 of Kundapura by Dr. N.Sudhakar Shetty, Nelyadi House, K.K. Road, Kundapura - reg. (FEE 28 CRZ 2011)

The proposal of Dr. N.Sudhakar Shetty, Nelyadi House, K.K. Road, Kundapura seeking CRZ clearance for the proposed construction of the residential apartment comprising of 80 units in Sy. No.88/1 BP2 of Kundapura with a total built up area of 11,035 Sqm was bought to the notice of the Authority. The following information pertaining to this proposal was brought to the notice of the Authority.

- a) The Regional Director (Environment), Udupi earlier had submitted a proposal of Dr. N.Sudhakara Shetty seeking CRZ clearance for establishment of “River Rest” (Hotel) resort at Sy.No.88/1 BP2 of Kundapura. The Regional Director had reported that it is proposed to establish resort on a plot area of 1.18 Acre in the place of rice mill which is in existence since 1983. It was further reported that the proposed site is located on the bank of Haladi River. It is at a distance of 1.5 Km from the sea and the area has been classified as CRZ-I as per the draft map prepared by NHO, Dehradun.
- b) The proponent appeared before the Karnataka State Coastal Zone Management Authority during the meeting held on 14th March 2011 and submitted that the proposed site is amidst developed area in Kundapur Town and there are no sensitive eco system that qualifies it to be CRZ-I. He further added that the proposed site is under industrial use

since 1983 wherein a rice mill is being run. The proponent further added that he is interested to stop the polluting rice mill industry and start an eco-friendly activity.

- c) The Authority after discussion opined that classifying a small pocket amidst the developed area as CRZ-I may not be appropriate and the site in question is already under the industrial use. The Authority therefore, decided to send recommendation to MoEF, Government of India to reclassify the area as CRZ-II and issue CRZ clearance for the proposed hotel/resort project after obtaining the application in the prescribed format and the requisite documents. Further it shall also be ensured that in house facility for treatment of sewage and solid waste generated is established before commissioning the project.
- d) Accordingly, the decision of the Authority was communicated to the proponent and the Regional Director, Udupi to submit application in the prescribed format and requisite documents for forwarding the proposal to the Ministry of Environment and Forests, Government of India vide letter dated 27.04.2011.
- e) The proponent have submitted a representation stating that the proposed site is located in CRZ-II as per the approved Coastal Zone Management Plan and therefore have requested to issue an endorsement to permitting him to undertake the activities that are permissible in CRZ-II as per the CRZ Notification. He has furnished the following details in support of his claim.
 - (i) The land has been in commercial use since 67 years as per the tax assessment register of Municipality
 - (ii) A rice mill was established in the said land 60 – 70 years ago.
 - (iii) The area has been declared as urban area bringing it under Kundapura Municipality during the year vide Notification of the Government No. HUD 40 MEL 79 published in the Government Gazette on 24th May 1979.
 - (iv) The area is well developed with substantial built up area, road on either side, electricity supply, water supply and drainage facility.
 - (v) The area has been classified as CRZ-II as per the guidelines issued in the CRZ Notification, 1991 in the approved map of Karnataka State Coastal Zone Management Plan.
 - (vi) The letter issued by the Deputy Conservator of Forests (CRZ), Udupi District vide No. DCF/CRZ Udupi/CR-1-76/2003-04 dated 31.01.2004 indicates that it is in CRZ-II.
 - (vii) The land in question with Sy.No.88 P finds place in the list of Survey Nos. falling under CRZ-II in Kundapur which is published by Kundapur Municipality.
 - (viii) It is understood that the Regional Director (Env), Udupi have reported to the Karnataka State Coastal Zone Management Authority that the said property is in CRZ-I.

- (ix) By all imagination and application of logic the area need to be CRZ-II as per the CRZ Notification, 1991 and rightly have been classified as CRZ-II in the approved Karnataka State Coastal Zone Management Plan prepared by Karnataka State Remote Sensing Application Centre.
 - (x) While discussing with the concerned authorities I came to know that the report of the Regional Director is based on the draft local level map prepared by NHO, Dehradun which is yet to be verified and finalized.
 - (xi) Development of the said property is stalled due to this miss interpretation/miss-classification.
 - (xii) The issue was discussed in the meeting of the Karnataka State Coastal Zone Management Authority held on 14th March 2011 and the Authority having convinced that the area is eligible to be considered as CRZ-II decided to send recommendation to the Central Government for reclassification the area as CRZ-II.
 - (xiii) Since the area has already been classified as CRZ-II, there is no need for reclassification. What is needed is considering the area as per the approved Coastal Zone Management Plan.
- f) The Authority after discussion during the meeting held on 15.09.2011 decided to recommend the proposal to the Ministry of Environment and Forests, Government of India, New Delhi for issue of CRZ Clearance for the hotel project as required under the CRZ Notification, 2011.
- g) The proponent now have submitted that due to certain unavoidable circumstances he has changed the plan of establishing the hotel in the above said premises and have now decided to construct residential apartments comprising of 80 flats with a total built up area of 11,035 Sqm.

The Authority noted that the tax assessment register of Kundapura Town Municipality and the licence issued reveals that a rice mill existed since 1983-84 in the proposed site, the area is under municipal limits since 12.2.1973 and well connected with road, electricity supply, water supply and other amenities. The Authority also noted that there is a road in between the river and the proposed project site is at the juncture of CRZ –I and CRZ - II as per the approved Coastal Zone Management Plan which is in 1 : 25,000 scale, the Deputy Conservation of Forests (CRZ), Udipi vide his letter dated 31.01.2004, addressed to the Manager, Karnataka State Industrial Investment and Development Corporation has stated that Sy. No. 88/1 B of M/s Durga Parameshwari Rice Mill is situated in CRZ-II, the Authority decided to consider it as CRZ-II owing to the fact that the area fulfill all the requirements of characteristics and criteria laid down in the CRZ Notification, 2011 for CRZ-II and since there are no ecological sensitive areas, that qualifies it to be CRZ-I.

The Authority noted that, as per Para 8 (II) (CRZ-II) (i) and (ii) reads as follows:

- “(i) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures;

- (ii) buildings permitted on the landward side of the existing and proposed roads or existing authorized structures shall be subject to the existing local town and country planning regulations including the 'existing' norms of Floor Space Index or Floor Area Ratio: Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road”

The Authority therefore decided to issue NOC for construction of the proposed residential apartments subject to the following conditions:

- (i) The Construction shall be undertaken towards the landward side of the road/ authorized structure
- (ii) The construction shall be as per the FSI/FAR that existed as on 19.02.1991.
- (iii) No untreated sewage is discharged into the river.
- (iv) Proper solid waste management facility is adopted.
- (v) The proponent to contribute Rs.50,000 to Bannerghatta National Park towards the social commitment as committed during the discussion.

4. CRZ clearance for the construction of fishing harbor at Koderi, Kundapur Taluk, Udupi District (FEE 221 CRZ 2011)

The Authority perused the proposal submitted by the Executive Engineer, Ports and Fisheries Division, Udupi seeking CRZ clearance under CRZ Notification, 2011 for the construction of fishing harbor at Koderi in Kundapura Taluk, Udupi District. An Environment Impact Assessment Report, Risk Assessment and Disaster Management Plan and draft technical reports of hydraulic study for the development of fisheries harbor at Koderi submitted by Central Water and Power Research Station, Pune are submitted.

The Authority noted that the project area is in Kirimanjeshwara village of Kundapura Taluk and the components include two break water of 200 meters each, jetty (100 meter X 9.65 meter), Auction hall (59.39 meters X 15 meters), Bridge (80 X 8.1 meters), retaining wall (200 meters X 5.15 meters), Dredging (2 million cum), Reclamation of one Hectare area.

It was further noted that the Government in Animal Husbandry and Fisheries Department have accorded administrative sanction for a project cost of Rs.30 Crores vide order No. ಪಸಂಮೀ/73 ಮೀಇಯೋ/2010 dated 3.8.2010.

The break waters are proposed at the mouth of Yedamavinahole river, Jetty and Auction hall are proposed on the western bank of the river. The Bridge is to be located around 1.5 Km North of the Jetty.

Capital Dredging is proposed in the river channel and the reclamation is proposed opposite to the break water.

The Authority perused the report of the Regional Director (Env), Udupi that the jetty, Auction hall and road fall in CRZ –III that is land portion between inter tidal zone and the river, whereas, reclamation, break waters and bridge fall in CRZ – IV.

