

**MINISTRY OF ENVIRONMENT AND FOREST
DRAFT NOTIFICATION**

COASTAL ZONE MANAGEMENT (CZM) NOTIFICATION 2007

S.O.No.... (E) Whereas the Central government in the Ministry of Environment and Forests issued the Coastal Regulation Zone Notification vide No. S.O. 114(E) dated the 19th February 1991, under which the coastal stretches were declared Coastal Regulation Zone (CRZ) and restriction were imposed on the setting up and expansion of industries, operations and processes in the said zone for its protection;

And whereas the said notification has been amended from time to time based on recommendations of various committees, judicial pronouncements, representations from State Governments, Central Ministries, and the general public, etc., consistent with the basic objective of the said Notification;

And whereas perceiving the continuing difficulties posed by the Notification in the effective implementation for the sustainable development of coastal regions as well as conservation of coastal resources, the ministry of environment and forests constituted an expert committee vide an Order No.15 (8)/2004-IA-III, dated 19th July 2004 under the Chairmanship of Prof. M.S.Swaminathan, with experts in the areas of environmental law, marine bio-diversity, marine geology, environmental economics, socio-economics, remote sensing, coastal engineering, urban planning, and marine fisheries to carry out a comprehensive review of the said Notification including all its amendments in the light of findings and recommendations of previous Committees, judicial pronouncements, representations of various stakeholders, and suggest suitable amendments, if necessary, to make the coastal regulatory framework consistent with well established scientific principles of Coastal Zone Management;

And whereas the above Expert Committee had submitted its report to the Ministry of Environment and Forests in February, 2005 containing specific recommendations to build on the strengths of existing regulations and institutional structures and fill gaps for conservation and improving the management of the coastal resources by enhancing the living and non-living resources of the coastal zone; by ensuring protection to coastal populations and structures from risk of inundation from extreme weather and geological events; and by ensuring that the livelihoods of coastal populations are not unduely hampered;

And whereas the Central Government in the Ministry of Environment and Forests after carefully considering the above report and all the recommendations made therein have decided to accept them in principle for implementation;

And whereas in accordance with the above decision, the Central Government proposes to bring into fore a new framework for managing and regulating activities in the coastal and marine areas for conserving and protecting the coastal resources and coastal environment

and by ensuring protection of coastal population and structures from risk of inundation from extreme weather and geological events; and by ensuring that the livelihoods of coastal populations are not unduly hampered; by replacing the Coastal Regulation Zone Notification, 1991 as amended from time to time;

And now, therefore, the Central Government in the Ministry of Environment and Forests in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section 2 of Section 3 of the Environment (Protection) Act, 1986 (29 of 1986) and as required under sub-rule (3) of rule 5 Of the Environment (Protection) Rules, 1986 proposes to issue a notification to be known as the Coastal Zone Management Notification, 2007, for the information of the public likely to be affected thereby and notice is hereby given that the said draft Notification will be taken into consideration by the Central Government on and after the expiry of sixty days from the date of publication of said notification in the Official Gazette.

Any person interested in making any objections or suggestions on the proposals contained in the draft Notification may do so in writing within the period so specified through post to the Secretary, Ministry of Environment and Forests, Paryavaran Bhawan, CGO Complex, Lodi Road, New Delhi – 110003, or electronically at e-mail address: secy@menf.nic.in

1. (1) This notification shall be called the Coastal Zone Management Notification, 2007.
- (2) This notification shall come into force from the date of its final publication in the Official Gazette.

2. Objective:

The objective of this notification is protection and sustainable development of the coastal stretches and marine environment through sustainable coastal zone management practices based on sound, scientific principles taking into account the vulnerability of the coast to natural hazards, sustainable livelihood for local communities, and conservation of ecologically and culturally significant coastal resources.

