



Puntland Government of Somalia
Ministry of Environment Wildlife and Tourism

ENVIRONMENTAL IMPACT ASSESSMENT
REGULATION
2016

Final Draft Approved by the Cabinet and Parliament of Puntland Government.

DAWLADDA PUNTLAND
EE SOOMAALIYA



ولاية بونت لاند الصومال

**XEERKA SAHMINTA SAAMAYNTA
DEEGAANKA PUNTLAND**

Garoowe, December/2016

DAWLADDA PUNTLAND
EE SOOMAALIYA
GOLAHA WAKIILADA



ولاية بونت لاند الصومال

مجلس النواب

Xafiiska Guddoomiyaha
Office of the Speaker

Ref:- XGGW/DPL/ 97 /2016 Garoowe, Sabti Date:- 24/ 12 /2016

Garoowe

Ku:- Madaxweynaha DPL

Ujeedo:- Ansixinta Xeerka Sahaminta Saamaynta Deegaanka Puntland

Guddoomiyaha Golaha Wakiilladu:-

MARKUU ARKAY:

Dastuurka Dawladda Puntland Qodobkiisa 64-aad

MARKUU ARKAY:

Soo gudbinta Madaxweynaha Ref:
MW/DPS/182/2016 ee June.20/2016 kuna saabsan
Xeerka Sahaminta Saamaynta Deegaanka Puntland

MARKUU TIXELIYEY:

Baahida loo qabo Ansixinta Xeerka Sahaminta
Saamaynta Deegaanka Puntland.

MARKUU ARKAY:

Doodii iyo Go'aankii Golaha Wakiilladu ku ansixiyeey
kalfadhigii 38-aad fadhiga 13-aad ee 04 /12 /2016
Ansixinta Xeerka Sahaminta Saamaynta Deegaanka ee
Puntland

Wuxuu Guddoomiyey:

Ansixinta Xeerka Sahaminta Saamaynta Deegaanka Puntland

Allaa Mahad Leh

Md. Axmed Cali Xaashi

Guddoomiyaha Golaha Wakiillada DPL..



Phone: 90 7799977, Email: hashi7999@gmail.com, puntlandparliament@gmail.com

Page 1

ARRANGEMENT OF THE REGULATION

- 1. Short Title**
- 2. Interpretation**
- 3. Criteria for Environmental Impact Assessment**
- 4. Environmental Impact Assessment Unit**
- 5. Licensing and Invalidating the Right to conduct Environmental Impact Assessment**
- 6. Classification of Projects**
- 7. Conducting Environmental Impact Assessment**
- 8. Minimum Contents of Environmental Impact Assessment**
- 9. Submission of Project Reports and the Approval process.**
- 10. Transfer of EIA License**
- 11. Cancellation or Suspension of EIA Licence**
- 12. Appeals**
- 13. Project Amendment and Expansion**
- 14. Community Participation**
- 15. Environmental Audits**
- 16. Public hearings**
- 17. Compensation for Damage**
- 18. Instructions**
- 19. Offenses and Penalties**
- 20. Abrogation**
- 21. SCHEDULE (1) : Classification of projects based on likely significance of adverse environmental impacts**
- 22. SCHEDULE (2): Scope and content of EIA report**

1. Short title

This regulation may be cited as "Puntland Environmental Impact Assessment Regulation, 2015" and shall be effective on the day it is published in the Puntland Official Gazette.

2. Interpretation

- In this regulation -

“Developer” means any person who:

(a) carries out or proposes to carry out an undertaking; or

(b) is the owner or person having charge, management or control of an undertaking ;

“Environmental Approval” means the approval given to the owner of the Project to initiate the implementation of his Project based on the provisions of this regulation.

Environmental Audits means the systematic, documented, periodic and objective evaluation intended to identify environmental compliance and management system implementation gaps, along with related corrective actions.