The Authority took note of the following observations made during the office scrutiny:

- (a) Records pertaining to ownership of the project site and ownership of the infrastructure proposed to be constructed is not available in the proposal.
- (b) Need for the project has not been established.
- (c) The following documents required to be submitted as para 4.2 of the CRZ Notification, 2011 are not submitted:
 - i) CRZ map indicating HTL and LTL demarcated by one of the authorized agency (as indicated in para 2) in 1:4000 scale;
 - ii) Project layout superimposed on the above map indicated at (e) above;
 - iii) The CRZ map normally covering 7km radius around the project site.
 - iv) The CRZ map indicating the CRZ-I, II, III and IV areas including other notified ecologically sensitive areas;
 - v) No Objection Certificate from the concerned State Pollution Control Boards or Union territory Pollution Control Committees for the projects involving discharge of effluents, solid wastes, sewage and the like.;
- (d) Specific impact of the proposed construction activity on the coastal and terrestrial environment has not been assessed.
- (e) Impact on the erosion, accretion and shore line changes has not been studied/assessed.
- (f) Details of disposal of the dredged material and its impact on the environment is not forthcoming from the report.
- (g) The Environment Impact Assessment report is not prepared by an accredited consultant as per the Official Memorandum issued by the Ministry of Environment and Forests, Government of India.

The proponent appeared before the Authority and made a presentation. During the presentation it was submitted that the existing fishing harbor are overcrowded, the fisherman of Koderi and surrounding villages have to travel long to land their catches, therefore there is a need to provide a full pledged fishing harbor at Koderi. It was further submitted that Central Water and Power Research Station, Pune have studied the area for its suitability to establish the harbor facility and have recommended as it would not cause a major negative impact on the coastal environment. The officers from the Fisheries Department informed the Authority that the negative impacts are identified and mitigative measures will be adopted to keep the impact at the minimum level.

During the discussion, the Authority suggested that care should be taken to ensure that the mangrove area should not be affected and efforts should be made to undertake compensatory mangrove afforestation in case some area is affected.

The Authority noted that as per para 4 (i) (f) of the CRZ Notification, 2011, construction and operation for ports and harbours, jetties, wharves, quays, slipways, ship construction yards, breakwaters, groynes, erosion control measures are permissible activities and as per para 4 (i) (b) the fishing harbours with a handling capacity of $\geq 10,000$ tons per annum require clearance under EIA Notification, 2006 (S.O. 1533 (E) dated 14th September 2006) subject to being recommended by the KSCZMA.

The Authority after discussion decided to recommend the proposal subject to submission of the information listed above.

5. CRZ clearance for the construction of fishing harbor at Maravanthe, Kundapura Taluk, Udipi District (FEE 222 CRZ 2011)

The Authority perused the proposal submitted by the Executive Engineer, Ports and Fisheries Division, Udipi seeking CRZ clearance under CRZ Notification, 2011 for the construction of outer fishing harbor (Kerala Model) at Maravanthe in Kundapura Taluk, Udipi District. An Environment Impact Assessment Report and Risk Assessment and Disaster Management Plan are submitted. Report of the Central Water and Power Research Station, Pune with regard to tranquility and flume studies is yet to be submitted.

The Authority noted that the **report of the** Regional Director (Env) that the project area is in Maravanthe village of Kundapura Taluk and the components include two break waters of 490 meters and 515 meters. A length of 80 meters each of break water fall in inter tidal zone i.e., CRZ- I and the rest in CRZ- IV.

It was further noted that the Government in Animal Husbandry and Fisheries Department have accorded administrative sanction for a project cost of Rs.45 Crores vide order No. ಪಸಂಮೀ/73 ಮೀಇಯೋ/2010 dated 5.7.2010.

The Authority took note of the report of the Regional Director (Env), Udipi that there are mangroves within 7 Kms radius of the project area, , Olive ridley turtles move for nesting (around 2000 per year) in the vicinity and the nearby beach is prone to erosion.

The Authority also noted the observations made in the office scrutiny:

- (a) Records pertaining to ownership of the project site and ownership of the infrastructure proposed to be constructed is not available in the proposal.
- (b) Need for the project has not been established.
- (c) The following documents required to be submitted as para 4.2 of the CRZ Notification, 2011 are not submitted:
 - i) CRZ map indicating HTL and LTL demarcated by one of the authorized agency (as indicated in para 2) in 1:4000 scale;
 - ii) Project layout superimposed on the above map indicated at (c) above;

- iii) The CRZ map normally covering 7km radius around the project site.
 - iv) The CRZ map indicating the CRZ-I, II, III and IV areas including other notified ecologically sensitive areas;
 - v) No Objection Certificate from the concerned State Pollution Control Boards or Union territory Pollution Control Committees for the projects involving discharge of effluents, solid wastes, sewage and the like.;
- (d) Specific impact of the proposed construction activity on the coastal and terrestrial environment has not been assessed.
- (e) Impact on the erosion, accretion and shore line changes has not been studied/assessed.
- (f) The area is identified as erosion prone, no specific observation and the management plan is forthcoming from the proposal.
- (g) Even though an observation is made that the Olive ridley turtles come to the Maravanthe shore for nesting during August to October, no specific study on the impact of the proposed activity on the nesting ground of this endangered species and the proposed is forthcoming from the proposal.
- (h) The Environment Impact Assessment report is not prepared by an accredited consultant as per the Official Memorandum issued by the Ministry of Environment and Forests, Government of India.

The proponent appeared before the Authority and made a presentation. During the presentation it was submitted that it is not full pledged fishing harbor but only involves construction of breakwaters for facilitating safe landing of catches by the traditional fishing boats as is done conventionally. The officers from the Fisheries Department informed that the area is already in use by the local fishermen for landing their catches in the proposed area as the rocky structure that is naturally existing in the sea provides protection. The officers further submitted that the proposed construction is not going to create any negative impact on the eco-system.

While replying to the queries with regard to sensitivity of the area, the officers submitted that the turtle breeding ground is far off from the proposed beach and the breakwater will also help in reduction of the erosion.

The Authority after discussion opined that the proposed area is already under severe threat of erosion and more over close to the nesting grounds of turtles. The Authority also opined that the proposed facility would increase the human activity apart from interfering with natural wave and water current system. The Authority therefore decided to suggest to identify a new site away from the proposed site or to strengthen / expand the existing fishing harbours / fishland centers. In view of this the Authority decided not to recommend this proposal of construction of breakwaters at Maravanthe.

6. Request of M/s TEBMA Shipyards Ltd. for exemption from CRZ clearance for their shipyard in Malpe Fishing harbour (FEE 229 CRZ 2011)

The Authority perused the proposal of M/s TEBMA Shipyards Ltd., Udupi seeking exemption from the CRZ clearance for their ship building yard at Malpe fishing harbor.

The Authority noted that the proponent have claimed that the project which was started as part of Malpe fishing harbor project in the year 1976 have been given by the Department of Ports and Inland Water Transport following a transparent tender procedure for erection, commissioning, operation and maintenance of slip way and its machinery at Malpe Fishing Harbour for construction/repairs of all types of mechanized fishing boats/barges/tugs and dredges for a period of 30 years on Build, Operate and Transfer Basis. It is further reported that the work was initially entrusted to M/s Sikka and Sikka Engineering Work, Bangalore and the contract was cancelled in the year 1983 as they failed to complete the work. It was later entrusted to M/s Thungabhadra Steel Product Ltd., Munirabad in the year 1984 who also could not complete the project because of which the contract was terminated in the year 1999. The Government then decided to complete the project on BOT basis and the same was awarded to M/s TEBMA Shipyards Ltd. in the year 2000 as per the Government Order No.PWD 113 PSP 1999 dated 14.06.2000.

In view of this, the proponent claims that their project have been taken up prior to the inception of CRZ Notification, 1991 and therefore have requested for issue of a letter confirming that the CRZ rules are not applicable for their project.

The proponent appeared before the Authority and submitted the following details about the shipyard at Malpe:

- (a) Total land area 40,000 Sqm
- (b) Ground shed area 10,933 Sqm.
- (c) Vacant land 30,122 Sqm.
- (d) Ship building capacity – 12 Ocean Survey Vessels
- (e) Repair births – 2.

While explaining the production process the proponent informed that the steel plates are cut, welded and fabricated into a hull. The hull fabricated is blasted using steel slag in a closed chamber and painted. Engine propulsion system, auxiliary machinery and accessories are fitted into the hull. The electrical installations, navigation and communication equipments are also fitted into the hull. The completed vessels is then launched through the slipway for commissioning trail and delivery.

