

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

GOVERNMENT OF KARNATAKA

ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ
(ಅರಣ್ಯ ಪಡೆ ಮುಖ್ಯಸ್ಥರು) ರವರ ಕಛೇರಿ

Office of
Principal Chief Conservator of Forests
(Head of Forest Force)



ಅರಣ್ಯ ಭವನ, 18ನೇ ಅಡ್ಡ ರಸ್ತೆ,
ಮಲ್ಲೇಶ್ವರಂ ಬೆಂಗಳೂರು-560003
Aranya Bhavan, 18th Cross,
Malleshwaram, Bengaluru- 03
Telephone : 080 2334 6472
Email : apceffc@gmail.com

Old File No. A5(2)K/GFL/CR-07/2017-18

E-office File No. KFD/HOFF/A52K(GFL)/42/2018-FC

To, *Enclosure: 3 sets of proposal.*

E-65787

Date 06-01-2020

18

The Additional Chief Secretary to Government
Forest, Ecology and Environment Department
M.S. Building, Dr. Ambedkar Veedhi, Bengaluru – 560 001

Sir,

Sub: Diversion of 34.98 hectare of forest land in Agasur, Heggarmakkigadde & Kavalahalli villages of Kasaba Hobli, Ankola Taluk and in Gundabala and Hillur Villages of Balale Hobli, Honnavar Taluk, all in Uttara Kannada District (Karwar & Honnavar Forest Divisions) for construction of Vented barrage across the river Gangavali at Honnalli to supply additional drinking water to towns of Karwar & Ankola towns, en-route villages and Project Sea Bird in favour of Executive Engineer, Karnataka Urban Water Supply & Drainage Board (KUWS&DB), Karwar

Proposal No. FP/KA/WATER/27276/2017

- Ref:**
1. Online FC application dated 09-08-2019 (resubmitted) by Assistant Executive Engineer, KUWSD&B, Karwar and uploading of Acknowledgement online on 23-08-2019 for having delivered the hard copies of proposal to jurisdictional Deputy Conservator of Forests & Deputy Commissioner
 2. This office online communication dated 23-08-2019 to Deputy Conservator(s) of Forests, Honnavar and Karwar Division(s) for further processing of the proposal
 3. Online submission of PART-II on 06-11-2019 by Deputy Conservator of Forests, Karwar Division r/w online reply dated 22-10-2019 by User Agency to EDS Query [Letter No. B4/GFL/FCA/CR-13/2018-19 dated 19-10-2019 & 30-12-2019]
 4. Online submission of PART-II on 07-11-2019 by Deputy Conservator of Forests, Honnavar Division r/w online reply dated 01-01-2020 to EDS query [Letter No. B2/GFL/FCA/CR-

13/2019-20 dated 25-10-2019]

5. Online submission of PART-III on 08-11-2019 by the Chief Conservator of Forests, Kanara Circle r/w online reply dated 01-01-2020 to EDS query of Nodal Officer [Letter No.

B2/GFL/CR- 24/2019-20/3083 dated 07-11-2019]

1. The Assistant Executive Engineer, Karnataka Urban Water Supply & Drainage Board (KUWS&DB), Karwar, duly authorized by Executive Engineer, Karnataka Urban Water Supply & Drainage Board (KUWS&DB), Karwar [USER AGENCY] has (re)submitted an online proposal in FORM-A (PART-I) on 09-08-2019 seeking approval under Section 2 of the Forest (Conservation) Act, 1980, for diversion of 34.98 hectare of forest land in Agasur, Heggarmakkigadde & Kavalahalli villages of Kasaba Hobli, Ankola Taluk and in Gundabala and Hillur Villages of Balale Hobli, Honnavar Taluk, all in Uttara Kannada District (Karwar & Honnavar Forest Divisions) for construction of Vented barrage across the river Gangavali at Honnali to supply additional drinking water to towns of Karwar & Ankola towns, en-route villages and Project Sea Bird. The same was accepted by Nodal Officer (FCA) for further processing. After receiving the Acknowledgement online from the User Agency for having delivered the hard copies of the proposal to the jurisdictional Deputy Conservator(s) of Forests & Deputy Commissioner on 23-08-2019, the Online link was forwarded to the Deputy Conservator(s) of Forests, Karwar & Honnavar Divisions for field verification and further processing.