“Environmental Impact Assessment” means a systematic examination conducted to determine whether or not a project will have any adverse impact on the environment;

“Environmental Impact Assessment Report” means the Report submitted by the Project Owner, prepared according to the provisions of this regulation;

“lead agency” means any Government ministry, department, parastatal, state corporation or local authority, in which any law vests functions of control or management of any element of the environment;

“Director General” means Director General of Ministry of Environment, Wildlife and Tourism;

“Ministry” means Ministry of Environment, Wildlife and Tourism;

“Undertaking” means any enterprise, activity, project, structure, work, policy, proposal, plan or program that may, in the opinion of the Committee, have a significant environmental impact, and includes a modification, an extension, an abandonment, a demolition and a rehabilitation thereof.

3. Criteria for Environmental Impact Assessment

- (a) All undertakings, projects or activities specified in schedule **(1)** shall require environmental impact assessment, the scope and extent of the environmental impact assessment report shall be as specified in schedule **(2)**.
- (b) The **Ministry** has the right to compel the developer of the project to conduct an environmental impact assessment study for a project not mentioned in the schedules mentioned in subsection (a) of this article if deemed necessary depending of the nature or location of the project, or its anticipated impact.
- (c) Schedules **(1)** and **(2)** attached to this regulation shall be considered as inseparable part of this regulation.

4. Environmental Impact Assessment unit

- (1)** A technical team, known as the "**Environmental Impact Assessment unit**" shall be established at the Ministry, headed by a Director of EIA and comprising a team of qualified and with specialized training in Environmental Impact Assessment whose functions shall be :
 - a. Receive, process and safeguard all documents related to EAI that are submitted to the Ministry
 - b. Review and recommend to Director General
 - i. whether an approval should be given to a proposed development on the basis of the report and other information and material submitted in accordance with these regulations; and
 - ii. whether certain conditions to be attached to any approval; and
 - iii. The means by which the recommended conditions can be best implemented and enforced.
 - c. Recommend to the Ministry that a proposed major project be objected to commence or continue due to the unacceptable environmental impacts of the potential or existing project.

- d. Set environmental standards, and guidelines, which are to be made pursuant to the provisions of this regulation .
- e. Monitor and inspect the compliance or otherwise of environmental impact assessment;
- f. identify projects and programmes or types of projects and programmes, for which environmental audit or environmental monitoring must be conducted under this regulation
- g. Advise the Ministry of circumstances where public hearing is desirable or necessary;
- h. Appoint an independent arbitrator to moderate the public hearing and report to the Director General.

5. Licensing and invalidating the right to conduct Environmental Impact Assessment

- (1) Every public or private entity who is qualified and interested in conducting environmental impact assessment shall submit an application to the ministry's Environmental Impact Assessment unit to obtain licensing to conduct Environmental Impact Assessment.
- (2) The following documents shall accompany the application for obtaining the right to conduct Environmental impact assessment :
 - a. Submitting institutional profile demonstrating :
 - i. Their capacity
 - ii. The qualifications of the proposed experts ;
 - iii. Legal status
- (3) Upon the receipt of the application, the Environmental Impact Assessment unit shall assess whether the prescribed documents have been submitted along with it.
- (4) When the documents accompanying the application referred to in subsection (1) of this Article are complete and meet minimum qualifications as specified in subsection (2), the applicant should obtain a license for conducting environmental impact assessment.

(5) When the documents accompanying the application referred to in subsection (1) of this Article are incomplete, the Environmental Impact Assessment unit shall request additional information and documents.

(6) Should the applicant fail to submit the additional data, information and documentation within the set period, the Environmental Impact Assessment unit shall deem the application as not meeting the minimum requirements.

(7) All EIA experts must pay for a registration and an annual practicing fee as per rates shown below.

	a) Application fee for registration as Environmental Impact Assessment expert	
	Citizen	Non-citizen
(i) Individual Expert.....	\$50	\$100
(ii) Firm of Experts.....	\$.70	\$180
	b) Annual License fee to practice as Environmental Impact Assessment expert.	
	Citizen	Non-citizen
(i) Individual Expert.....	\$60	\$200
(ii) Firm of Experts.....	\$200	\$600

6. Classification of Projects

The project shall be classified as per the decision of the Ministry issued based on the recommendations of the Unit as follows:

1. **Category A:** includes projects mentioned in schedule (1, a) of this regulation and which require conducting a comprehensive environmental impact assessment.
2. **Second Category B:** includes the projects specified in schedule (1, b) of this regulation and which require a preliminary environmental impact assessment, based on which the need to conduct a comprehensive environmental impact assessment will be determined.