3. **Definitions :** In this Notification the terms, unless the context otherwise requires, shall have the following meaning in each case:

a) **‘Coastal Zone’** shall mean the area from the territorial waters limit (12 nautical miles measured from the appropriate baseline) including its sea bed, the adjacent land area along the coast and inland water bodies influenced by tidal action including its bed, upto the landward boundary of the local self government/local authority abutting the sea coast, provided in case of ecologically and culturally sensitive areas, the entire biological/physical boundary of the area may included, if necessary, for which specific Notification would need to be made.

b) **‘Integrated Coastal Zone Management-(ICZM)’** shall mean a process by which decisions are made for sustainable use, development and protection of coastal and marine areas and resources.

c) **‘Integrated Coastal Zone Management Plan(ICZMP)’** is the land use plan prepared for implementation of the Integrated Coastal Zone Management.

d) **‘Local Self Government/Local Authority’** shall mean a village Panchayat, or a urban local body, or any other body or authority, by what ever name called, for the time being invested by law, for rendering essential services or, with control and management of civic services, within a specified local area abutting the sea coast.

e) **‘Setback Line’** shall mean a line demarcated along the coast, based on its vulnerability to natural hazards as per Guidelines given in this notification in Appendix-I.

f) **‘Ecologically Sensitive Areas’** are those areas of the coastal zone that plan an important role in maintaining the functional integrity of the coast, including acting as natural barriers to coastal hazards and/or harbouring a diverse biodiversity that provide valuable resources to local communities.

g) **‘Expert’** is a person with specialized knowledge in a specified field, with at least a Master’s degree from a recognized University in case of science (including social sciences, economics and management) disciplines; or a professional Bachelor’s degree from a recognized University in case of engineering, technology, medicine, or legal disciplines; or a Post-Graduate Diploma in Forestry from the Indira Gandhi National Forest Academy in case of Forestry; with at least fifteen (15) years of full-time professional experience in the specified field after award of the qualifying degree, in the event of the person concerned possessing, in addition, a higher degree from a recognized University, i.e. Ph.D or D.Sc. in case of science (including social sciences, economics, and management) disciplines; or a M.Tech/MD/LLM degree in case of engineering, Technology, Mecine, or legal disciplines; the period of full-time professional experience after gaining the higher degree may be ten(10) years.

h) **‘Professional’** is a person who possesses the academic qualifications as specified for experts, but does not yet possess the requisite experience.

4. Categorization of the Coastal Zone: For the purpose of management and regulation, the coastal zone shall be divided into four categories;

i) Coastal Management Zone – I (CMZ – I) shall consist of areas designated as Ecologically Sensitive Areas (ESA), which are listed generically in Appendix – II.

ii) Coastal Management Zone- II (CMZ – II) shall consist of areas, other than CMZ – I and coastal waters, identified as “Areas of Particular Concern (APC)” such as economically important areas, high population density areas, and culturally/strategically important areas. The administrative boundaries of these “Areas of Particular Concern” would be boundaries of CMZ – II. The generic list of such areas is given in Appendix – III.

- iii) Coastal Management Zone – III (CMZ – III) shall consist of all other open areas including coastal waters, that is all areas excluding those classified as CMZ – I, II and IV.
- iv) Coastal Management Zone – IV (CMZ – IV) shall consist of inlands territories of Andaman and Nicobar, Lakshadweep, and other offshore islands.
- v) In respect of the islands in coastal backwaters areas which are not included in CMZ – I or CMZ – II, such areas may be included in CMA – IV at the option of the Local Authority; otherwise they would be included in CMA – III. Once exercised, the option of the Local Authority would not be subject to change.

(i) National Board for Sustainable Coastal Zone Management.

This Board consisting of not more than 31 Members shall have the mandate to provide policy advice to the Central Government on matters relating to coastal zone management. The composition of the Board shall be as given in Appendix – IV. The term of the non-official members of the Board shall be three (3) years, and may not be renewed.