2. **Location details and Component wise break up:** Location details of the forest land proposed for diversion are given below.

District	Forest Division	Taluk	Hobli	Village		Sy No.	Forest extent proposed for diversion (ha)	Legal status of land	
Uttara Kannada	Karwar	Ankola	Ankola	1	Agasur	62	8.35	Reserved Forest	
						69	5.3		
				2	Heggaramaakkigadde	40	0.42		
			3	Kavalahalli	13	10.01			
	Honnavar	Honnavar	Balale	4	Gundabala	98	6.39		
						91	0.97		
				5	Hillur	37	0.54		
						7			
						32	2.85		
					35	0.15			
Total							34.98		

Component wise breakup of the forest land proposed for diversion is given below.

Name of Project Component		Forest Land requirement (ha)
1	Left Bank Abutment	0.68
2	Left Bank Submergence area	10.23
3	Approach road	0.61
4	Right Bank Abutment	0.68
5	Right Bank Submergence area	22.74
6	Storage shed	0.04
Total		34.98

3. **DCF, Karwar Division Report:** The Deputy Conservator of Forests, Karwar Division has inspected the site on 21-09-2019 and has vide Ref (3) submitted the Site Inspection Report along with details of the site in PART-II of the proposal to Chief Conservator of Forests, Kanara Circle. Main features of the forest land proposed for diversion as per DCF Karwar report r/w reports of CCF Kanara Circle and that of ICT Centre of Forest Department are as follows.

- a. The forest land proposed for diversion is along the water course and is liable to soil erosion. The User Agency is required to undertake necessary slope correction measures to minimize soil erosion.
- b. The forest land proposed for diversion is in general landscape of Eco-class I (Tropical Wet Evergreen Forests/ Tropical Semi Evergreen Forests/ Topical Moist Deciduous Forests) with >0.6 Canopy Density (Very Dense Forest). [Note: The entry made in Item 4(i) of PART-II may be read accordingly.]
- c. As per Item 4(ii) of PART-II, there are 7128 trees on the forest land proposed for diversion. Major tree species include *Terminalia arjuna*, *Hopea parviflora*, *Bauhinia parviflora*, *Syzigium cumini*, *Calophyllum inophyllum*, *Lagerstroemia parviflora*, *Barringtonia acutangula*, *Caryota urens*, *Semecarpus anacardium*, *Madhuka indica*, *Xylia xylocarpa*, *Mangifera indica*, *Pongamia pinnata*, *Terminalia paniculata*, *Terminalia tomentosa*, *Garcinia indica*, *Schelcheria oleosa*, *Tectona grandis*, *Michelia champaka* and various other jungle wood species.
- d. Major wild animals found in and around the project area include Tiger, Leopard (including Black panther), Sambar, Spotted deer, Barking deer, Mouse deer, Gaur, Wild dog, Civet cat, Palm civet, Hare, Python, Russell's viper, King cobra, Hornbills, among others. [Note: The entry made in Item 8(i) of PART-II may be ignored.]
- e. There are rare / endangered / unique species of flora and fauna reported in the forest area proposed for diversion. The list of such species is uploaded in Additional Information details Item of PART-II of the proposal.