7. Conducting Environmental Impact Assessment

- 1) If the project is classified in the first Category A, the committee shall request the Project developer to conduct a comprehensive environmental impact assessment

to the project, bearing in mind the criteria stipulated in schedule (1, a) of this regulation.

- 2) For the projects under Category B, the Committee shall inform the project developer the need to conduct preliminary environmental impact assessment study as specified in schedule (1, b).

8. Minimum Contents of Environmental Impact Assessment

- (1) An EIA shall fulfill requirements specified in schedule (2).
- (2) Where the environmental impact assessment is deficient in any respect, the Director General may on the recommendation of the Environmental Impact Assessment unit require the developer to :
 - i. Conduct further work or studies;
 - ii. Supply information;
 - iii. Amend the environmental impact assessment accordingly ; and
 - iv. Re-submit the environmental impact assessment by a later mutually agreeable date

9. Submission of Project Reports and the Approval process.

1. The fee for submission and processing of an EIA report is **1% of the total** implementation cost of the project.
2. Developers shall submit at least seven copies of the project report to the Environmental impact assessment unit of Ministry in the prescribed form accompanied by the prescribed fees.
3. If necessary, the Director General shall within seven days upon receipt of the project report, submit a copy of the project report to;
 - (a) The relevant government line ministry for their written comments;
 - (b) The relevant District Pastoral Association (DPA) in the area; and
 - (c) The relevant Governor or Mayor of that region or District for their written comments.
4. All comments shall be submitted to the Director General's office within **14 days** from the date of receipt of the project report.
5. If the EIA document fulfills all the requirements as specified in article (9), the Director General shall issue its decision within 30 days from the date the report

was received. The Director General shall on the advice of the Environmental Impact Assessment unit **either**:

- (a) Approve the document and issue an EIA license to the developer;
- (b) Approve the document and issue an EIA license to the developer; upon receipt of a written commitment from the developer on compliance with the approval conditions
- (c) Object to the approval of the project if it is demonstrated that its implementation is likely to cause significant environmental impact and that the plan for mitigating adverse impacts is inadequate to deal with that.

10. Transfer of EIA License

1) The holder of an environmental impact assessment licence may, on payment of **USD100**, transfer the licence to another person only in respect of the project to which such licence was issued.

(2) The transferee as well as the transferor of a licence under this regulation shall be liable for all liabilities, and the observance of all obligations imposed by the transfer in respect of the licence transferred, but the transferor shall not be responsible for any future liabilities or any obligations so imposed with regard to the licence from the date the transfer is approved.

3) Where an environmental impact assessment licence is to be transferred, the person to whom it is to be transferred and the person transferring it shall jointly notify the Director General of the transfer.

(4) The **Director General** shall issue a certificate of transfer of an environmental impact assessment licence.

(5) Where no joint notification of a transfer is given in accordance with this regulation, the registered holder of the licence shall be deemed to be the owner or

the person having charge, management or control of the project as the case may be.

11. Cancellation or Suspension of EIA Licence.

(1) The **Director General** may on the recommendation of the EIA unit, at any time after it issues a licence;

(a) suspend the licence on such terms and conditions as he/she may deem fit for a period not exceeding twenty-four months; or

(b) Revoke or cancel the licence.

(2) The **Director General** may suspend, revoke or cancel a licence as specified under sub-regulation (1) where-

(a) The licensee contravenes the conditions set out in the licence;

(b) There is a substantial change or modification in the project or in the manner in which the project is being implemented;

(c) The project poses an environmental threat which could not be reasonably foreseen before the licence was issued; or

(d) It is established that the information or data given by the developer in support of his application for an environmental impact assessment licence was false, incorrect or intended to mislead.

