



Netherlands Commission for  
Environmental Assessment

## Report on EIA Regulation Work Session of 14th October 2014

### REVOLUTIONARY GOVERNMENT OF ZANZIBAR, TANZANIA



31 October 2014



# Report on the EIA regulation work session 14th October 2014

Session purpose: Develop common understanding of draft regulation amongst DoE EIA team and NCEA staff, and identify priorities for further development of the draft regulation.

Participants: (DoE EIA staff) EIA team: Farhat, Hawa, Mariam, Nassor, Zaitun (legal officer), Makame (now with finance), Aboud (Planning Policy and Research).

## Agenda:

- Introductions and overview of status regulation.
- (Interactive) Prepare procedural diagram of EIA process in proposed legislation.
- Discuss: procedure clear and logical? Any steps missing or need to be changed?
- (Interactive) Go through checklist for regulation.
- Discuss conclusions: what to work on in the upcoming months?

## Status of draft regulations, plans for follow-up, relation to draft EMA

- Currently drafting the structure of the EMA
- Working on division of tasks between the two institutions mentioned in the EMA: Zanzibar Environmental Management Authority (ZEMA – for which new capacity will be hired; implementers/enforcers) and DoE (regulators)
  - o Submitting this to labour commission
- After this preparation for submission to house of representatives
- It is already quite developed, but details can still be changed

## Regulations:

- Can't be finalized before the act is approved.
- Current draft has incorporated NIRAS's comments.
- Current regulations (2002) are not sufficient for EIA implementation: many gaps
  - o e.g. on costs, fees, fines;
  - o e.g. on role division: who does scoping, review, etc.;
  - o also gaps in relation between Act and regulations.
- Still discussions on some issues:
  - o E.g. on **scoping**: the choice in the new regulations is to have the authority decide who does scoping [NB: it seems that the regulations prescribe the authority to undertake scoping in all cases], but some people say it is better to have the proponent always do scoping. (Current practice is similar, but not institutionalized: sometimes the authority does it, sometimes the proponent.)
    - Reason for this choice: it is often better to have the authority involved, but capacity is sometimes lacking.
    - DoE expertise: Sometimes the expertise is not available within DoE. For example in oil projects, seismics. Case: independent consultant prepared scoping report but was not of good quality. It is preferable that scoping for government projects is done by DoE.



discussion  
issue

discussion  
issue

- E.g. on **DoE's role in the process**. Comparing Zanzibar's regulations to those of Tanzania: on the mainland, NEMC deals with all projects with a national interest or with political sensitivity (which is identified via public hearing). District offices deal with lower-profile cases. The certificate is not administered by NEMC but by the ministry. In Zanzibar, to the contrary, DoE plays a role in almost every part of the process – there is some discussion on whether or not this is good.
- E.g. on **monitoring and auditing**: we consider monitoring the day-to-day checking of compliance. Auditing is only for key issues, and there is possibility for corrective actions. Again the role of DoE is an issue: DoE can monitor, as well as issue a stop order. At the moment, the stop orders are not always effective. Regarding responsibility for monitoring: responsibility of proponent? Or of DoE? Who does what? Proponent, DoE, ZAWA or even at local level. E.g. when there are conflicts, also Sheias should have a role. But then access to information is also important. It has a cost implication, who should pay?
- EIA process is only known by DoE, not really known by others. **ESMP**: can be very good, but often it is shelved. So one way to go about is, is to have other help you as your warning system.
- E.g. on **costs/fees**: in previous regulations, there were no provisions for fees in case of non-compliance.
- E.g. on **integration between decision-makers**: in tourism, for example, the Lands Department allocates land for investors, but without paying attention to social issues. People then come to DoE to complain about social issues of land division – but this is not our mandate. It's difficult for DoE to take social issues into account if other decision-makers don't.

discussion  
issue

#### ZEMA:

- New capacity will be hired for ZEMA.
- Division of tasks between ZEMA and DoE helps to separate between regulatory and implementation and removes the 'political' aspects of DoE's work.

#### Planning for finalization of regulations:

- First wait for EMA to be finished before regulations are finalized.
- Based on EMA and its provisions for DoE/ZEMA role division, continue working on regulations.
- There are no clear deadlines for EMA and regulations.
- However, in the meantime the work on the regulations continues – e.g. on classification schedules and sensitive areas (the whole of Zanzibar is sensitive area, so currently cannot be used to distinguish).