While responding to the impact on the environment due to the project, blasting and painting is done in a closed chamber and six D.G. sets are provided with adequate chimney and

therefore, the air pollution is prevented. There is no significant impact on the water environment or the eco-system. The domestic water consumption is 40 KLD and the waste water generated is treated in a STP and the treated water is recycled for the non potable purpose such as gardening. The activity is undertaken in a well designed Malpe Fishing Harbor and therefore no dredging or land reclamation is undertaken.

The Authority after discussion, opined that as the slipway and shipyard were part of Malpe Fishing Harbour facility which started in 1976 and there are records to prove that the works were entrusted by the Government to Sikka and Sikka Company and M/s Thungabhadra Steel Product Ltd., Munirabad were cancelled prior to the inception of CRZ Notification for non compliance of the contractual conditions. The facility have been given to the present company on Build, Operate and Transfer basis by the State Government. The Authority also observed that the bulletin of Central Marine Research Institute of May, June, July 1979 reveals that five boats were fully damaged in the boat building yard of Malpe Fishing Harbour on 19th July 1979 which goes to prove that the boat building yard is existed in the year 1979 itself. The Authority therefore, decided that the facility that existed prior to the inception of CRZ Notification, i.e., 19.02.1991 does not require clearance under the provision of CRZ Notification. The Authority decided to issue an endorsement accordingly.

7. Request for issue of clarification regarding the CRZ distance criteria applicable to the land in Sy. No. 158, 197 and 198 in Vaderahobli, Kundapura Town Municipal limits by Sri K.Sripada Upadhya, Kundapura (FEE 236 CRZ 2011).

The Authority perused the representation dated 23rd November 2011 submitted by Sri K.Sripada Upadhya, Kundapura requesting for issue of clarification regarding the CRZ distance criteria applicable to the land in Sy. No. 158, 197 and 198 in Vaderahobli, Kundapura Town Municipal limits. A brief account of the issue pertaining to the request made is given below:

Sri Sripad Upadhya, Kundapura had requested for CRZ clearance for development of residential layout within Kundapura Municipal limits in Sy. No. 158-4C6, 158-4C2, 158-4C3P1, 158-4D, 158-4C1B, 158-4C4, 158-1C1, 158-1A3, 158-1A2B, 158-1C1A, 158-1B, 158-1C2C, 158-1D, 158-1C2A, 158-1A2A, 158-4C5, 158-4A, 158-1A1, 158-4B, 197-2B2, 197-2B5, 197-9, 197-8, 197-2B1, 197-6, 197-3B, 197-4B, 197-7, 197-2B4, 197-2B3, 198-1B & 198-2A.

The Authority examined the proposal during the meeting held on 16.04.2010 and after discussion decided to get a field inspection report from the Regional Director (Env), Udupi with regard to the permissibility or otherwise under the provision of CRZ Notification, CRZ classification of the proposed land and the probable impact on the local environment.

The Regional Director (Env), Udupi had submitted a report vide letter dated 20.10.2010 with the following observations:

- (a) The proposed land of 10.3425 acres lies adjacent to the backwater and has been classified as CRZ-I as per the approved Coastal Zone Management Plan. As per Para 6(2) of the CRZ Notification under CRZ –I, no new construction is permitted in this zone.
- (b) The adjacent creek is having mangrove habitation.
- (c) It is proposed to develop 26 residential plots of different dimensions.
- (d) It has an extensive coconut grove with 8 residential units which are in existence prior to 1991 and are connected with electricity, water supply, road and other civic amenities.
- (e) The Chief Officer, Municipal Council, Kundapur have reported that the proposed land falls within the Municipal limits of Kundapur Town Municipal Council as per the Government Notification No. HUD 40 MEL 79 dated 24.05.1979 and is lies in old 8th Ward and new 19th Ward of the Municipal Council.

The proponent claimed that the proposed land is well connected with electricity, municipal water supply, drainage, road and all civic amenities and was declared to be within urban limits prior to 1991 and therefore should have been classified as CRZ-II.

The proponent further claimed that the width of the backwater near the proposed site is 175-200 meters and therefore the CRZ should get restricted to only 100 meters. The proponent had submitted a map prepared by Institute of Remote Sensing, Anna University, Chennai which is one of the agency authorized by Government of India for demarcation of HTL/LTL.

The proponent had made a request for CRZ clearance for formation of residential layout in the proposed land towards the landward side of the existing residential buildings.

The Authority during the meeting held on 30.10.2010, decided to issue NOC for the formation of residential plots only in the non-CRZ area subject to the following conditions:

- (a) The non-CRZ area shall be determined as per the distance criteria laid down in the Government of India letter No.11-66/2005-IA-III of February 2006 from the HTL determined by Institute of Remote Sensing, Anna University, Chennai.
- (b) No developmental activities shall be taken up in CRZ area so determined.
- (c) The drainage pattern of the area remains un-altered and the development of mangroves along the creek is not affected.

Accordingly, NOC has been issued to the proponent vide letter No. FEE 29 CRZ 2010 dated 6.12.2010.

As per the letter of the Ministry of Environment and Forests No.11-66/2005-IA-III dated February 2006, 150 meters need to be regulated on either side of the river, creek, backwater if the width is more than 300 meters.

In the meantime, the new CRZ Notification bearing No. S.O. 19 (E) dated 6th January 2011 has come into effect according to which the CRZ applied to the land area between HTL to 100 meters of width of the creek whichever is less on the landward side along the tidal influenced water bodies that are connected to the sea.

In view of this the applicant have requested for issue of clarification considering the distance criteria as per the Notification S.O. 19 (E) dated 6.1.2011 restricting the applicability of the CRZ only to 100 mts from the HTL.

The Authority noted that as per the Ministry of Environment and Forests letter No.11-66/2005-IA-III dated February 2006, the CRZ distance criteria is as follows for the river, creek and backwater:

- (a) 100 meter or width of the creek, river, backwater whichever is less, if the width of the creek, river, backwater is upto 100 meters.
- (b) 100 meters if the width of the creek, river, backwater is between 100 meters and 300 meters
- (c) 150 meter if the width of the creek, river, backwater is more than 300 meters.

The Authority further noted that as per para of the CRZ Notification, 2011, CRZ applies to the land area between HTL to 100 mts or width of the creek whichever is less on the landward side along the tidal influenced water bodies that are connected to the sea.

In view of the above the Authority decided to modify the condition (a) in the NOC already issued as per the decision taken during the Authority meeting held on 30.10.2010 to regulate the area upto 100 meters from the HTL of the river or width of the river whichever is less.

8. CRZ clearance for establishment of beach resort in Sy.No.39/1 and 39/2 A, Harumaskeri village, Kumta Taluk by M/s Jatoyah Investments and Holdings Ltd. (FEE 171 CRZ 2011)

The Authority noted that the Regional Director (Environment), Karwar had submitted a proposal of M/s Jatoyah Investments and Holdings Ltd. seeking CRZ Clearance for establishment of beach resort by name “Trinis Beach Resort” on a plot area of 2.04 Ha with an investment of Rs. 4.70 Crores at Sy.No.39/1 and 39/2 A, Harumaskeri village, Kumta Taluk. It was reported that the proposed site lies in CRZ-III between 200 to 500 Meters from the HTL of the sea.

The proposal involve construction of 14 independent cottages of double, triple occupancies, swimming pool, conference hall, administrative block, staff quarters, restaurant and bar. Total built up area proposed is 6120.48 Sqm.

The Authority perused the proposal during the meeting held on 15.09.2011 and observed that the statutory documents that are required to be submitted as per para 4.2 (i) of the CRZ Notification, 2011. The Authority therefore decided to get the following information for further consideration of the proposal.

- (i) Rapid EIA Report including marine and terrestrial component.
- (ii) Disaster Management Report, Risk Assessment Report and Management Plan
- (iii) CRZ map indicating HTL and LTL demarcated by one of the authorized agency
- (iv) The CRZ map covering 7km radius around the project site.
- (v) The CRZ map indicating the CRZ-I, II, III and IV areas including other notified ecologically sensitive areas.
- (vi) CFE from the Karnataka State Pollution Control Board.
- (vii) Source of water.
- (viii) Quantification of waste water generated, treatment facility proposed and disposal of treated water.
- (ix) Quantification of solid waste and proposal for its scientific disposal.

Accordingly, the proponent was asked to submit the above said documents/ information vide letter dated 31.10.2011.

The letter submitted by the proponent in response to the above letter dated 15th November 2011 was brought to the notice of the Authority. The following comments made by the proponent were observed.