- f. The forest land proposed for diversion does not form part of any National Park/ Wildlife Sanctuary/ Biosphere Reserve/ Tiger Reserve/ Elephant Corridor/ Wildlife Migration Corridor.
 - g. The forest land proposed for diversion is not located within Eco-Sensitive Zone (ESZ) of any Protected Area notified under Wildlife (Protection) Act, 1972.
 - h. There are no National Park/ Wildlife Sanctuary/ Biosphere Reserve/ Tiger Reserve/ Elephant Corridor/ Wildlife Migration Corridor within one kilometer from the boundary of the forest land proposed for diversion.
 - i. There are no Protected/ Archeological/ Heritage Sites/ Defence establishments located in the proposed area.
 - j. The forest area proposed for diversion is the bare minimum and unavoidable.
 - k. There is no violation reported under Forest (Conservation) Act, 1980.
4. **DCF, Honnavar Division Report:** The Deputy Conservator of Forests, Honnavar Division has inspected the site on 01-10-2019 and has vide Ref (3) submitted the Site Inspection Report along with details of the site in PART-II of the proposal to Chief Conservator of Forests, Kanara Circle. Main features of the forest land proposed for diversion as per DCF Honnavar report r/w reports of CCF Kanara Circle and that of ICT Centre of Forest Department are as follows.
- a. The forest land proposed for diversion is along the water course and is liable to soil erosion. The User Agency is required to undertake necessary erosion control measures to minimize soil erosion.
 - b. The forest land proposed for diversion is in general landscape of Eco-class I (Tropical Wet Evergreen Forests/ Tropical Semi Evergreen Forests/ Topical Moist Deciduous Forests) with >0.6 Canopy Density (Very Dense Forest).
[Note: The entry made in Item 4(i) of PART-II may be read accordingly.]
 - c. As per Item 4(ii) of PART-II, there are 792 trees on the forest land proposed for diversion. Major tree species include *Terminalia arjuna*, *Mangifera indica*, *Terminalia paniculata*, *Madhuka indica*, *Anthocephalus cadamba*, *Syzigium cumini*, *Pongamia pinnata*, *Wrightia tinctoria*, *Saraca asoca* among various other jungle wood species.
 - d. Major wild animals found in and around the project area include Tiger, Leopard (including Black panther), Sambar, Spotted deer, Barking deer, Mouse deer, Gaur, Wild dog, Civet cat, Palm civet, Hare, Python, Russell's viper, King cobra, Hornbills, among others. [Note: The entry made in Item 8(i) of PART-II may be ignored.]

- e. There are rare / endangered / unique species of flora and fauna reported in the forest area proposed for diversion.
 - f. The forest land proposed for diversion does not form part of any National Park/ Wildlife Sanctuary/ Biosphere Reserve/ Tiger Reserve/ Elephant Corridor/ Wildlife Migration Corridor.
 - g. The forest land proposed for diversion is not located within Eco-Sensitive Zone (ESZ) of any Protected Area notified under Wildlife (Protection) Act, 1972.
 - h. There are no National Park/ Wildlife Sanctuary/ Biosphere Reserve/ Tiger Reserve/ Elephant Corridor/ Wildlife Migration Corridor within one kilometer from the boundary of the forest land proposed for diversion.
 - i. There are no Protected/ Archeological/ Heritage Sites/ Defence establishments located in the proposed area.
 - j. The forest area proposed for diversion is the bare minimum and unavoidable.
 - k. There is no violation reported under Forest (Conservation) Act, 1980.
5. **CCF, Kanara Circle Report:** The Chief Conservator of Forests, Kanara Circle, Sirsi has inspected the proposed area personally on 07-11-2019 and, vide Ref (5) has submitted the Site Inspection Report in PART-III online. Agreeing with the recommendation made by the Deputy Conservator(s) of Forests, Karwar and Honnavar Division(s) and Conservator of Forests & Director, Kali Tiger Reserve, Dandeli, the Chief Conservator of Forests, Kanara Circle has also recommended the proposal.
6. **Net Present Value (NPV):** The User Agency is required to pay the Net Present Value (NPV) of forest land proposed for diversion as per Para 3.1 to 3.4 of the FC Guidelines communicated by Government of India, Ministry of Environment, Forests and Climate Change, New Delhi vide letter F.No. 5-2/2017-FC dated 28-03-2019. **The User Agency has submitted an Undertaking dated 13-05-2019 to pay the charges towards Net Present Value (NPV) of the forest land proposed for diversion.**
7. **Compensatory Afforestation (CA):** The User Agency is required to provide an equivalent extent of suitable non-forest land for Compensatory Afforestation purpose in accordance with FC guidelines. Accordingly, the User Agency has proposed the following non-forest lands in Devakara village of Karwar Taluk for the Compensatory Afforestation purpose.