#### Exercise: Get to know your EIA procedure

In 2 groups, participants selected and arranged procedural steps, resulting documents, public availability, and responsible parties in order to get an overview of what the new regulations prescribe.

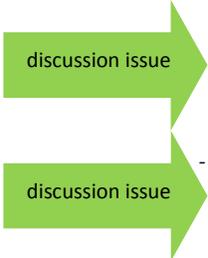
Group 1 (the women's group):



Group 2 (the men's group):



### Discussions based on the EIA procedure overviews



- There is currently no public participation in the process according to the regulations, apart from the commenting period after EIS submission. However, in practice there is some one-on-one participation in the scoping phase. But often none comes to comment – the public is not interested. However, this may also be because people are not aware of when and how to comment.
- The steps in the procedure are clear from the regulations; but in allocating responsibilities and indicating what needs to be publicly available, the regulations are not always clear.
- According to the draft regulations, DoE is responsible for scoping – contrary to what some participants expected.

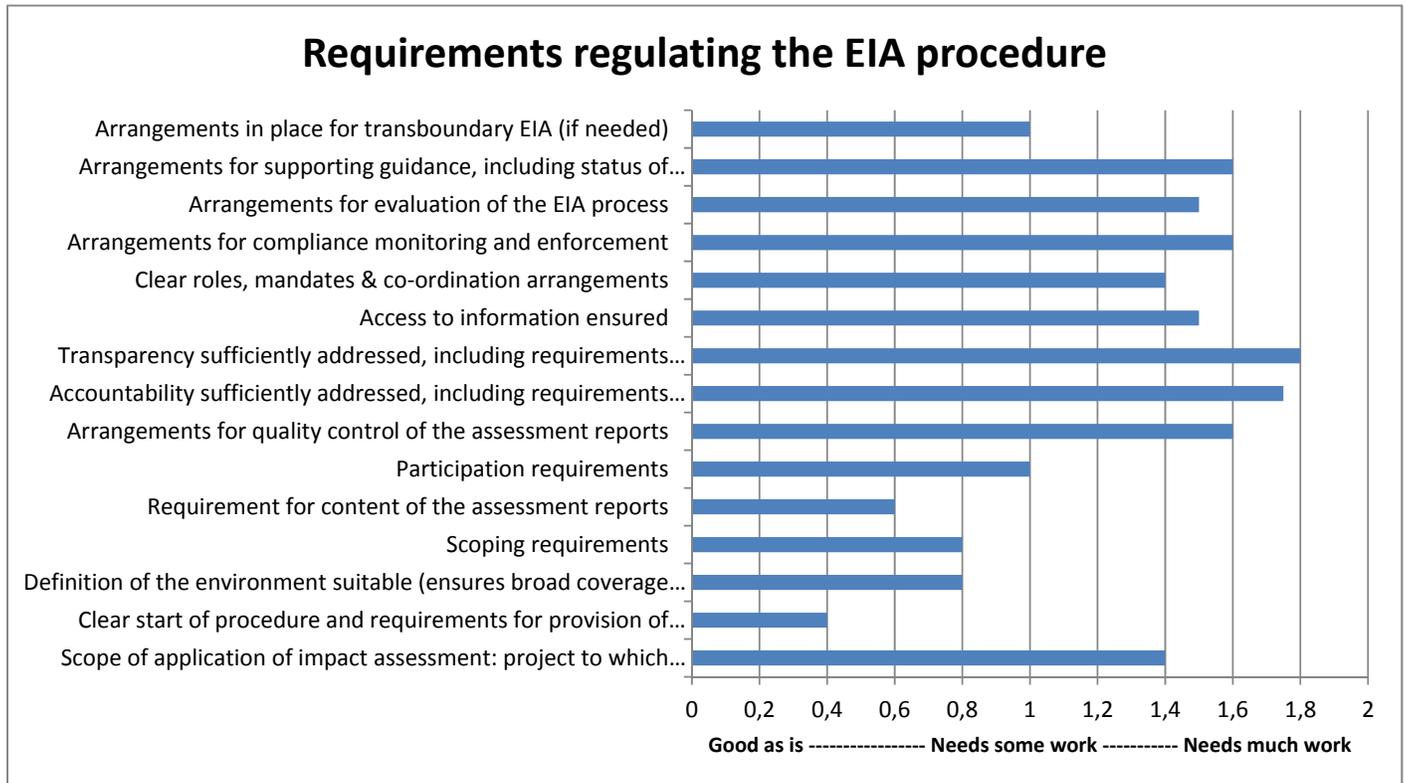
### Conclusions:

- Neither the draft environmental act nor the new draft regulation are yet well known within the DoE.
- The procedural steps in the regulation are themselves clear, however the participatory requirements and publication needs are not. Here “business as usual” seems to prevail. Here we see different interpretations between the two group results.
- Discussion points remain: the draft cannot be the final version.