- (a) Item (i) and (ii) mentioned in the letter does not pertain to resorts/hotels as per clause 60 (E).
- (b) Item (iii), (iv) and (v) have already been submitted.
- (c) Item No (vi) CFE is not granted at this stage only an NOC is granted. NOC is also submitted.
- (d) Item No. (vii), (viii) and (ix) are also submitted.
- (e) CRZ applicability para, which clearly states that our proposal is a non EIA project, hence why are you asking for EIA report, etc.

It was clarified to the Authority that the information sought at item (i) and (ii) are the REIA and disaster management report, risk assessment report & management plan which are mandatory as per the CRZ Notification, 2011 for hotel and beach resort projects. Item No. (iii), (iv) and (v) requires to be on a map prepared by one of the authorized agencies. The proponent have submitted these information on a draft map prepared by the NHO, Dehradun under the project of preparation of local level maps for the State of Karnataka.

The Authority observed that the proponent instead of submission of NOC / CFE from the KSPCB, has submitted an inspection report of the Regional Officer of the Karnataka State Pollution Control Board, Karwar. For item No. (vii), (viii) and (ix) asked by this office in letter dated 31.10.2011, the proponent submitted that these information are submitted in the proposal. The source of water is from open well whereas, in the layout plan a borewell point is shown. Two new wells are also proposed in the area between 200 – 500 meters as per the questionnaire. No clarification as to whether 12 KLD of water can be met from the open well through manual operation as required under the CRZ Notification, 2011 with the permission of the Central/State Ground Water Authority is not forthcoming from the proposal. Total daily discharge of waste water is shown as 610 cum and final discharge is shown as 7 cum for landscaping/onland. These information are at variance.

The Authority opined that the proponent instead of submitting the documents/information required as per the CRZ Notification, 2011 has vehemently argued that these information are not required and required information stands submitted in the proposal. The proponent also have alleged in his letter dated 15.11.2011 that he is being harassed by asking these information.

The Authority noted that the proposal of establishment of beach resorts or hotels in the designated areas of CRZ-III and CRZ- II requires prior approval of the Ministry of Environment and Forests, Government of India as per the Annexure –III of the Notification No. S.O. 19 (E) dated 6th January 2011.

It was informed to the Authority that as the proponent expressed reluctance in submitting the required documents/information as per the statute a decision has been taken with the approval of the Chairman of the KSCZMA to forward the proposal to the Ministry of Environment and Forests, Government of India with all the documents, letters/ clarifications that he has submitted for further consideration in accordance with the law, as MoEF is the competent Authority to consider these proposals. This decision is subject to ratification by the KSCZMA.

The Authority concurred with the opinion and approved the action taken in forwarding the above said proposal with all such documents submitted by the proponent to the Ministry of Environment and Forests for further consideration in accordance with the law.

9. CRZ clearance for establishment of 50 Ton capacity ice plant and 200 Ton capacity Cold storage on a plot area of 550 Sqm in Sy.No. 262/C of Kodavoor village by M/s Sheethal Ice and Cold Storage-reg. (FEE 230 CRZ 2011)

The Authority perused the proposal submitted by M/s Sheethal Ice and Cold Storage with regard to CRZ Clearance for construction of Ice plant of 50 Ton capacity and cold storage of 200 ton capacity unit at Sy. No. 262/C, Kodavoor Village, Udupi Taluk and District on a plot area of 550 Sqm. land provided by the Department of Animal Husbandry and Fisheries on lease basis vide Government Order No. ಪಸಂಮೀ 68 ಮೀಇಇ 2011 dated 29.07.2011.

It was noted that the proposed site is at a distance of 440 Meters from the HTL of the Sea. The area classified as CRZ-III as per the approved CZMP.

The Authority noted that as per Para 8 CRZ-III B of the CRZ Notification, 2011, ice plants are not listed as permitted activity in area falling within 200-500 meters from HTL where as it is listed as a permissible activity in the area between HTL and 200 Meter. This activity is not listed in the EIA Notification, 2006 and therefore requires clearance from the Ministry of Environment and Forests, Government of India as per para 4 (ii) (a). However, in view of returning of the earlier ice plant proposals by MOEF a decision is required with regard to issue of CRZ clearance from this Authority.

The Authority after discussion, decided to recommend the proposal to MoEF inviting reference to the decision taken in the agenda No. 2 above.

10. CRZ clearance for establishment of 50 Ton capacity ice plant and 25 Ton capacity Cold storage on a plot area of 450 Sqm in Sy.No. 262/C of Kodavoor village by M/s Vighnaraj Fisheries, Ice and Cold Storage, Mannur, Padukere-reg. (FEE 235 CRZ 2011)

The Authority perused the proposal submitted by M/s Vighnaraj Fisheries, Ice and Cold Storage with regard to CRZ Clearance for construction of Ice plant of 50 Ton capacity and cold storage of 25 ton capacity unit at Sy. No. 262/C, Kodavoor Village, Udupi Taluk and District on a plot area of 450 Sqm. land provided by the Department of Animal Husbandry and Fisheries on lease basis vide Government Order No. ಪಸಂಮೀ 119 ಮೀಇಇ 2010 dated 03.02.2011.

It was noted that the proposed site is at a distance of 430 Meters from the HTL of the Sea. The area classified as CRZ-III as per the approved CZMP.

The Authority noted that as per Para 8 CRZ-III B of the CRZ Notification, 2011, ice plants are not listed as permitted activity in area falling within 200-500 meters from HTL where as it is listed as a permissible activity in the area between HTL and 200 Meter. This activity is not listed in the EIA Notification, 2006 and therefore requires clearance from the Ministry of Environment and Forests, Government of India as per para 4 (ii) (a). However, in view of returning of the earlier ice plant proposals by MOEF a decision is required with regard to issue of CRZ clearance from this Authority.

The Authority after discussion, decided to recommend the proposal to MoEF inviting reference to the decision taken in the agenda No. 2 above.

11. CRZ clearance for establishment of 60 Ton capacity ice plant on a plot area of 500 Sqm in Sy.No. 262/C of Kodavoor village by M/s Dharani Enterprises and Cold Storage, Beach Road, Malpe-reg. (FEE 231 CRZ 2011)

The Authority perused the proposal submitted by M/s **Dharani Enterprises and Cold Storage** with regard to CRZ Clearance for construction of Ice plant of 60 Ton capacity at Sy. No. 262/C, Kodavoor Village, Udupi Taluk and District on a plot area of 500 Sqm. land provided by the Department of Animal Husbandry and Fisheries on lease basis vide Government Order No. ಪಸಂಮೀ 73 ಮೀಇಇ 2011 dated 22.09.2011.

It was noted that the proposed site is at a distance of 440 Meters from the HTL of the Sea. The area classified as CRZ-III as per the approved CZMP.

The Authority noted that as per Para 8 CRZ-III B of the CRZ Notification, 2011, ice plants are not listed as permitted activity in area falling within 200-500 meters from HTL where as it is listed as a permissible activity in the area between HTL and 200 Meter. This activity is not listed in the EIA Notification, 2006 and therefore requires clearance from the Ministry of Environment and Forests, Government of India as per para 4 (ii) (a). However, in view of returning of the earlier ice plant proposals by MOEF a decision is required with regard to issue of CRZ clearance from this Authority.

The Authority after discussion, decided to recommend the proposal to MoEF inviting reference to the decision taken in the agenda No. 2 above.

12. Considerations of proposal seeking CRZ clearance for conversion of land for non-agricultural/residential purpose and construction of residential units:

The Secretary to Government, Ecology and Environment Department brought to the notice of the Authority that proposals from the Regional Director (Env) of the coastal districts for conversion of land for non-agricultural/residential purpose and construction of residential units are being received. The CRZ Notification, 2011 provides for issue of CRZ clearance for the permitted activities only. These activities need to be examined by the Authority with specific details on case to case basis. The Notification does not provide for issue of clearance for conversion of land for a particular purpose. However, such request are being submitted to the Authority as the district administration is insisting for NOC from the CRZ authorities to ensure that the provisions of CRZ Notification are adhered to.

The Secretary to Govt., further informed that the subject is therefore placed before the Authority seeking direction whether to consider such proposals of conversion of land and construction together or directing the concerned Regional Directors (Env) to issue NOC at his level if the activity in the particular case is permissible as per the provisions of CRZ Notification subject to condition that the activity should be undertaken with the prior clearance from the competent authorities as per the CRZ Notification, 2011.