12. Appeals

(1) Subject to Article 9, the project developer may object to the Ministry's decision issued regarding the environmental approval of his project, and present this objection to the Ministry within 30 days from the date the project developer is informed of it, and the Director General may appoint a board of independent experts comprising at least 3 members of individuals with the appropriate technical experience to look into the objection submitted by the project developer, and submit its recommendations in this regard.

(2) The Committee's decision issued based on the objection is not considered final and.

- (3) The project developer shall have a right to appeal to a competent law court on the objection ;
- (4) The court's decision shall be considered final.

13. Project amendment and expansion

Making any amendments to a current project, or expanding it, is considered a project by itself, and will be treated as a new project. Therefore, the project developer must undertake all the measures stipulated in this regulation regarding environmental impact assessment.

14. Community Participation

During the course of an environmental impact assessment, the developer shall provide an opportunity for meetings with interested members of the public, especially within or immediately adjacent to the geographical area of the proposed undertaking, in order:

- (i) To provide information concerning the proposed undertaking to the people whose environment may be affected by the undertaking; and
- (ii) To record the concerns of the local community regarding the environmental impact of the proposed undertaking and put in place appropriate mitigating measures.

15. Environmental Audits

- (1) The Ministry through its EIA Unit shall be responsible for carrying out environmental audit of all activities that are likely to have significant effect on the environment and ensure compliance.
- (2) The developer of a project for which an EIA report has been made shall keep accurate records and make annual reports to the ministry describing how far the project conforms in operation with the statements made in the EIA report submitted under section 10 subsection (2).

- (3) The owner of premises or the operator of a project shall take all reasonable measures to mitigate any undesirable effects not contemplated in the EIA report submitted under section 9, subsection (2) and shall prepare and submit an environmental audit report on those measures to the Ministry.

16. Public Hearings

- (1) The Director General, on the recommendation of the Environmental Impact Assessment unit, may require a public hearing in respect of projects under schedule (1, a) that require comprehensive environmental impact assessment study in order to determine. The Director General shall take into account the following factors:
- a. the magnitude and type of the environmental impact, the amount of investment and the nature of the geographical area ;
 - b. the degree of interest in the proposed undertaking, project or activity by all stakeholders and the public as evidenced by the public participation of the proposed undertaking, project or activity;
 - c. The complexity of the problem and the possibility that information presented at a public hearing may assist the developer to comply with its responsibilities regarding the proposed undertaking, project or activity.

17. Compensation for Damages

Where a project causes damage or harm to the environment or to the human, “the polluter-pays principle” shall be applied where the developer shall:

- (a) Pay damage or compensation to the injured person or lost property;
- (b) Clean and restore the environment to its initial status.

18. Offenses and penalties

- (1) Any developer who willfully supplies false and misleading Information on any prescribed form commits an offence.
- (2) Any developer who contravenes the provisions of these Regulations commits an offence, and shall be liable on summary conviction to a fine not exceeding ten thousand dollars but not below one thousand dollars or to imprisonment for a term no exceeding twelve months, or to both such fine and imprisonment.
- (3) A developer commits aggravated offenses in violation of the provisions of this regulation where :
 - (i) The developer commits the offense more than once
 - (ii) The developer caused severe damages to the environment, human or large loss of the biodiversity.

19. Instructions

The **Director General**, upon the recommendation of the **Environmental Impact Assessment Unit**, may issue the necessary instructions to execute the provision of this regulation.

20. Abrogation

This **regulation cancels and annuls any other regulation that contradicts** with its provisions.