(ii) State/UT Coastal Zone Management Authorities

The State/UT Environmental Appraisal Authorities set up under the provisions of the EIA Notification dated 14.09.2006, under the Environment (Protection) Act, 1986 shall also be the State/UT Coastal Zone Management Authorities. They shall have the mandate to undertake all regulatory functions at the State/UT level under this Notification. These Authorities will, in respect of matters to be considered by the Authority, invariably obtain the scientific advice of the State/UT Environmental Expert Committees, also set up under the provisions of the EIA Notification dated 14.09.2006, referred to above. The Chairpersons of the State/UT Environmental Expert Committees may co-opt experts from other relevant disciplines, as necessary in particular cases.

5. Management Methodology : The management methodology and approach for the Coastal Management Zone shall be as follows :

(I) Notification of the Setback Line: The Setback Line, for the entire coast, excluding CMZ – IV areas, will be notified in one or more stretches at a time in a map on cadastral scale by the Central Government in the Ministry of Environment and Forests. For this purpose, the Central Government may issue detailed technical Guidelines, based on the approach set forth in Appendix – I. The Notification shall be based on the delineation to be carried out by a competent and established scientific institution specializing in earth surveys and mapping, among a set of such institutions to be notified by the Central Government in the Ministry of Environment and Forests.

(II) Coastal Management Zone - I

The ecologically sensitive areas as per generic list given in Appendix – II shall be identified within the coastal zone by the Central Government in the Ministry of Environment and Forests jointly with the concerned State Government/Union Territory Administration, with the technical assistance provided by one or more competent and established scientific research institutions specializing in coastal resources management, and notified by the Central Government. All activities in CMZ – I areas shall be regulated by the State/UT Coastal Zone Management Authority concerned on the basis of an Integrated Coastal Zone Management Plan (ICZMP) to be prepared by the State/UT Administration with the help of one or more competent and established scientific research institutions specializing in coastal resources management, and notified by the Central Government. The ICZMPs would be endorsed by the State/UT Environmental Appraisal Authority concerned. The ICZMPs would thereafter be forwarded for review by the Central Government in the Ministry of Environment and Forests and given approval (or rejected) within 60 days of receipt. It would thereafter be Notified by the State/UT Administration in terms of the approval given by the Central Government. In the event of the 60 days time limit expiring without decision by Central Government, the State/UT Administration may notify the ICZMP as submitted to the Central Government after endorsement by the State/UT Environmental Appraisal Authority concerned. The ICZMPs prepared shall ensure proper protection and conservation of all ecological entities within the notified ecologically sensitive areas keeping in mind technical feasibility and costs, and otherwise consistent with the provision of the National Environment Policy, 2006. The implementation of the ICZMP by the State Government/UT Administration shall be monitored by the concerned District Magistrates.

(III) Coastal Management Zone – II.

The Local Authority concerned, may, at its option, adhere to one or the other of the following approaches to coastal protection. Once such option is exercised, it would not be subject to change:

Option A : Areas Not Covered by Coastal Protection Structures : Except for activities which require shoreline access, listed in Appendix – V, all new physical and social infrastructure, and habitations, are to be located beyond the Setback Line on the landward side. In case of expansion of existing physical and social infrastructure located on the seaward side of the Setback Line, the entire infrastructure would be relocated to beyond the Setback Line on the landward side. In the case of habitations located on the seaward side of the Setback Line, no increase in covered area would be permissible. However, modernization, repairs, and reconstruction of existing habitations on the seaward side of the Setback Line, without increase in covered area may be undertaken with prior approval as necessary under the Local Authority Laws and Regulations. On the landward side of the Setback Line, in respect of new and existing physical and social infrastructure, and habitations, there would be no additional restrictions under this Notification, on construction, modernization, or expansion, beyond those under the Laws and Regulations of the Local Authority.