The Chairman, KSCZMA opined that large scale conversion of agricultural land for non-agricultural purpose would lead to change of ownership. He further opined that the spirit of the CRZ Notification is to restrict development within the regulated zone in order to protect and improve the marine environment which is the source of livelihood. This apart the Notification also intends to protect the life and property of the people in the coastal area. However, to avoid hardship to the traditional coastal community including fisherfolk who have been there since ages, provisions have been made to accommodate the barest minimum construction specially for the residential purposes. The Chairman advised the Deputy Commissioners of the coastal districts to keep these principles in mind while ordering conversion of agricultural land for non-agricultural purposes and explore the possibility of linking the conversion to encumbrance for atleast three years to ensure that the land is not transferred to the outsiders.

After discussion, the Authority decided to direct the Regional Directors (Env) to issue NOC for conversion of agriculture land for individual residential purpose only in the zones where construction of residential units are permitted as per the CRZ Notification, 2011 subject to the following conditions:

- (a) Conversion may be ordered only for bonafide purpose, for construction of house for own use with a condition that construction should be undertaken with prior approval / clearance from the authority concerned as per CRZ Notification, 2011.
- (b) The land / building in CRZ so converted should not be sold/transferred to a non-traditional local coastal community.

13. Benchmarking of HTL, LTL and other regulatory lines and preparation of local level CRZ maps under the assistance of KUIDFC-KUDCEMP. (FEE 14 CRZ 2002)

The Secretary to Government, Ecology and Environment Department brought to the notice of the Authority that the coastal stretches up to 500 metres from the HTL towards the landward side all along the coast and area up to 100/150 metres on either side of the river, creeks, bays, estuaries and backwaters are declared as Coastal Regulation Zone as per the MoEF Notification No.S.O.114(E) dated 19.2.1991. Karnataka State Coastal Zone Management Plan has been prepared with maps in the scale of 1:25000 and got approved from Government of India on 27.09.1996. These maps cannot be used at the ground level for effective enforcement of provisions of the notification. Therefore benchmarking of the HTL, LTL and other regulatory lines and transposing of the different CRZ classifications and the regulatory lines on to the local level maps is an essential task both for complying the Government of India directions and to enable the district administration to enforce the provisions of the notification effectively.

This work has been entrusted to the National Hydrographic Office, Dehradun. KUIDFC has sanctioned and released an amount of Rs. 233.26 lakhs of which Rs. 127.75 lakhs have been released to NHO, Dehradun for survey, demarcation of HTL, LTL and other regulatory lines and

preparation of CRZ maps and an amount of Rs. 105.51 lakhs was released to KSCZMA towards cost of fixing of reference pillars, transportation and accommodation cost for survey team of NHO, Dehradun and cost of digitalization of cadastral map as per the agreed arrangement.

The Department has furnished observations and comments in respect of the Draft Digitized CRZ maps pertaining to all the 3 coastal districts after verification by Karnataka State Remote Sensing Application Centre. The details are as follows:

Dakshina Kannada District: 56 Nos. vide letter dated 15.12.2005.

Udupi District: 111 Nos. vide letter dated 07.01.2006.

Uttara Kannada District: 244 Nos. vide letter dated 05.04.2005.

The NHO, Dehradun is yet to finalize the correction and submit the final draft. After repeated persuasion and meetings held under the Chairmanship of Additional Chief Secretary to Govt., Forest, Ecology and Environment Department, the NHO, Dehradun have expressed their willingness to complete the task vide letter of Rear Admiral S.K.Jha dated 3rd November 2011 addressed the Additional Chief Secretary to Govt., Forest, Ecology and Environment Department. The Rear Admiral suggested for sending a team of officers from the State to interact at the working level with officers of NHO. In view of this the Regional Directors (Env) of the coastal districts have been directed to submit the draft local level maps that have been prepared by the NHO, Dehradun incorporating the following aspects:

- (i) Modification in terms of provisions of CRZ Notification, 2011.
- (ii) Corrections with regard to CRZ classification based on the ground reality and authentic documentation.
- (iii) Ensuring that all the villages that attracts provisions of CRZ Notification are mapped duly marking HTL, LTL, 100 / 200 meters line, 500 meters line, different CRZ classifications and other statutory markings.
- (iv) Ensuring that the area that has already been considered under CRZ as per the CRZ Notification, 2011, but does not fall within the CRZ as per the CRZ Notification, 2011 is appropriately deleted.
- (v) Any other modification deem fit as per the CRZ Notification, 2011.

The Regional Directors (Env) were also directed to prepare a note on the issues to be addressed taking the above said information into account in each local level CRZ map of Dakshina Kannada, Udupi and Uttara Kannada District. It was suggested that once these details on the existing maps showing the proposed change are submitted a presentation may be had at Bangalore to finalize the changes that are required to be incorporated in the draft local level maps by NHO, Dehradun. The note and the maps were directed to be submitted before 12th of December 2011.

The Authority took note of the efforts made for demarcation of HTL/LTL and preparation of local level CRZ maps by one of the agency authorized by the Government of India. The Authority after discussion decided to get the final draft maps prepared at the earliest and keep it for the opinion of the coastal community and other affected people before finalizing.

14. CRZ clearance for the construction / reconstruction of residential units in CRZ-I area:

i. CRZ Clearance for the construction of residential house at Sy.No. 24/4B of Uppinakudru village, Kundapura Taluk, Udupi District by Sri Gopal Serugar S/o Late Seetharam Serugar (FEE 198 CRZ 2011)

The Regional Director (Environment), Udupi have submitted a proposal of Sri Gopal Serugar S/o Late Seetharam Serugar seeking CRZ Clearance for construction of residential unit at Sy.No. 24/4B of Uppinakudru village, Kundapura Taluk, Udupi District on a plot area of 0.05 Acre. It is reported that the proposed site is at a distance of more than 500 Meters from the HTL of sea, 140 meters from river and 80 meters from backwater which is 70 meter wide. The area is classified as CRZ-I as per the approved coastal Zone Management Plan.

The Regional Director (Environment), Udupi have reported that the area falls outside the CRZ limit of 70 meters to be regulated as per the CRZ Notification, 2011.

The Authority noted that as per Para 1(ii) of the 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 tidal influenced water bodies that are connected to the sea.

The Authority after discussion decided to issue NOC as the proposed site falls outside the CRZ as per the CRZ Notification, 2011.

ii. CRZ Clearance for the construction of residential house at Sy.No. 80/9 of Hemmadi village, Kundapura Taluk, Udupi District by Smt. Laxmi Poojarthi W/o Sri Kushta Poojary (FEE 199 CRZ 2011)

The Regional Director (Environment), Udupi have submitted a proposal of Smt. Laxmi Poojarthi W/o Sri Kushta Poojary seeking CRZ Clearance for construction of residential house at Sy.No. 80/9 of Hemmadi village, Kundapura Taluk, Udupi District on a plot area of 0.05 Acre. It is reported that the proposed site is at a distance of more than 500 Meters from the HTL of sea, 100 meters from river. The area is classified as CRZ-I as per the approved coastal Zone Management Plan.

The Regional Director (Environment), Udupi have reported that the area falls outside CRZ limits. Width of the river/creek is not mentioned.

The Authority noted that no new construction is permitted in CRZ-I area. However, if the proposed site fall outside the CRZ limits construction can be undertaken in accordance with the provisions of Town and Country Planning Act after obtaining necessary license from the concerned authorities.

The Authority after discussion decided to issue NOC as the proposed site falls outside the CRZ as per the CRZ Notification, 2011.

iii. CRZ Clearance for the reconstruction of residential house at Sy.No. 11/1AP of Baikadi village, Udupi Taluk and District by Smt Nirmala Kunder W/o Late Ramappa Puthran (FEE 201 CRZ 2011)

The Regional Director (Environment), Udupi have submitted a proposal of Smt Nirmala Kunder W/o Late Ramappa Puthran seeking CRZ Clearance for reconstruction of residential house No. 1-168 at Sy.No. 11/1AP of Baikadi village, Udupi Taluk and District on a plot area of 0.04 Acre . It is reported that the proposed site is at a distance of 500 Meters from the HTL of sea and 10 meters from river. The area is classified as CRZ-I as per the approved coastal Zone Management Plan. The Regional Director have submitted a copy of Panchayat Tax paid receipt dated 8.5.85 and photo of the existing tiled roof house as proof of the existence of the said building.

The Authority noted that as per Para 8 CRZ-I, no new construction is permitted. There is no specific mention about repair of existing buildings is not listed as a permissible activity. However, the Authority earlier have permitted for repair/ re-construction of buildings that existed prior to 19.02.1991 in the interest of safety of the buildings and the residents without exceeding the existing plinth area and height of the building.