SCHEDULE 1: CLASSIFICATION OF PROJECTS BASED ON LIKELY SIGNIFICANCE OF ADVERSE ENVIRONMENTAL IMPACTS

Category A: Large and Medium Scale¹ Projects requiring comprehensive Environmental Impact Assessment

¹ Scale to be determined by MoEWT experts and EIA Licensed experts

1. Rural and Urban Water Supply and Sanitation	<ul style="list-style-type: none"> • Canalisation and flood-relief works • Dams and reservoirs • Wastewater treatment plants • Land drainage
2. Waste Disposal	<ul style="list-style-type: none"> • Waste disposal installations for incineration, chemical treatment or land fill for toxic, hazardous and dangerous wastes • Installations for the disposals in industrial wastes
3. Urban Development	<ul style="list-style-type: none"> • Hospital and educational facilities
4. Transport	<ul style="list-style-type: none"> • Major urban roads • New and upgraded motorways/ express roads • Rural road programmes • Oil and gas pipelines and installations • Rail infrastructure • Elevated and underground railways and suspended lines used mainly for passenger transport • Inland waterways • Airports and airfields
5. Ports and Harbours	<ul style="list-style-type: none"> • Ports, Harbours and Jets • Large scale expansions to existing ports and harbours
6. Energy	<ul style="list-style-type: none"> • Thermal power stations and other combustion installations • Hydroelectric power
7. Agriculture	<ul style="list-style-type: none"> • Land clearing/ conversion to agriculture • Land reclamation
8. Irrigation	<ul style="list-style-type: none"> • Surface-water feed irrigation projects • Ground-water fed irrigation projects

<p>9. Natural conservation</p>	<ul style="list-style-type: none"> • Plantation afforestation/ reforestation • Commercial exploitation of natural fauna and flora; • Introduction of alien or invasive species of fauna and flora into ecosystems.
<p>10. Livestock</p>	<ul style="list-style-type: none"> • Large-scale intensive rearing of livestock
<p>11. Fisheries and Aquaculture</p>	<ul style="list-style-type: none"> • Industrial fisheries
<p>12. Mineral Extraction and Processing</p>	<ul style="list-style-type: none"> • Deep drilling, such as geothermal, oil, and water supplies • Extraction of metallic and energy-producing minerals by open-cast mining • Extraction of coal/ ignite by underground or open-cast mining • Surface industrial installations for extraction of coal, petroleum, natural gas or cores • On-site mineral processing facilities
<p>13. Industry</p>	<ul style="list-style-type: none"> • Industrial estates • Major industrial facilities including the following: <ul style="list-style-type: none"> ○ Oil refineries gasification or liquefaction ○ Installations for production of ferrous and non-ferrous metals, including smelting, refining, drawing, rolling and surface treatment ○ Installations for the extraction and processing of asbestos and cement products ○ Treatment and production of chemicals, including integrated chemical installations ○ Manufacture or transport of pesticides or other hazardous and / or toxic materials
<p>14. Tourism</p>	<ul style="list-style-type: none"> • Coastal development and Tourism sites

15. Resettlement	<ul style="list-style-type: none"> • Resettlement schemes
---------------------	--

Category B: Small scale² Projects requiring preliminary Environmental Analysis

Sectoral Classifications:	
SOCIAL INFRASTRUCTURE AND SERVICES	
1. Rural and Urban Water Supply and Sanitation	<ul style="list-style-type: none"> • Rural water supply and sanitation • Land drainage • Sewerage systems • Installations for the disposal of waste sludge
2. Waste Disposal	<ul style="list-style-type: none"> • Recycling plants • Installations for the disposal of domestic refuse
3. Urban Development	<ul style="list-style-type: none"> • Housing and commercial projects
ECONOMIC INFRASTRUCTURE AND SERVICES	
4. Transport	<ul style="list-style-type: none"> • Upgrading / rehabilitation of major rural roads • Airports
5. Ports and Harbours	<ul style="list-style-type: none"> • Upgrading of port and harbour facilities
6. Energy	<ul style="list-style-type: none"> • Thermal power stations and other combustion installations • Electricity transmission lines • Rural electrification