Option B : Areas covered by Coastal Protection Structures : One or more coastal protection structures which provide at least the same measure of protection from coastal hazards as the Setback Line may be constructed by the Local Authority. The detailed engineering design of these structures, together with the delineation of the areas to be provided protection thereby, would be reviewed and endorsed by the State/UT Coastal Management Authority, and submitted thereafter through the State/UT Administration to the Central Government in the Ministry of Environment and Forests for approval. Such approval or rejection is to be conveyed by the Central Government within sixty (60) days of receipt from the State/UT Administration, failing which the State/UT Administration may convey approval of the detailed engineering design to the Local Authority concerned. Upon completion of construction the State/UT Administration would cause the structures to be inspected by a competent technical authority, and submit the same to the Central Government in the Ministry of Environment and Forests for confirmation that the work has been satisfactorily completed as per approved detailed engineering design. The Central Government, within sixty(60) days of receipt of the technical inspection report from the State/UT Administration, after conducting any further technical inspections as in its opinion may be necessary, confirm or reject the same; if the latter, with detailed technical reasons, to the concerned State/ UT Administration. In the event that the Central Government does not confirm or reject the technical inspection report of the State/ UT Administration within the specified period of sixty (60) days. The State/ UT Administration would confirm satisfactory completion of the structures to the Local Authority concerned.

Upon confirmation as above that the coastal protection structures have been satisfactorily completed, all physical and social infrastructures, and habitations, in the areas afforded protection by these structures, be subject to the normal Local Authority Laws and Regulations, and all other Laws and Regulations in force. There are no new restrictions under this Notification with respect to such areas as are provided protection by the coastal structures.

(IV) Coastal Management Zone - III

Except for activities which require shoreline access, listed in Appendix V, all new physical and social infrastructure, and habitations, are to be located beyond the Setback Line on the landward side. In case of expansion (but not maintenance or repairs) of existing physical and social infrastructure located on the seaward side of the Setback Line, the entire infrastructure would be relocated to beyond the Setback Line on the landward side. In the case of habitations located on the seaward side of the Setback Line, no increase in covered area would be permissible. However, modernization, repairs, and reconstruction of existing habitations on the seaward side of the Setback Line, without increase in covered area may be undertaken with prior approval as necessary under the Local Authority Laws and Regulations. On the landward side of the Setback Line, in respect of new and existing physical and social infrastructure, and habitations, there would be no additional restrictions on construction, modernization, or expansion, beyond those under the Laws and Regulations of the Local Authority and other Laws and Regulations in force.

(V) Coastal Management Zone – IV.

All activities will conform to the approved ICZMPs, which fact will be determined in each case by the concerned State/ UT Coastal Zone Management Authority.

6. Operation of the CRZ notification 1991.

The Coastal Regulation Zone Notification, 1991 shall cease to operate within :

- (a) A CMZ – I area, from the date of Notification of the concerned ICZMP.
- (b) A CMZ – II area, from the date of Notification of the Setback Line, or satisfactory completion of coastal protection structures, the latter in respect of areas provided protection by such structures.
- (c) A CMZ – III area, from the date of Notification of the Setback Line.
- (d) A CMZ – IV area, from the date of Notification of the concerned ICZMP.
- (e) The approved Integrated Coastal Zone Management Plan shall be reviewed by Ministry of Environment and Forests, based on the request made by the concerned Union Territory/State Government.

(F.No.11-83/2005-IA.III)

(J M Mauskar)

Joint Secretary.

SETBACK LINE

The Setback Lines in the coastal management zones categorized as CMZ – I, II and III will be based on vulnerability of the coast to natural and manmade hazards. This procedure is followed in many countries where the coast has been mapped for vulnerability to coastal hazards.

For the purpose of mapping the vulnerability of the coast six parameters are taken into account: elevation, geomorphology, sea level trends, horizontal shoreline displacement (erosion/accretion), tidal ranges, and wave heights. A brief on each of the parameters which are to be considered for drawing up the Setback Line are given below :

- (i) **Elevation:** The elevation data shall be obtained from the available coastal toposheets and satellite data surveys.
- (ii) **Geomorphology :** The land forms will be identified on the maps based on the available toposheet and remote sensing data. Bathymetry to be derived from naval Hydrographic Charts on location specific surveys.
- (iii) **Sea Level trends :** The sea level trend data shall be based on primary data published by Survey of India. The median estimate of mean sea level rise in the next one hundred (100) years in terms of the Fourth Assessment Report of the Inter-Governmental Panel on Climate Change (IPCC) shall be taken into account.
- (iv) **Horizontal Shoreline displacement :** The erosion/accretion data of horizontal shoreline displacement shall be obtained from long term information derived from Survey of India Topographic maps (1967) and the latest satellite data. Horizontal shoreline displacement will be estimated (median estimate) over the next 100 years.
- (v) **Tidal Ranges :** Tide tables published by the Survey of India.
- (vi) **Wave heights :** Wave heights obtained from ship observations published by National Institute of Oceanography or other locally available measured data.