The Authority after discussion, decided to issue NOC for repair without exceeding the plinth area and the height of the building.

iv. CRZ Clearance for the construction of residential house at Sy.No. 90/14 of Hejamadi village, Udupi Taluk and District by Sri H.Rajaram Shenoy S/o Sri Srinivas Shenoy (FEE 202 CRZ 2011)

The Regional Director (Environment), Udupi have submitted a proposal of Sri H.Rajaram Shenoy S/o Sri Srinivas Shenoy seeking CRZ Clearance for construction of residential house at Sy.No. 90/14 of Hejamadi village, Udupi Taluk and District on a plot area of 0.75 ½ Acre . It is reported that the proposed site is at a distance of more than 500 Meters from the HTL of sea and 110 meters from river. The area is classified as CRZ-I as per the approved coastal Zone Management Plan.

The Regional Director (Env) have further reported that the proposed site falls outside the CRZ area as per the provisions of the CRZ Notification, 2011.

The Authority noted that as per Para 1(ii) of the 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 tidal influenced water bodies that are connected to the sea.

The Authority after discussion decided to issue NOC as the proposed site falls outside the CRZ as per the CRZ Notification, 2011.

v. CRZ Clearance for the repair of old house at Sy.No. 5/7A1P1 of Sasihitlu village, Mangalore by Smt. Kaveri Hengsu (FEE 204 CRZ 2011)

The Regional Director (Environment), Mangalore have submitted a proposal of Smt. Kaveri Hengsu seeking CRZ Clearance for repair of old house No.1-90 at Sy.No. 122/10 of 5/7A1P1 of Sasihitlu village, Mangalore on a plot area of 984.44 Sq.ft. It is reported that the proposed site is at a distance of 144 Meters from the HTL of sea and 320 meters from Pavanje river. The area is classified as CRZ-I as per the approved coastal Zone Management Plan.

The Authority noted that as per Para 8 CRZ-I, no new construction is permitted. There is no specific mention about repair/ re-construction of existing buildings is not listed as a permissible activity. However, the Authority earlier have permitted for repair/ re-construction of buildings that existed prior to 19.02.1991 in the interest of safety of the buildings and the residents without exceeding the existing plinth area and height of the building.

The Authority after discussion, decided to issue NOC for repair without exceeding the plinth area and the height of the building.

vi. CRZ Clearance for the conversion and construction of residential house at Sy.No. 209/7 of Kundapura Kasba village, Udupi District by Smt. Shobha S. Mesta W/o Shankar Mesta (FEE 213 CRZ 2011)

The Regional Director (Environment), Udupi have submitted a proposal of Smt. Shobha S. Mesta w/o Shankar Mesta seeking CRZ Clearance for conversion and construction of residential unit at Sy.No. 209/7 of Kundapura Kasba village, Udupi District on a plot area of 0.05 Acre. It is reported that the proposed site is at a distance of more than 500 Meters from the HTL of sea and 100 meters from Haladi river. The area is classified as CRZ-I as per the approved coastal Zone Management Plan.

The Regional Director have reported that the riverward boundary of the site is at a distance of 100 meters from the HTL of the river and therefore site falls outside the CRZ area.

The Authority noted that as per Para 1(ii) of the 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 tidal influenced water bodies that are connected to the sea.

The Authority after discussion decided to issue NOC to the proposed site which falls outside the CRZ as per the CRZ Notification, 2011 and construction is permitted only beyond CRZ limit.

vii. CRZ Clearance for the reconstruction of residential unit at Sy.No. 54/3 of Kote village, Udupi Taluk and District by Sri Jagannath Kundar S/o Kadya Salyan (FEE 214 CRZ 2011)

The Regional Director (Environment), Udupi have submitted a proposal of Sri Jagannath Kundar S/o Kadya Salyan seeking CRZ Clearance for re construction of old residential house No. KT-53 at Sy.No. 54/3 of Kote village, Post Katapadi, Udupi Taluk and District on a plot area of 0.03 Acre. The building is around 30 Sqm. It is reported that the proposed site is at a distance of 400 Meters from the HTL of sea and 30 meters from river (Papanashini). The area is classified as CRZ-I as per the approved coastal Zone Management Plan.

The Authority noted that as per Para 8 CRZ-I, no new construction is permitted. There is no specific mention about repair/ re-construction of existing buildings is not listed as a permissible activity. However, the Authority earlier have permitted for repair/ re-construction of buildings that existed prior to 19.02.1991 in the interest of safety of the buildings and the residents without exceeding the existing plinth area and height of the building.

The Authority after discussion, decided to issue NOC for repair without exceeding the plinth area and the height of the building.

viii. CRZ Clearance for the conversion and construction of residential house at Sy.No. 122/10 of Hemmadi village, Kundapura Taluk, Udupi District by Smt. Jalaja Poojarthi D/o Bacchi Poojarthi (FEE 218 CRZ 2011)

The Regional Director (Environment), Udupi have submitted a proposal of Smt. Jalaja Poojarthi D/o Bacchi Poojarthi seeking CRZ Clearance for conversion and construction of residential unit at Sy.No. 122/10 of Hemmadi village, Kundapura Taluk, Udupi District on a plot area of 0.04 Acre. It is reported that the proposed site is at a distance of more than 500 Meters from the HTL of sea and 140 meters from HTL of the river. The area is classified as CRZ-I as per the approved coastal Zone Management Plan.

The Regional Director (Env) have further reported that the proposed site falls outside the CRZ area as per the provisions of the CRZ Notification, 2011.

The Authority noted that as per Para 1(ii) of the 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 tidal influenced water bodies that are connected to the sea.

The Authority after discussion decided to issue NOC as the proposed site falls outside the CRZ as per the CRZ Notification, 2011.

15. CRZ clearance for the construction / reconstruction of residential units in CRZ-III area:

i. CRZ Clearance for the conversion and construction of residential unit at Sy.No. 264/5 of Paduvari village, Kundapura Taluk, Udupi District by Sri Sanjay R. Shetty S/o Raghuram Shetty (FEE 197 CRZ 2011)

The Regional Director (Environment), Udupi have submitted a proposal of Sri Sanjay R. Shetty S/o Raghuram Shetty seeking CRZ Clearance for conversion and construction of residential unit at Sy.No. 264/5 of Paduvari village, Kundapura Taluk, Udupi District on a plot area of 0.17 Acre. It is reported that the proposed site is at a distance of 180 Meters from the HTL of sea and the area is classified as CRZ-III as per the approved coastal Zone Management Plan.

The Authority noted that as per Para 8 IIICRZ III(ii) of CRZ Notification, 2011, Construction/reconstruction of dwelling units of traditional coastal communities including fisherfolk may be permitted between 100 and 200 metres from the HTL along the seafront in accordance with a comprehensive plan prepared by the State Government or the Union territory in consultation with the traditional coastal communities including fisherfolk and incorporating the necessary disaster management provision, sanitation and recommended by the concerned State or the Union territory CZMA to NCZMA for approval by MoEF.

The Authority after discussion decided to advice the applicant to submit the proposal after the preparation and approval of comprehensive plan prepared by the State Government in consultation with the traditional coastal communities including fisherfolk and incorporating the necessary disaster management and sanitation plan as per para 8 III. CRZ-III (ii) of the CRZ Notification, 2011.

ii. CRZ Clearance for the conversion and construction of residential house at Sy.No. 73/3A1A4P1-P4 of Hejamadi village, Udupi Taluk and District by Sri Vijaya S.Bangera S/o Sheena Kotian (FEE 206 CRZ 2011)

The Regional Director (Environment), Udupi have submitted a proposal of Sri Vijaya S.Bangera S/o Sheena Kotian seeking CRZ Clearance for conversion and construction of residential house at Sy.No. 73/3A1A4P1-P4 of Hejamadi village, Udupi Taluk and District on a plot area of 0.05 Acre. It is reported that the proposed site is at a distance of 180 Meters from the HTL of sea and the area is classified as CRZ-III as per the approved coastal Zone Management Plan.

The Authority noted that as per Para 8 IIICRZ III(ii) of CRZ Notification, 2011, Construction/reconstruction of dwelling units of traditional coastal communities including fisherfolk may be permitted between 100 and 200 metres from the HTL along the seafront in accordance with a comprehensive plan prepared by the State Government or the Union territory in consultation with the traditional coastal communities including fisherfolk and

incorporating the necessary disaster management provision, sanitation and recommended by the concerned State or the Union territory CZMA to NCZMA for approval by MoEF.