² Scale to be determined by MoEWT experts and EIA Licensed experts

	<ul style="list-style-type: none"> • Renewable energy • Mini-Hydro
PRODUCTION SECTOR	
7. Agriculture	<ul style="list-style-type: none"> • Widespread introduction of new management practices (e.g. mechanisation, mixed cropping). • Widespread introduction of new crops • Pest control programmes • Widespread introduction of fertilizers • Watershed management and rehabilitation
8. Irrigation	<ul style="list-style-type: none"> • Surface-water fed irrigation projects • Ground-water fed irrigation projects
9. Forestry	<ul style="list-style-type: none"> • Protected forestry reserves • Agro-forestry • Productive forestry reserves
10. Livestock	<ul style="list-style-type: none"> • Intensive rearing of livestock and poultry
11. Fisheries and Aquaculture	<ul style="list-style-type: none"> • Intensive aquaculture • Extensive aquaculture (exceeding 50ha; or exceeding 10ha if affecting mangroves) • Artisanal fisheries • Introduction of new species • Introduction of new harvesting technology
12. Mineral Extraction and Processing	<ul style="list-style-type: none"> • Extraction of aggregate minerals such as marble, sand, gravel, salt, phosphates and potash • Extraction of non-metallic or energy-producing minerals
13. Industry	<ul style="list-style-type: none"> • Agro-industries, including producing of vegetable and animal oils and fats, manufacture, packing and canning of animal, fish and vegetable products, • Manufacture of timber products, pulp, paper and board

	<ul style="list-style-type: none"> • Tannery and leather-dressing factories • Production of chemicals, including pesticides • Industries utilising hazardous materials
14. Tourism	<ul style="list-style-type: none"> • Accommodation • Amenities such as water, energy, sanitation, waste disposals. • Facilities such as beach use, marinas, modification of ports, entertainment complexes • Ecological or cultural-tourism (dependent upon conservation-worthy ecosystems, flora or fauna; or local populations with articular cultural identity)
15. Resettlement	<ul style="list-style-type: none"> • All other settlement schemes

SCHEDULE 2: SCOPE AND CONTENT OF EIA REPORT

Scope of EIA Report

Screening

Screening is the first stage of EIA process. Some type of screening procedures will be necessary because of the large number of projects and activities that are potentially subject to EIA. The purpose of screening will be to identify those proposals that require to undergo EIA and exclude those do not. It is intended to ensure that the form or level of any EIA review shall commensurate with the importance of the issues raised by a proposal.

Scoping

The scoping process will identify the issues that are likely to be of most importance in EIA and eliminates those which are of little concern. The main objectives of carrying out scoping in the EIA process may include:

- Ensuring inclusion of key issues in the EIA process,

- Efficient time management,
- Capturing of essential information to support planning and decision-making,

Review of relevant policies and legislations

This is where the relevant legislations and their provisions shall be described to give legal support, economic and socio-cultural relevance and conformance of the project. Regional and international treaties and conventions shall also be reviewed and referenced wherever appropriate.

Collection of Baseline Data and analysis

Baseline data shall be identified upfront, collected and used to describe the status of the project before any activity related to project implementation commences. The baseline data shall be used to assess potential impacts on health, safety, the environment and the community. Environmental data collection programmes shall be kept within manageable proportions taking into consideration the length of time available for the assignment. The source of data will essentially through literature review, observation and site inspection reports. It is also advisable to infer, extrapolate, or predict environmental conditions and responses from baseline information or from other similar cases where actual data will be lacking. From the baseline data, the following information shall be provided in brief (although this may slightly differ subject to the nature of the project):

- Description of the project Area (Bio-physical) including:
 - Project physical site (town, district and region) and environmental surrounding
 - Soils and geology
 - Water resources,
 - Drainage
 - Climate,
 - Vegetation,
 - Land use,

- Population characteristics, and
- Infrastructure,

Consultation and Public Participation

Public involvement is a fundamental principle of EIA. The inclusion of the views of the affected and interested public shall help to ensure the decision-making process is equitable and fair and leads to more informed choice and better environmental outcomes. All persons likely to be affected by the project shall be consulted to collate their concerns. Information regarding all project activities within the project cycle (planning implementation, decommissioning), materials to be used, products, waste and waste disposal, economic and social benefits shall be provided. The views of the public on all these activities shall be incorporated in the project report.