## Exercise: Scoring the draft regulations based on the checklist

Average outcome of all 7 participants:



(see also 'Outcome of regulations scoring')

Discussion:

- Checklist brings new topics into view, such as transboundary arrangements for EIA.
- NCEA priorities are a little different from the group's ones, but there is definitely still a lot of work on the regulation needed.

**Analysis of EIA review criteria and content requirements** – see separate comparison table prepared.

Discussion:

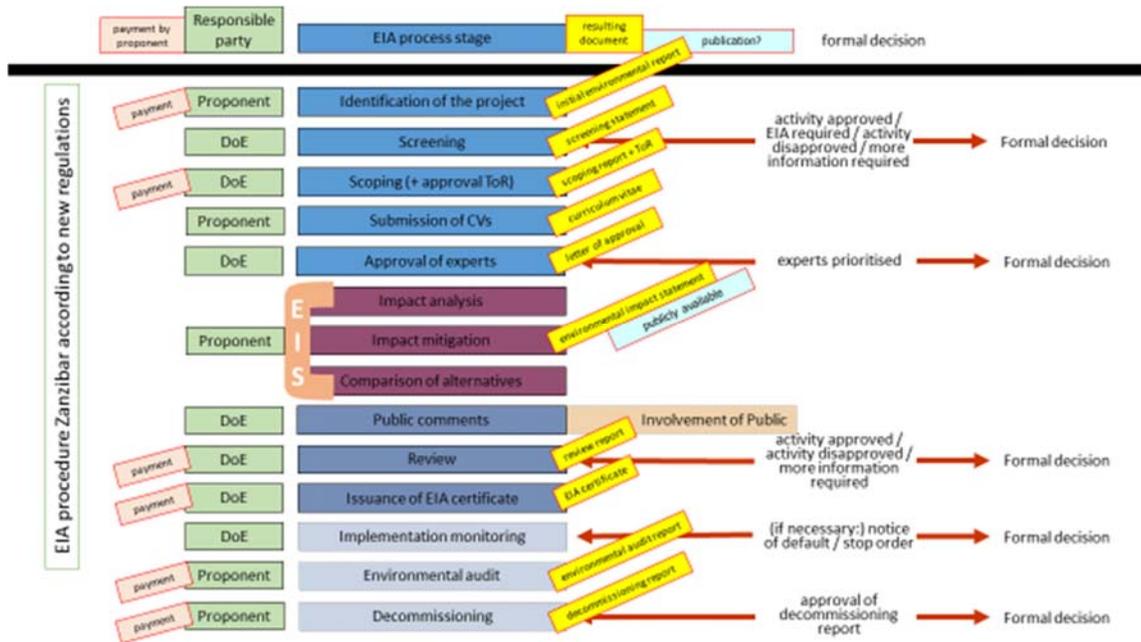
- Why is there a text on EIA requirements in the text itself, and again in the schedule G.
- Review criteria: have been developed based on the content of the EIA report. For us purpose of review is to identify impacts and relevancy of the impacts, accuracy of the reports. Major review areas are given to experts.
- Review criteria are developed tailor-made. Some aspects are in the content of EIA reports, but not in review criteria. Gerlinde gives example of issue which is not matching.

Conclusion: It is clear that requirements on EIA content, and review need to be harmonised.

**Conclusions of the workshop:** Within the NCEA–DoE co–operation more exchange is needed on the draft regulation, separate topics to be handled one–by–one.

**Work session materials**

EIA procedure according to draft EIA regulation (prepared in advance by the NCEA as example of outcome group exercise)



Checklist for EIA regulation (hand-out)

Requirements regulating the EIA procedure:

	good as is	needs some work	needs much work
Scope of application of impact assessment: project to which EIA requirement applies (screening lists)			
Clear start of procedure and requirements for provision of information at the start			
Definition of the environment suitable (ensures broad coverage of effects)			
Scoping requirements			
Requirement for content of the assessment reports			
Participation requirements			
Arrangements for quality control of the assessment reports			

