

Draft Coastal Regulation Zone (CRZ), 2018



- The draft Coastal Regulation Zone (CRZ), 2018, which was released by the Ministry of Environment and Forests (MoEF), has the potential to change the way coastal stretches in India are governed. **India's coastline runs over 7,500 kilometres.**
- The new draft if implemented will not only have an effect on how common areas used by fisher folk are managed, but also bifurcate coastal zones along rural areas based on population density.
- Environmentalists claim that the draft has opened up fragile inter-tidal areas to real estate agents, and framed with an intent to favour large-scale industry at the cost of fishing communities.
- The new draft aims to “**conserve and protect** the unique environment of coastal stretches and marine areas, besides livelihood security to the fisher communities and other local communities in the coastal areas and to promote sustainable development based on scientific principles taking into account the dangers of natural hazards, sea level rise due to global warming....”

A **Committee headed by Shailesh Nayak**, former Secretary, has framed a report to reconsider the limits of the existing Coastal Zone Regulations.

New Coastal Regulation Zone Rules Proposed

1. Eco-tourism activities such as mangrove walks, tree huts and nature trails in identified stretches, subject to permissions.
2. There are several sub-divisions within 4 regions, for example CRZ-I is split into CRZ-I A and CRZ-I B and CRZ-III into III A and III B.
3. CRZ shall apply to the land area between high tide line to 50 mts on the landward side of creeks, estuaries, backwaters and rivers.
4. 50 metre limit after approval of State.

The salient features of the draft CRZ Notification, 2018 and changes with respect to CRZ Notification, 2011, are as under:-

- (i) The High Tide Line (HTL) has been demarcated by the National Centre for Sustainable Coastal Management (NCSCM) and shall be reckoned as a universal standard for the HTL for all regulatory purposes.
- (ii) Hazard line mapping has also been carried out by Survey of India. The Hazard Line has, however, been delinked from the CRZ regulatory regime and shall be used only as a tool for Disaster Management and planning of adaptive and mitigation measures.
- (iii) CRZ limits on land along the tidal influenced water bodies has been proposed to be reduced from 100 meters or the width of the creek, whichever is less, to 50 meters or the width of the creek, whichever is less.
- (iv) A No Development Zone (NDZ) of 20 meters has been proposed to be stipulated for all Islands close to the main land coast and for all Backwater Islands in the main land.
- (v) For CRZ-III areas, two separate categories have been proposed viz.:
- CRZ-III A – Densely populated rural areas with a population density of 2161 per square kilometre as per 2011 Census. Such areas shall have an NDZ of 50 meters from the HTL as against 200 meters from the HTL stipulated in the CRZ Notification, 2011.
 - CRZ-III B – Rural areas with population density of below 2161 per square kilometre as per 2011 Census. Such areas shall continue to have an NDZ of 200 meters from the HTL.
- (vi) Projects/activities, which are located in the CRZ-I & IV areas, shall be dealt with for CRZ clearance by the MoEF&CC. For all other project activities located in CRZ-II/III areas, CRZ clearance shall be considered **at the level of the CZMA**.
- (vii) As per CRZ, 2011 Notification, for CRZ-II areas, **Floor Space Index (FSI)** or the Floor Area Ratio (FAR) had been frozen at 1991 Development Control Regulation (DCR) levels. In the Draft CRZ, 2018 Notification, it has been **proposed to de-freeze** the same and **permit FSI for construction projects**, as prevailing on the date of the new Notification.
- (viii) **Temporary tourism facilities** such as shacks, toilet blocks, change rooms, drinking water facilities etc. have been proposed in Beaches. Such temporary tourism facilities are also proposed to be permissible in the No Development Zone (NDZ) of the CRZ-III areas.
- (ix) Wherever there is a **National or State Level Highway** passing through the NDZ in CRZ-III areas, temporary tourism facilities have been proposed to be taken up on the seaward site of the roads. On the landward side of such roads in the NDZ, Resorts/Hotels and other tourism facilities have also been proposed to be permitted subject to the extant regulations of the concerned State.
- (x) **Regulated limestone mining** is proposed to be permitted, subject to strict Environmental safeguards, in areas adequately above the height of HTL, based on recommendations of reputed National Institutes in the Mining field.

Projects that require MoEF's approval

- Only those projects located in **CRZ-I (environmentally most critical) and CRZ-IV (water and seabed areas)** shall require MoEF clearance. All other projects shall be considered by Coastal Zone Management Authorities (CZMAs) in the states and union territories.
- The draft also allows for **construction of roads and roads on stilts**, “by way of reclamation in CRZ-1 areas”, only in exceptional cases for “defence, strategic purposes and public utilities,” to be recommended by the CZMA and approved by the Ministry. However, it does not explicitly state what strategic projects are.

The Draft Empowered CZMAs at the State Level:

1. The idea is to complete the process of **drawing up plans** in consultation with **coastal dwellers**.
2. **Land and sea are constantly merging**. As a result, this cannot be done through satellite images.
3. The relaxations/ amendment proposed in the CRZ notification, shall come into effect only after respective CZMPs that were to be framed under the previous CRZ notification, have been revised or updated by the states/UTs and approved by the Ministry.

BENEFITS

- **Economic Growth:** The new proposal will **make India's coast more accessible to tourism and industrial infrastructure**, which will lead to a boost to economic growth.
- **'State'- Deciding authority:** Moreover, it will also give individual states the power to decide on their own about any development in the region.

Criticism

- The government is set to overhaul the coastal zone regulation rules and the proposed changes will **promote commercialisation** in the most protected zones, proving disastrous for the environment and coastal communities, say experts.
- The draft empowers CZMAs at the state-level, which is responsible for the Coastal Zone Management Plans (CZMPs). “The idea is **to complete the process of drawing up plans** in consultation with coastal dwellers.
- The MoEF has said that the **“relaxations/ amendment” proposed in the CRZ** notification, 2018, shall come into effect only after respective CZMPs that were to be framed under the previous CRZ notification, have been revised or updated by states/UTs and approved by the ministry.
- The National Green Tribunal has noted that it has been seven years since the deadline set by the 2011 notification to submit CZMPs to the MoEF has passed.
- Several states have held public hearings in this regard. While **Maharashtra has requested an extension**, the public hearing in **Ramanathapuram in**

Tamil Nadu was forcibly cancelled last week due to opposition from fisherfolk.

- “Coastal spaces are fluid. Applying models that pertain to inland areas to the coast is problematic. Delhi and its corridors of power lack an understanding of what these places are.

Way ahead:

The new draft CRZ notification has major recommendations that will **boost tourism development** in coastal areas of the country, which **remains untapped** due to stringent regulatory framework.

The relaxations/amendment proposed in the CRZ Notification, 2018 shall, however, come into force only after the respective Coastal Zone Management Programme (CZMP) framed to the CRZ Notification, 2011 have been **revised/updated by the States/UTs**, as per the provisions of the CRZ, 2018 Notification and approved by the Ministry of Environment, Forest & Climate Change.

The government says that the new rules will **benefit coastal communities**. But fears persist that although the changes are being packaged as **pro-poor and pro-tourism**, the concerns of the latter will override those of communities.