Analysis and Evaluation of Project Alternatives

In analysing data, the following methods may be used: checklist, matrix, threshold limit, etc. In evaluating alternatives, emphasis shall be on the following: project, location, technology, scale, etc.

EIAs shall compare the environmental impacts of three categories of actions: a) the proposed project under consideration; b) the no-action alternative; c) and other alternatives to the proposed projects. All the three scenarios shall be compared and contrasted to enable the Secretariat make an informed choice.

Identification of potential Impacts

Identifying the potential impacts of a project shall combine both science and art. A wide range of scientific tool and methods- from simple to complex- may be applied. However, the application of tools will be subject to limitations- inadequate data, complex relationships, and limited time resources. The art lies in knowing when to apply each tool and how to make important assumptions in the absence of complete information. The simplest and most commonly used tools are *checklist, matrices, map overlays, and network analyses*, which shall primarily be used for impact identification. Other more

sophisticated tools may be employed, such as geographic information systems. Knowledgeable local experts, experienced judgment, and simple logical reasoning all help to fill data gaps and ensure that the tools are applied in a sound manner.

Prediction of potential Impacts.

Once impacts are identified, the next step shall be to predict the extent of the changes in environmental conditions that are likely to be caused by the proposed action. To do so shall require a proper understanding of the important *cause- and effect relationships*.

Determining Significance of Impacts.

Significance of a predicted impact depends upon its context and intensity. Significance varies with the setting or context. For example, a new or rehabilitated road in an urban area could be far less significant than the same road in a remote or wilderness setting. Proper tools, like the “Impact Significance Table” may be used in determining significance of impacts.

Identification of Mitigation Options.

Mitigation consists of activities designed to reduce the undesirable impacts of a proposed action on the affected environment. The baseline data collected shall form the basis for experts brainstorming in view of identifying and assessing mitigation options.

Preparation of Mitigation and Monitoring Plans.

The culmination of the EIA process shall be the preparation, testing and implementation of practical mitigation and monitoring work plans. Doing so is essential if the full value of the EIA exercise is to be realized. Environmental Management and Monitoring Plan (EMMP) shall be the main outcome of the EIA process and shall form the basis for the implementation of the mitigation measures. EMMP shall also provide a benchmark for the monitoring of the environmental performance of the rehabilitation and improvement and operational phases of the proposed project through internal and external audits. The cost of implementing the EMMP shall also be integrated in the plan.

CONTENTS OF EIA REPORT

An EIA report shall include the following details:

- (a) Name of the proponent, identification documents, address and contact person
- (b) Title of the project
- (c) Objectives and scope of the project
- (d) Nature of the project;
- (e) Location of the proposed project, including the physical area that may be affected by the project's activities;
- (f) Types of activities that will be undertaken during the project construction, operation and decommissioning phases;
- (g) Design(s) of the project;
- (h) Materials to be used, products and by-products, including waste to be generated by the project and the method(s) of their disposal;
- (i) Potential environmental impacts of the project;
- (j) Mitigation measures to be taken during and after implementation of the project;
- (k) An action plan for the prevention and management of foreseeable accidents during the project cycle;
- (l) A plan to ensure the health and safety of the workers, and neighbouring communities;
- (m) Economic and social benefits to the local community and the nation in general;
- (n) Project budget;
- (o) Views of the public about the project, indicating representativeness of the potentially affected people;

- (p) An environmental management and monitoring plan (EMMP) for the entire project cycle; and
- (q) The decommissioning phase. This shall provide guidelines on recovering the development site to its equivalent or better environmental status than its original condition in case of decommissioning

The EIA Full Study Report (CATEGORY A)

- (1) Whilst the EIA study report may follow similar process as outlined above, the scope shall differ in terms of details and the demand for empirical data for evidenced based decision-making.
- (2) The report shall draw its information from primary and secondary data.
- (3) Notwithstanding the generality of section (1) and (2), the coverage of each of the Full EIA study Report shall be as per Terms of Reference prepared by the proponents and duly approved by the EIA Committee.