Accountability sufficiently addressed, including requirements that results of consultations and information must be taken into consideration in decision-making?			
Transparency sufficiently addressed, including requirements that decisions and reasons for decisions are made public			
Access to information ensured			
Clear roles, mandates & co-ordination arrangements			
Arrangements for compliance monitoring and enforcement			
Arrangements for evaluation of the EIA process			
Arrangements for supporting guidance, including status of guidance (voluntary, mandatory)			
Arrangements in place for transboundary EIA (if needed)			

Fitting EIA regulation into the overall regulatory framework:

	good as is	needs some work	needs much work
Enabling legislation (framework law) gives sufficient status to EIA regulation			
Linkage to SEA and strategic planning			
Clear linkage to other project authorisations, permitting and condition setting			
Clear linkage to any other environmental monitoring and management arrangements			
EIA regulation consistent with relevant sectoral regulation			
Sufficient arrangements for administrative complaint			
Sufficient arrangements for juridical appeal			
Adequate financial arrangements for EIA related tasks			

For planning of EIA regulation revision process

Steps to consider in process of developing regulation:

1. Analyse enabling environment: What is the reason for the revision? What are the opportunities or risks in the current situation?
2. Analyse existing regulation, including strengths and weaknesses – see the EIA mapping results.
3. Setting ambition, including scope of application of impact assessment.
4. Organising a participative process for development of regulation, involve parties within and outside government (ensure support from those that need to support/can oppose the regulation).
5. Undertake judicial and consistency check.
6. Formalisation of regulation.

## **ANNEX 1**

### **Regulation Session Slides**



## New EIA regulation for Zanzibar

14 October 2014

Department of Environment, Zanzibar  
Netherlands Commission for Environmental Assessment

## Workshop on draft EIA Regulation

- Take stock of current situation with draft EIA regulation and draft EMA
  - Look at current draft regulation, is everyone up to speed?
  - It is addressing the key issues? (from discussions, from EIA mapping, etc)
- Determine what still needs to be done
- Decide how the co-operation project can support this activity

## Workshop agenda

- Overview by DoE of process EMA and EIA regulations, including: Where are we and what is planned?
- Get to know your new EIA procedure! (interactive)
- Analyse new regulation against checklist – prioritize issues that still need work
- Suggestions on prioritization by NCEA (including mapping results)
- Discuss conclusions: What to work on in the upcoming period?
- Going into detail (depending on the time available):
  - EIA report content and review requirements
  - Scoping
  - Others?
- Conclusions and planning next steps

## Get to know your new EIA procedure

- 2 groups
- Sequencing steps, formal decisions, documenting outcomes, participation & who is responsible
- Start with blue strips, then red, then yellow, then light blue, then orange, then light green.



## EIA regulation – mapping results 3

- Participation few requirements: no public hearing, for example
- Public nature and justification scores on mapping are very low.

When a decision to grant or refuse development consent has been taken, the competent authority or authorities shall promptly inform the public and shall ensure that the following information is available (a) the content of the decision and any conditions attached thereto ... (b) the main reasons and considerations on which the decision is based, including information about the public participation process. Etc.

	good as is	needs some work	needs much work
Scope of application of impact assessment, projects to which EIA requirement apply			
Clear information at the start of the process			
Definition of environment			
Requirements for quality control or the assessment reports			
Arrangements for compliance monitoring and enforcement			
Arrangements for evaluation of the EIA process			
Arrangements for supporting guidance, including status of guidance (mandatory)			
Arrangements in place for transboundary EIA (if needed)			

Act has different definition: "Environment" means the physical surroundings or conditions along with its atmospheric, land and aquatic components that support life and livelihoods and where human beings, flora, fauna and nature co-exist; Acts also used: environmental and social impact assessment

Update schedules? Light EIA (environment report) still exists? Mentioned in act, in regulation initial environmental report

Acts says: periodic monitoring, regulations accord monitoring activity to proponent, also mentions stop-order, rapid assessment and environmental audit every 5 years (same as EIA?)

No details on this in regulation, Act mentioned option of public hearing and that procedures shall be stipulated

Act says: Every person has the right to access environmental information.

