

PREPARATION OF SUMMARY PROJECT REPORTS- LOW RISK PROJECTS

- 1) Each proponent undertaking a low-risk project specified in the Second Schedule to the Act, shall submit to the Authority a summary project report.
- 2) The summary project report submitted under sub-regulation (1) shall state the likely environmental effects of the project and contain the following information –
 - a) the nature of the project and, where relevant, supported by designs and plans drawn to scale and signed by a practicing architect or an engineer;
 - b) the location of the project;
 - c) proof of land ownership where the project is intended to be undertaken;
 - d) description of the surrounding environment;
 - e) availability of supportive environmental protection infrastructure;
 - f) whether the project conforms to existing land use or zonation framework;
 - g) identification and analysis of potential environmental and social impacts of each project phase including planning, construction, operation and decommissioning;
 - h) mitigation measures for potential adverse environmental and social impacts;
 - i) environmental management plan for the project lifecycle; and
 - j) evidence of public consultation with persons likely to be affected by the project and key stakeholders consisting of but not limited to –
 - i- duly filled and signed questionnaires;
 - ii- key informant interview report(s); and/or
 - iii- minutes of consultation meetings with signed attendance lists.

COMPREHENSIVE PROJECT REPORTS- MEDIUM RISK PROJECTS

- 1) A comprehensive project report shall contain the following information –
 - a) the nature of the project;
 - b) the location of the project including the GPS co-ordinates and the physical area that may be affected by the project's activities;

- c) proof of land ownership where the project is intended to be undertaken;
- d) the activities that shall be undertaken during the project construction, operation and decommissioning phases;
- e) a description of relevant legislative and regulatory frameworks relating to environment and socio-economic matters;
- f) The preliminary design of the project;
- g) the materials to be used, products and by-products, including waste, anticipated to be generated by the project and the methods of disposal;
- h) the potential adverse environmental and social impacts of the project and mitigation measures to be taken during and after implementation of the project;
- i) analysis of alternatives including project site, design, technologies and processes, and reasons for preferring the proposed site, design, technologies and processes over the alternatives;
- j) an action plan for the prevention and management of accidents during the project cycle;
- k) a plan to ensure the health and safety of workers and neighboring communities;
- l) The economic and socio-cultural impacts of the project on the local community and the country;
- m) a plan for the relocation or resettlement of persons affected by the project;
- n) a communication plan to ensure inclusive participation during assessment containing a summary of the issues discussed at the public participation forums;
- o) an environmental and social management plan;
- p) the integration of climate risk vulnerability assessment, relevant adaptation and mitigation actions; and
- q) the project cost.

- 2) In preparing a comprehensive project report, the proponent shall hold at least two public meetings with the persons likely to be affected by the project –
 - a) to explain the project, its social, economic and environmental impacts; and
 - b) to receive oral or written comments on the proposed project.
- 3) The proponent shall attach evidence of the public meetings held under sub-regulation (3) in the comprehensive project report through signed attendance register, minutes and photographs.
- 4) In publishing a public meeting, a project proponent shall
 - a) put up a meeting notice in a visible place within the project site through posters;
 - b) send invitation letters to persons likely to be affected by the project through the local public administration officials and residents' association at least seven days before the meeting informing them of the date, time, venue and purpose of the meeting.
- 5) The proponent shall attach a copy of the notice under sub-regulation (5) to the comprehensive project report.
- 6) A comprehensive project report shall be prepared by a registered environmental assessment expert.

ENVIRONMENTAL IMPACT ASSESSMENT STUDIES-HIGH RISK PROJECTS

Scoping of proposed projects for environmental impact assessment studies

- 1) The proponent of a project classified as high risk under the second schedule of the Act shall engage a firm or lead environmental assessment expert to undertake a scoping study and develop terms of reference for approval by the Authority prior to commencement of the environmental impact assessment study.
- 2) scoping study undertaken under sub-regulation (1) shall address the environmental, social, cultural and economic aspects of the proposed project and, in particular –
 - a) describe the proposed project and its objectives;

- b) provide a brief description of the environmental characteristics of the project area;
 - c) identify the range of issues to be addressed in the environmental assessment study;
 - d) provide a brief of the relevant policy, legislative and regulatory framework;
 - e) determine the relevance of integration of climate risks, vulnerability assessment, adaptation and mitigation actions;
 - f) identify anticipated significant impacts and issues that would need detailed study and reasons thereof;
 - g) identify study issues that are not significant or very well understood and justifications thereof;
 - h) describe the scope of the environmental impact assessment study in terms of geographical extent, baseline environmental, climate and social information;
 - i) outline how the environmental assessment study will be conducted, the disciplines and expertise to be involved together with the evidence of qualifications, and the implementation schedule of the study;
 - j) provide the profile and evidence of experience in similar assignments for the team of experts or the firm of experts;
 - k) provide a communication plan that ensures inclusive participation during the environmental assessment study;
 - l) determine the requirements for the collection of baseline and other relevant information; and
 - m) provide the terms of reference for the environmental assessment study as approved by the Authority.
- 3) Any proponent intending to undertake a high-risk project specified in the Second Schedule to the Act shall cause to be undertaken an environmental assessment study.