District, Taluk, Hobli	Village	Sy No.	Extent (ha)
Uttara Kannada District, Karwar Taluk, Fadasaya Hobli	Devakara	14	3.25
		15	5.99
		28	4.15
		31	0.56

	32	2.1
	38	0.73
	39	4.81
	40	5.04
	41	3.03
	45	5.18
	108	0.63
	109	0.89
Total		36.36

The Deputy Commissioner, Uttara Kannada District vide letter No. kamsha/aranya/viva/1/2019-20 dated 13-06-2019 addressed to Deputy Conservators, Forests Karwar and Honnavar Divisions has stated that an extent of 87-20-0 acre-gunte-aane private land in Devakar village has already been transferred to forest department and may be considered for CA purpose in connection with the present FC proposal. The details of above lands in the form of KML file, Topo map, Geo-referenced map along with GPS readings, CA land Suitability Certificate dated 30-12-2019 and also the CA Scheme have already been uploaded online in PART-I and PART-II of the proposal. The hard copies of the same are enclosed herewith. Further, **the User Agency has furnished an 'Undertaking' to pay Compensatory Afforestation (CA) charges.**

8. **Status of RoFR compliance:** With regard to compliance of the provisions of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forests Rights) Act 2006 and Rules 2008, the User Agency has not furnished the requisite **Certificate in FORM-II (for Non-linear/Hybrid projects)** issued by the jurisdictional Deputy Commissioner as per Annexure II of the FC Guidelines communicated by Government of India, Ministry of Environment, Forests and Climate Change, New Delhi vide F.No. 5-2/2017-FC dated 28-03-2019. Accordingly, **the User Agency is being informed once again to obtain the required RoFR certificate and submit a copy.**

Under the above circumstances and agreeing with recommendation of the field officers, it is requested to move the proposal with the Government of India, Ministry of Environment, Forests and Climate Change, Regional Office (Southern Zone), Bengaluru for diversion of 34.98 hectare of forest land in Agasur, Heggarmakkigadde & Kavalahalli villages of Kasaba Hobli, Ankola Taluk and in Gundabala and Hillur Villages of Balale Hobli, Honnavar Taluk, all in Uttara Kannada District (Karwar & Honnavar Forest Divisions) for construction of Vented barrage across the river Gangavali at Honnali to supply additional drinking water to towns of Karwar & Ankola towns, en-route villages and Project Sea Bird in favour of Executive Engineer, Karnataka Urban Water Supply & Drainage Board (KUWS&DB), Karwar for a period of Thirty (30) years and subject to production of RoFR certificate in FORM (II)

(for Non-linear/ Hybrid projects) and further subject to the conditions appended in Annexure 'A'.

The hard copy of the proposal along with the relevant documents in 3 sets is submitted herewith for further needful. The present status of the proposal obtained from the web-portal is also appended for necessary action.

Yours Faithfully



(Punati Sridhar, I.F.S.)

Principal Chief Conservator of Forests
(Head of Forest Force)

Copy to the:

1. Chief Conservator of Forests, Kanara Circle, Sirsi for information.
2. Deputy Commissioner, Uttara Kannada District, Karwar for information and with a request to issue ROFR certificate in FORM-II (for Non-linear/ Hybrid projects) as per above mentioned FC Guidelines. Copy of the format is enclosed.
3. Deputy Conservator of Forests, Honnavar Division for information.
4. Deputy Conservator of Forests, Karwar Division for information.
5. Executive Engineer, Karnataka Urban Water Supply & Drainage Board (KUWS&DB), Karwar, Uttar Kannada District for information and with a request to obtain the requisite **Certificate in FORM-II (for Non-linear/Hybrid projects)** issued by the jurisdictional Deputy Commissioner as per Annexure II of the FC Guidelines communicated by Government of India, Ministry of Environment, Forests and Climate Change, New Delhi vide F.No. 5-2/2017-FC dated 28-03-2019. Copy of the format is enclosed.
6. Assistant Executive Engineer, KUWSD&B, Kajubag, Karwar, Uttar Kannada District, for information.