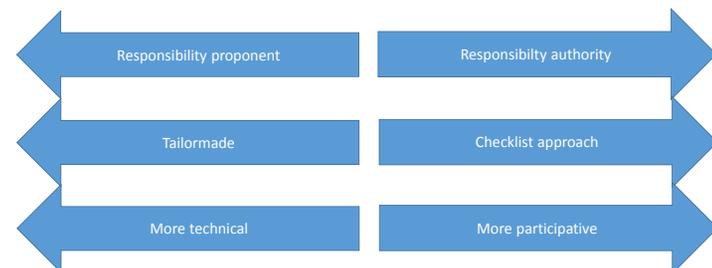
	good as is	needs some work	needs much work
Enabling legislation (framework law) gives to EIA regulation			
Linkage to SEA and strategic planning			
Clear linkage to other project authorisations, permitting and condition setting			?
Clear linkage to any of management arrangements			
EIA regulation consists of			?
Sufficient arrangements for administrative complaint		?	
Sufficient arrangements for juridical appeal		?	
Adequate financial arrangements for EIA related tasks			

Detailed procedural requirements still need to be worked out, not yet in regulation

Is this needed? Now reference to coordination.

## Scoping in EIA regulation

- Differences in scoping approach worldwide:



## Scoping in draft regulation on EIA

- No requirements for the process: i.e. how does the scoping process take place? (how will it meet objectives?)
- What is difference between scoping report and ToR? What is the purpose of each? See for example d) and v) or b) and iii)
- ToR seems to cover descriptions, but not so much priorities (which impacts, how should they be analysed, which measures further developed)
- Does DoE issue the ToR? Is there any quality assurance step?

The screenshot shows the website of the Netherlands Commission for Environmental Assessment (Mer). The page is titled "Ghana" and is part of the "Countries & profiles" section. The main content area includes a "Profile" section with links to "Background", "EIA profile", and "SEA profile". Below this is an "EIA profile" section with a "Contents of this page" dropdown menu. Further down is an "EIA background" section and a "Country contact on EIA" section providing details for the Environmental Protection Agency in Accra, Ghana, including a P.O. Box, location, and telephone number. A sidebar on the left lists other African countries, and a "Disclaimer country profiles" section is visible on the right.

### Ghana country profile

- Scoping requirement**
- Scoping is a required step, resulting in an approved Terms of Reference for the EIA.
- Scoping process**
- The proponent has to produce a scoping report, which includes a Terms of Reference for the EIA. During scoping, the proponent should consult with affected parties. Furthermore, the proponent should also give notice of the proposed undertaking to the relevant Ministries, government departments and organisations and the relevant Metropolitan, Municipal or District Assembly. The scoping report is made available for the general public. The EPA reviews the Scoping report with the help of a Technical Review Committee and has to approve the report before the EIA can proceed.
- Contents of the scoping document**
- The scoping report contains a description of any issues raised during the consultation process, and how these will be addressed in the EIA. The scoping document should contain a draft Terms of Reference. The EIA regulation stipulates that this ToR contain:
- a description of the activity;
  - the need for the activity;
  - alternatives (including a "no-build" alternative, and site-alternatives);
  - site selection;
  - the current environmental, social and economic situation;
  - potential impacts;
  - the potential impact on health;
  - mitigation measures;
  - monitoring;
  - contingency plans;
  - public consultation;
  - illustrative materials;
  - an Environmental Management Plan;
  - financial compensation for possible damage; and
  - transboundary impacts.

The screenshot shows the website of the Netherlands Commission for Environmental Assessment (Mer) for the Kenya country profile. The page is titled "Kenya" and is part of the "Countries & profiles" section. The main content area includes a "Profile" section with links to "Background", "EIA profile", and "SEA profile". Below this is an "EIA profile" section with a "Contents of this page" dropdown menu. Further down is an "EIA background" section and a "Country contact on EIA" section providing details for the National Environmental Management Authority (NEMA) in Nairobi, Kenya, including a P.O. Box, location, telephone, fax, mobile, wireless, and email addresses. A sidebar on the left lists other African countries, and a "Disclaimer country profiles" section is visible on the right.

Kenya country profile

**Scoping**

**Scoping requirement**

Once it has been decided that a full EIA is needed, scoping is a mandatory step with specified requirements. The proponent is responsible for scoping (registered experts may prepare the EIA report on behalf of the proponent).

**Scoping process**

The main part of the scoping exercise is the development of the Terms of Reference (ToR) by the proponent, in consultation with the lead agencies and NEMA. The EIA guidelines suggest the development of a communication plan and continual consultation especially with the potentially affected persons. NEMA, in consultation with the lead agencies, approves the ToR.