- 4) Any proponent of a medium risk project whose comprehensive project report has been upgraded to an environmental impact assessment study under these regulations shall undertake an environmental impact assessment study.

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- 5) Teams of experts to undertake environmental assessment studies (1) A proponent shall, upon approval of the scoping report and the terms of reference, constitute a multi-disciplinary team of environmental assessment experts to undertake the environmental assessment study
- 6) Every team of environmental assessment experts shall be supervised by a lead environmental assessment expert registered under these Regulations.
- 7) A person undertaking an environmental assessment study shall comply with the code of practice and professional ethics set out in the Third Schedule.

Environmental assessment study reports

An environmental assessment study report prepared under these Regulations shall consider environmental, social, cultural, economic, legal, safety and health considerations and, in particular –

- a) provide the socio-economic and environmental baseline characteristics of the area likely to be affected by the project;
- b) identify and predict the anticipated environmental, social, climate risks, climate vulnerability and impacts of the project;
- c) identify and analyse at least three alternatives to the proposed project, which are the proposed project, the no-project option and one other project alternative;
- d) propose mitigation measures to be taken during and after the implementation of the project; and

Public participation- EIA study

- 1) When undertaking an environmental assessment study, the proponent shall seek the views of persons who may be affected by the project by –

- a- holding at least two public consultation meetings with the persons likely to be affected by the project at a venue that is convenient and accessible, and held in a language understandable by the stakeholders for the purpose of explaining the project and its impacts and to receive oral or written comments;
- b- ensuring that appropriate notices indicating the dates, times and venues of public consultation meetings are publicized in communities likely to be affected by the project and any other concerned parties at least seven days before the date of the meetings;
- c- posting posters in strategic public places and in the vicinity of the site of the proposed project setting out key information about the project; and
- d- develop an environmental, social and climate risk management plan with mechanisms for monitoring and evaluating the compliance and environmental performance.
- e- ensuring that evidence of the public consultation meetings is annexed to the environmental assessment study report including duly signed minutes, attendance lists and photographs thereof.

Contents of environmental assessment study reports

- 1) A proponent shall submit to the Authority an environmental assessment study report which shall include the following information –
 - a- the nature of the project;
 - b- the methodology of undertaking the environmental assessment study including implementation of a stakeholder engagement plan;
 - c- the proposed location of the project and the GPS co-ordinates thereof;
 - d- where applicable, proof of land ownership where the project is intended to be undertaken;
 - e- a description of the relevant applicable legislative and regulatory frameworks on the environment and socio-economic matters;

- f- baseline information including environmental and socio-economic data and any other relevant information related to the project;
 - g- the objectives of the project;
 - h- the technology, procedures and processes to be used in the implementation of the project;
 - i- the materials to be used in any construction and implementation of the project;
 - j- the products, by-products and waste anticipated to be generated by the project;
 - k- a description of the environment likely to be affected by the project;
 - l- a summary of the issues discussed at public participation forums with supporting documents;
 - m- the environmental impact analysis of the project including direct, indirect, cumulative, irreversible, short-term and long-term impacts, and social analysis, economic analysis and cultural analysis;
 - n- a description of the integration of climate change vulnerability assessment, adaptation and mitigation actions in the project;
 - o- analysis of alternatives including project site, design, technologies and processes and reasons for preferring the proposed site, design, technologies and processes;
 - p- an environmental management plan for eliminating, minimizing or mitigating adverse impacts on the environment specifying the cost, time frame and responsibility for implementing the plan;
 - q- a description of knowledge gaps and uncertainties were encountered during the conduct of the environmental assessment study;
 - r- a statement on whether or not the project is likely to affect the environment in any other country, available alternatives and mitigation measures; and
 - s- such other information as the Authority may require.
- 2) The environmental assessment study report shall –
- a- be accompanied by a non-technical executive summary outlining an overview of the project, the key findings, conclusions and recommendations of the study; and

- b- shall be signed by the proponent, the lead environmental assessment expert and the other environmental assessment experts involved in its preparation.

Public notice on environmental assessment report

- 1) The Authority shall, within five days after receiving the integrated environmental assessment study report, publish a notice in Form 7 as set out in the First Schedule inviting the public to make written comments on the report.
- 2) The Authority shall approve, at the expense of the proponent –
 - a- publish the notice under sub-regulation (1) in the Gazette and in at least two newspapers with a nationwide circulation; and
 - b- air at least two announcements of the notice through a radio station broadcasting widely in the area where the proposed project is intended to be undertaken.