o/c
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ದಿನಾಂಕ 18-1-2020

ANNEXURE 'A'

1. The legal status of forest land shall remain unchanged and it shall continue to be the forest land.
2. The User Agency shall pay the applicable Net Present Value (NPV), Compensatory Afforestation (CA) charges, cost of extraction of trees (if required in future), land lease rent and any other levies as per the conditions of approval.
3. The User Agency shall demarcate the lease area in the manner specified at the time of approval at its own cost.
4. The lessee shall not sub-lease, mortgage & hypothecate the forest area.
5. The leased out area should be used for the purpose for which it is granted. In case, the land is not used for the stipulated purpose within two years or when it is no longer needed for the stipulated purpose, the area would stand resumed to the Forest Department.
6. Soil erosion control measures will be undertaken by the User Agency in consultation with the jurisdictional Deputy Conservator(s) of Forests.
7. The application for renewal of the lease in the prescribed form and manner shall be submitted at least six months prior to the expiry of forest lease. In case, no renewal is sought, the Lessee shall hand over the lease.
8. No residential or commercial buildings shall be permitted in the forest area proposed for diversion.
9. No crushing / breaking of stones or labour camp shall be allowed inside forest area and all waste / debris generated shall be scientifically disposed off outside the forest area.
10. Any damage to forest area because of implementation of the project shall be compensated by the Lessee. The extent of damage shall be assessed by the jurisdictional Deputy Conservator of Forests/ Conservator of Forests/ Chief Conservator of Forests.
11. The Lessee shall ensure that no avoidable harm is caused to the fauna and flora in and around the proposed area.
12. No change in Land Use Plan shall be done unless prior approval of Government of India under FC Act is obtained.
13. In case, any violation of the provisions of the Karnataka Forest Act, 1963 & Rules, 1969 or other relevant Acts/Rules is reported during the lease period, the lease will be liable for forfeiture under Section 82 of Karnataka Forest Act, 1963. The Chief Conservator of Forests and/or Deputy Conservator of Forests concerned are authorized to take necessary action in this regard.
14. The approval under the Forest (Conservation) Act, 1980 is subject to any other clearances necessary under the prevailing statutes.
15. The User Agency shall also abide by other conditions those may be imposed by the Government of India, Government of Karnataka and Principal Chief Conservator of Forests (Head of Forest Force) before or after the approval.


(Punati Sridhar, I.F.S.)

Principal Chief Conservator of Forests
(Head of Forest Force)

PART – IV

(To be filled in by the Nodal Officer or Principal Chief Conservator of Forests or Head of Forest Department)

<p>Detailed opinion & specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks.</p> <p>(While giving opinion, the adverse comments made by concerned Conservator of Forests or Deputy Conservator of Forests should be categorically reviewed and critically commented upon).</p>	<p>Recommended for for diversion of 34.98 hectare of forest land in Agasur, Heggarmakkigadde & Kavalahalli villages of Kasaba Hobli, Ankola Taluk and in Gundabala and Hillur Villages of Balale Hobli, Honnavar Taluk, all in Uttara Kannada District (Karwar & Honnavar Forest Divisions) for construction of Vented barrage across the river Gangavali at Honnali to supply additional drinking water to towns of Karwar & Ankola towns, en-route villages and Project Sea Bird in favour of Executive Engineer, Karnataka Urban Water Supply & Drainage Board (KUWS&DB), Karwar for a period of Thirty (30) years and subject to production of RoFR certificate in FORM (II) (for Non-linear/ Hybrid projects) and further subject to the conditions appended in Annexure 'A'.</p> <p>Proposal No. FP/KA/WATER/27276/2017</p>
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Signature:

Name:

Designation:


(Rajiv Ranjan, IFS)

*Addl. Principal Chief Conservator of Forests
(Forest Conservation) and Nodal Officer (FCA)*

Signature:

Name:

Designation:


(Punati Sridhar, IFS)

*Principal Chief Conservator of Forests
(Head of Forest Force)*

N.D.O. No. 28/2019-20

Dated 18/01/2020

Vented barrage gangavalli

(Official Seal)