The Authority after discussion decided to advise the applicant to submit the proposal after the preparation and approval of comprehensive plan prepared by the State Government in consultation with the traditional coastal communities including fisherfolk and incorporating the necessary disaster management and sanitation plan as per para 8 III. CRZ-III (ii) of the CRZ Notification, 2011.

iii. CRZ Clearance for the reconstruction of residential unit at Sy.No. 59/29 of Hejamadi village, Udupi District by Smt. Pushpa P. Salyan W/o Pandu Salyan (FEE 207 CRZ 2011)

The Regional Director (Environment), Udupi have submitted a proposal of Smt. Pushpa P. Salyan W/o Pandu Salyan seeking CRZ Clearance for reconstruction of existing old house No. 9-65 at Sy.No. 59/29 of Hejamadi village, Udupi District on a plot area of 0.06 Acre and built up area of 950 Sq.ft. It is reported that the proposed site is at a distance of 100 Meters from the HTL of sea and the area is classified as CRZ-III as per the approved coastal Zone Management Plan. House/ land tax assessment list for the year 1998-99 of the Hejamadi Panchayat and photograph of the existing building is submitted as proof of existence of the building prior to 1991.

The Authority noted that as per Para 8 III (ii), of CRZ Notification, 2011, No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities;

The Authority further noted that repair or reconstruction of the existing authorized structure in this zone is therefore a permissible activity.

The Authority after discussion, decided to issue CRZ clearance for reconstruction of residential unit not exceeding the Floor Space Index, existing plinth area and density.

iv. Regularization of reconstruction of residential unit at Sy.No. 70/4A of Hejamadi village, Udupi District by Smt. Vedavathi S. Kotyan W/o Sadasiva Kotyan (FEE 208 CRZ 2011)

The Regional Director (Environment), Udupi have submitted a proposal of Smt. Vedavathi S. Kotyan W/o Sadasiva Kotyan seeking regularization of reconstruction of existing old house No. 7-140 C at Sy.No. 70/4A of Hejamadi village, Udupi Taluk and District on a plot area of 0.14 Acre. It is reported that the proposed site is at a distance of 370 Meters from the HTL of sea and the area is classified as CRZ-III as per the approved coastal Zone Management Plan.

The Authority noted that as per Para 6 (d) of the CRZ Notification, 2011, the dwelling units of the traditional coastal communities including fisherfolk, tribals as were permissible under the provisions of the CRZ notification, 1991, but which have not obtained formal approval from concerned authorities under the aforesaid notification shall be considered by the respective Union territory CZMAs and the dwelling units shall be regularized subject to the following condition, namely-

- (i) these are not used for any commercial activity
- (ii) these are not sold or transferred to non-traditional coastal community.

The Authority after discussion, decided to regularize the construction subject to above conditions. This approval is subject to availing required approval from the concerned local body as per Town and Country Planning Act.

v. CRZ Clearance for the reconstruction of residential house at Sy.No. 144/2C of Uliyaragoli village, Udipi Taluk by Smt. Kalyani Marakalthi W/o Annappa (FEE 210 CRZ 2011)

The Regional Director (Environment), Udipi have submitted a proposal of Smt. Kalyani Marakalthi W/o Annappa seeking CRZ Clearance for reconstruction of existing house No.5-56 at Sy.No. 144/2C of Uliyaragoli village, Kaup Post, Udipi Taluk on a plot area of 0.23 Acres and with the built up area of 800 Sqft. It is reported that the proposed site is at a distance of 60 Meters from the HTL of sea. The area is classified as CRZ-III as per the approved coastal Zone Management Plan.

The tax assessment register of Uliyaragoli Gram panchayat for the year 1989-90 is submitted as proof of existing house.

The Authority noted that as per Para 8 III (ii), of CRZ Notification, 2011, No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities;

The Authority further noted that repair or reconstruction of the existing authorized structure in this zone is therefore a permissible activity.

The Authority after discussion, decided to issue CRZ clearance for reconstruction of residential unit not exceeding the Floor Space Index, existing plinth area and density.

vi. CRZ Clearance for the construction of residential unit at Sy.No. 22/3 of Trasi village, Kundapura Taluk, Udipi District by Sri Marques Lewis D'souza S/ Valerian D'souza (FEE 215 CRZ 2011)

The Regional Director (Environment), Udupi have submitted a proposal of Sri Marques Lewis D'souza S/ Valerian D'souza seeking CRZ Clearance for construction of residential unit at Sy.No. 22/3 of Trasi village, Kundapura Taluk, Udupi District on a plot area of 0.11 Acre. It is reported that the proposed site is at a distance of 200 Meters from the HTL of sea and the area is classified as CRZ-III as per the approved coastal Zone Management Plan.

The Regional Director have reported that the site is in the border of No Development Zone.

The Authority after discussion opined that if the proposed site falls outside the No Development Zone then construction/reconstruction of the dwelling unit is an permissible activity so long it is within the ambit of traditional right and customary uses. If it is within 200 meters then construction of residential unit can be permitted after the preparation and approval of comprehensive plan prepared by the State Government in consultation with the traditional coastal communities including fisherfolk and incorporating the necessary disaster management provision, sanitation as per para 8 III. CRZ-III (ii) of the CRZ Notification, 2011.

The Authority after discussion directed the Regional Director (Env), Udupi to issue CRZ clearance for construction of the proposed residential unit beyond 200 meters line subject to following conditions:

- (a) it should be within the ambit of traditional rights and customary uses such as existing fishing villages and goathans.
- (b) Building permission for such construction is subject to local Town and Country Planning Rules with overall height of construction not exceeding 9 meters with two floors (Ground + One floor)

vii. CRZ Clearance for the reconstruction of residential unit at Sy.No. 3/2B1AP3 of Maravanthe village, Kundapura Taluk, Udupi District by Sri Chandra Kharvi S/o Manja Kharvi (FEE 216 CRZ 2011)

The Regional Director (Environment), Udupi have submitted a proposal of Sri Chandra Kharvi S/o Manja Kharvi seeking CRZ Clearance for re construction of existing old house No. 4-169-A at Sy.No. 3/2B1AP3 of Maravanthe village, Kundapura Taluk, Udupi District on a plot area of 0.24 Acre. It is reported that the proposed site is at a distance of 120 Meters from the HTL of sea and the area is classified as CRZ-III as per the approved coastal Zone Management Plan. Copy of the tax assessment register for the year 1988-89 and photo of the existing house are submitted as proof of existence of the existing house.

The Authority noted that as per Para 8 III CRZ III(ii) of CRZ Notification, 2011, No construction shall be permitted within N D Z except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities.

The Authority after discussion decided to issue CRZ clearance for the proposed reconstruction of existing residential unit not exceeding the Floor Space Index, existing plinth area and density.

viii. CRZ Clearance for the re-construction of residential unit at Sy.No. 295/1P9 of Shiroor village, Kundapura Taluk, Udupi District by Smt. Nagu (Nagamma) W/o Late Annappa (FEE 217 CRZ 2011)

The Regional Director (Environment), Udupi have submitted a proposal of Smt. Nagu (Nagamma) W/o Late Annappa seeking CRZ Clearance for re-construction of old house No. 5-80 at Sy.No. 295/1P9 of Shiroor village, Kundapura Taluk, Udupi District on a plot area of 1.20 Acre. It is reported that the proposed site is at a distance of 20 Meters from the HTL of sea and the area is classified as CRZ-III as per the approved coastal Zone Management Plan. A copy of the tax assessment register for the year 1990-91 and the photograph of the thached roof are submitted as proof of the old house.

The Regional Director has reported that the existing building is around 122 Meter X 10 meter area.

The Authority noted that as per Para 8 III (ii), of CRZ Notification, 2011, No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities;

The Authority further noted that as repair or reconstruction of the existing authorized structure in this zone is therefore a permissible activity.

The Authority after discussion, decided to issue CRZ clearance for reconstruction of residential unit not exceeding the Floor Space Index, existing plinth area and density.

ix. CRZ Clearance for re-construction of residential unit at Sy.No. 20/2AP2 of Paduvari village, Kundapura Taluk, Udupi District by Sri Annappa Kharvi S/o Subbi (FEE 219 CRZ 2011)

The Regional Director (Environment), Udupi have submitted a proposal of Sri Annappa Kharvi S/o Subbi seeking CRZ Clearance for re-construction of old house No. 7-101 at Sy.No. 20/2AP2 of Paduvari village, Kundapura Taluk, Udupi District on a plot area of 0.05 Acre. It is reported that the proposed site is at a distance of 100 Meters from the HTL of sea and 10 meters from river. The area is classified as CRZ-III as per the approved coastal Zone Management Plan. A copy of the tax assessment register for the year 1989-90 and photograph of the existing house are submitted as proof of the old house which has a plinth of 40 Sqm.