The level of protection to be provided by the Setback Line will correspond to protection from coastal hazards with a one percent (1 %) probability of occurrence in any given year, after accounting for the median estimates of mean sea level rise and horizontal shoreline displacement in the next one hundred (100) years.

Further detailed Technical Guidelines for delineation of the Setback Line may be provided by the Central Government in the Ministry of Environment & Forests.

CMZ – I : GERMIC LIST OF ECOLOGICALLY SENSITIVE AREAS (ESA)

- (i) Mangroves
- (ii) Coral reefs
- (iii) Sand Beaches and Sand Dunes
- (iv) Inland tidal water bodies, i.e. estuaries, lakes, lagoons, creeks.
- (v) Mudflats
- (vi) Marine Wildlife protected areas under the Wildlife (Conservation) Act.
- (vii) Coastal fresh water lakes
- (viii) Galt Marshes
- (ix) Turtle nesting grounds
- (x) Horse shoe crabs habitats
- (xi) Sea grass beds
- (xii) Sea weed beds
- (xiii) Nesting grounds of migratory birds.

CMZ – II : LIST OF AREAS OF PARTICULAR CONCERN

- a) Coastal Municipalities/Corporations (the entire notified area)
- b) Coastal Panchayats with population density more than 400 persons per sq km.
(the entire notified area) as per the latest Census of India.
- c) Ports and Harbours.
- d) Notified Tourism Areas
- e) Mining sites
- f) Notified Industrial Estates
- g) Special Economic Zones
- h) Haritage areas
- i) Notified Archaeological sites under the Protected Monuments Act.
- j) Defence areas/installations
- k) Power Plants

**COMPOSITION OF NATIONAL BOARD FOR SUSTAINABLE COASTAL
ZONE MANAGEMENT**

1.	Union Minister for Environment and Forests	-	Chair
2.	Union Minister-in-charge of Ministry of Earth Sciences	-	Co-Chair
3.	Secretary, Ministry of Environment & Forests	-	Member Secretary.
4.	Experts (by name) in :		
	Coastal Ecosystems	-	1
	Marine biology	-	1
	Maritime law	-	1
	Meteorology	-	1
	Disaster Management	-	1
	Environmental Economics	-	1
4.	Representative of the National Commission for Women	-	1
5.	Representative of the Ministry of Defence	-	1
6.	Representative of the Ministry of Urban Development	-	1
7.	Representative of the Ministry of Panchayati Raj	-	1
8.	Representatives of community based organizations of the mainland coastal population	-	3
9.	Representatives from fisheries, aquaculture, tourism, industries, mining, ports, sectors	-	6
10.	Representatives of coastal Rural District Panchayats	-	3
11.	Representatives of coastal Urban Local Authorities	-	3
12.	Representatives of Andaman & Nicobar and Lakshadweep Islands	-	3

Activities Requiring Access to the Shorelines

1. Port and Harbours, including refueling facilities, and dredging and reclamation
2. Fish Landing Sides
3. Public Toilets
4. Lighthouses and Light-towers
5. Beach tourism and water sports facilities
6. Salt Pans
7. Mining of minerals other than beach sand, rocks, gravel, and sea-shells
8. Ship building and repair facilities
9. Coastal protection structures
10. Hydrocarbon exploration and production
11. Defence installations
12. Discharge pipelines for treated effluent and sewage
13. Approach roads, railways, pipelines, power transmission and distribution lines to service the above.