The Authority noted that as per Para 8 III (ii), of CRZ Notification, 2011, No construction shall be permitted within NDZ except for repairs or reconstruction of existing

authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities;

The Authority further noted that repair or reconstruction of the existing authorized structure in this zone is therefore a permissible activity.

The Authority after discussion, decided to issue CRZ clearance for reconstruction of residential unit not exceeding the Floor Space Index, existing plinth area and density.

16. Miscellaneous subjects:

i) CRZ clearance for setting up traditional boat building and repair units at Sy. No. 36/3A, 3D of Shiroom village by Sri Udaya Mestha (FEE 162 CRZ 2011)

The Regional Director (Environment), Udupi had submitted a proposal of Sri Udaya Mestha seeking CRZ Clearance for setting up traditional boat building and repair units at Sy. No. 36/3A, 3D of Shiroom village. The unit will have a capacity of building six boats per annum. It is reported that the proposed site is at a distance of 200 Meters from the HTL of sea and zero meter from the river. The area is classified as CRZ-III as per the approved coastal Zone Management Plan.

The Authority perused the proposal during the meeting held on 15th September 2011 and noted that the “facilities required for local fishing communities such as fish drying yards, auction halls, net mending yards, traditional boat building yards, ice plant, ice crushing units, fish curing facilities and the like;” are permitted as per Para 8 III. CRZ-III A (iii) (1). however, the proposal requires CRZ Clearance from the Ministry of Environment and Forests (MoEF), Government of India as per Para IV (ii) (a) of the CRZ Notification, 2011.

The Authority after discussion decided to send recommendation to the MoEF, Government of India for issue of CRZ Clearance.

Accordingly, the proposal was forwarded to the Ministry of Environment and Forests, Government of India vide letter No, FEE 162 CRZ 2011 dated 10.11.2011.

The Authority noted that the Ministry has sent back the proposal without any remarks.

The Authority after discussion, decided to send the proposal back to the Ministry of Environment and Forests, Government of India in terms of the decision taken in agenda 2 above.

ii) Request for CRZ clearance for construction of vented dam for supply of drinking water at Malavoor village across Gurupura River by Executive Engineer, Rural Water Supply and Panchayath Raj Engineering Division, Mangalore (FEE 190 CRZ 2011)

The Regional Director (Env), Mangalore had submitted the proposal of the Executive Engineer, Rural Water Supply and Panchayath Raj Engineering Division, Mangalore seeking CRZ clearance for the construction of vented dam for supply of drinking water at Malavoor village across Gurupura River. The project envisages for supply of drinking water to Malavoor and ten other villages. The proposed site is at a distance of 12 Kms from the HTL of the sea. But, lies within the CRZ as the salinity concentration is more than 5 ppt.

The proposal involves construction of a vented dam of 206.50 meter with the bottom width of 21 meters and 79 vents, jack well of 7.5 meter dia meter and 6 meters depth, pipeline for supply of water (450 meter in the CRZ area), a pump house and a watch tower.

An Environment Impact Assessment (EIA) report has been got prepared by NITK, Suratkal who is one of the agency authorized by the Government of India.

The Authority perused the proposal during the meeting held on 15th September 2011 and noted that the river portion is classified as CRZ-IV as per the CRZ Notification, 2011. The area on either side of the proposed site is classified as CRZ-III. It is a permitted activity as per para 3 (iv) (d) of CRZ Notification, 2011. However, it requires clearance from the Ministry of Environment and Forests as per para 4 (ii) (a) as it is not listed in the EIA Notification, 2006.

The Authority after discussion decided to recommend the proposal to the Ministry of Environment and Forests, Government of India, New Delhi for issue of CRZ Clearance.

Accordingly, the proposal was forwarded to the Ministry of Environment and Forests, Government of India vide letter No. FEE 190 CRZ 2011 dated 10.11.2011.

The Authority noted that the Ministry has sent back the proposal without any remarks.

The Authority after discussion, decided to send the proposal back to the Ministry of Environment and Forests, Government of India in terms of the decision taken in agenda 2 above.

Sd/-

(KAUSHIK MUKHERJEE)

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

No. FEE 67 CRZ 2009

(K.P.Chandrasaha)

Under Secretary to Govt. (Ecology & Environment),
Forest, Ecology & Environment Department.

ANNEXURE

Meeting of the Karnataka State Coastal Zone Management Authority (KSCZMA) held on 19th December 2011 At 11.30 AM in the Committee Room No: 253, II Floor, Multi Storied Building (Gate-II), Dr.B.R.Ambedkar Veedhi, Bangalore- 560001.

LIST OF MEMBERS/OFFICERS PRESENT:

1. Sri Kaushik Mukherjee, IAS,
Chairman, KSCZMA &
Additional Chief Secretary to Government,
Department of Forest, Ecology & Environment,
M S Building, Bangalore – 560 001 In Chair
2. Sri Kanwerpal, IFS,
Secretary to Govt. (Ecology & Environment)
Forest, Ecology and Environment Department.
3. Smt. Kousalya
Under Secretary to Govt. representing
Additional Chief Secretary to Government,
Department of Urban development,
Vikasa Soudha, Bangalore.
4. H.S. Veerappa Gowda,
Director of Fisheries representing
Principal Secretary to Government
Animal Husbandry and Fisheries,
MS Building, Bangalore.
5. Director (Technical) representing
Principal Secretary to Government,
Commerce and Industries Department,
Vikasa Soudha, Bangalore.
6. Shri. M.D.N. Simha
Chief Environmental Officer Representing the Chairman
Karnataka State Pollution Control Board,
No.49, Parisara Bhavana,Church Street,
Bangalore 560 001.
7. Dr. M.H. Balakrishnaiah,
Special Director (Technical Cell)
and Member Secretary,
Karnataka State Coastal Zone Management Authority,
Forest, Ecology and Environment Department.

8. Shri Ashoka Reddy, Scientist
representing The Director,
Karnataka State Remote Sensing
Applications Centre, (KSRSAC),
Bangalore- 560 001.
9. Professor K.V. Krishnamurthy,
Professor and Head,
Department of Plant Sciences,
School of Life Sciences, Bharathidasan University,
Tiruchirapalli, Tamil Nadu.
10. Shri B.K. Jagadish Chandra,
Retired Principal Chief Conservator of Forests,
No. 458, 11th Main,
Rajmahalvilas Extension, Bangalore.
11. Shri. Suresh Heblikar, Eco-Watch,
Centre for Promotion of Environment and Research,
No. 403, 18th Cross, 3rd Block, Jayanagar,
Bangalore 560 011.
12. Sri Kempe Gowda,
Section Officer representing,
Principal Secretary to Government
Information, Tourism and Youth Services,
Bangalore.

LIST OF INVITEES PRESENT:

1. Dr. Venkatesh M.V., IAS,
Assistant Commissioner,
Representing
Deputy Commissioner,
Dakshina Kannada District,
Mangalore-575 001.
2. Dr Reju M T, IAS,
Deputy Commissioner,
Udupi District, P.B.No.86,
Bannanje, Udupi-576 101.
3. Sri Krishnaiah B.N., IAS,
Deputy Commissioner,
Uttara Kannada District,
Karwar.

4. Shri. C.M. Ammanavar
Regional Director (Environment),
1st Floor, Corporation Commercial Complex,
Dakshina Kannada, Mangalore.
5. Shri T. Balachandra,
Regional Director (Environment)
APMC Building, Adi Udupi,
Udupi - 576 001.
6. Shri T. Balachandra,
Regional Director (Env) (Incharge),
Department of Ecology and Environment,
Meera Building, 1st Floor,
Kajubagh, Karwar.
7. Shri Mahesh Kumar U.,
Assistant Director of Fisheries,
O/o Regional Director (Environment),
1st Floor, Corporation Commercial Complex,
Dakshina Kannada, Mangalore.
8. Shri Srinivas H.,
Assistant Conservator of Forests/Technical Assistant,
O/o Regional Director (Env),
Department of Ecology and Environment,
Meera Building, 1st Floor, Kajubagh, Karwar.
9. Sri B.V. Byra Reddy,
Assistant Conservator of Forests/Technical Assistant,
O/o Regional Director (Env),
Udupi - 576 001.