**Contents of the scoping document**

The final result of scoping process is the Terms of References for the EIA. These have to be formally approved. The EIA guideline stipulates that the ToR is meant to focus on key issues of concern identified during the scoping exercise, including, but not limited to:

- i) Impacts on flora, fauna, soils, air and water;
- ii) Legislation and institutional framework relation;
- iii) Proposed activities;
- iv) Proposed (possible) mitigation measures;
- v) Proposed Environmental Management Plan;
- vi) Details of experts to do the proposed EIA Study and study schedules;
- vii) Details of the total project implementation costs;
- viii) Modalities for environmental Audit and Monitoring;
- ix) Identification of sources of baseline information and information gaps.

**Timeline scoping**

Not specified

**Assessment and reporting**

## EIA accreditation or registration

Country/Jurisdiction	How?	Who?	Observations
Australia	Voluntary		
Belgium (Brussels)	Compulsory	Companies	
Belgium (Flanders)	Compulsory	Individuals	
Belgium (Wallonia)	Compulsory	Companies	
Botswana	Compulsory		
Canada	Voluntary		
Czech Republic	Compulsory		
FYROMacedonia	Compulsory	Individuals	
India	Compulsory		Various development projects
Mozambique	Compulsory		Major projects only
Namibia	Voluntary		
New Zealand	Voluntary		
Nigeria	Compulsory		Major development projects only
South Africa	Voluntary		It will become compulsory after identification of a suitable certification body
UK	Voluntary	Individuals	
USA	Voluntary		
Zambia	Compulsory		Mining projects only

- List is not yet complete, also: China, Indonesia...
- Purpose is quality control!

Taken from IAIA online discussion moderated by Miguel Coutinho

## Registration in EIA

- Individual
  - Education ;
  - Knowledge of relevant regulation;
  - Track record in EIA (type and years of experience);
  - Quality of work (based on review of EIA work and/or interviews).
- Company
  - EIA –expertise available within the organisation;
  - Facilities available (laboratory access or equipment);
  - Organisations track record in EIA (portfolio);
  - Quality of work (based on review EIA work).

## ANNEX 2

### Comparison of EIS content requirements

EIA regulations – EIS contents	Annex – EIA report contents	Annex – review criteria	Comments
	i. Cover page, including: <ul style="list-style-type: none"> <li>- Title of proposed project (development)</li> <li>- Location of proposed development</li> <li>- Proponents</li> <li>- Lead Consultant(s) (EIA Coordinators)</li> <li>- Contact Addresses – post office box number, fax and phone numbers, and email</li> <li>- Reviewing Authority</li> <li>- Approving Authority</li> <li>- Date of completion of the report</li> </ul>		(No review criteria on front matters)
	ii. Page of contents, including: <ul style="list-style-type: none"> <li>- List of major sections of the report</li> <li>- List of Tables</li> <li>- List of figures (including maps, graphs and plates)</li> <li>- List of appendices</li> <li>- Page numbers of the report</li> </ul>		
	iii. List of acronyms		
	iv. Definitions of technical terms		
(a) A non-technical executive summary (English and Swahili version)	v. A non-technical executive summary: <ul style="list-style-type: none"> <li>- main findings and recommendations</li> <li>- standalone document</li> <li>- should have a Swahili version, if the report is in English</li> </ul>	4(ii): Non-technical executive summary: <ul style="list-style-type: none"> <li>- Main conclusions and how they were reached</li> <li>- Description of project and environment</li> <li>- Identified impacts of the proposed development</li> <li>- Account of the main mitigating measures and description of remaining/residual impacts</li> <li>- Methods for data collection and indication of confidence</li> </ul>	No review criteria on language (English/Swahili)  (No specifications on summary sections in EIS contents)
	vi. Introduction section, including: <ul style="list-style-type: none"> <li>- Background information</li> <li>- Justification for the EIA</li> </ul>		(No review criteria on introduction section, ToR, approach, assumptions and

	<ul style="list-style-type: none"> <li>- An outline of the proposal showing objectives, location, proposed activities, duration of construction, and life span of development</li> <li>- An outline of the structure of the report</li> </ul>		limitations, administrative/policy requirements)
	<p>vii. Terms of Reference (ToR), including:</p> <ul style="list-style-type: none"> <li>- A description of the proposed undertaking and an analysis of the need/reason for the undertaking</li> <li>- The objective of the undertaking</li> <li>- Other options for carrying out the undertaking</li> <li>- Alternatives to the undertaking</li> <li>- A description of the present environment that would be affected, directly, or indirectly</li> <li>- The impacts that may be caused to the environment by the undertaking</li> <li>- Proposed measures to prevent or mitigate all adverse impacts</li> <li>- An evaluation of opportunities and constraints to the environment of the undertaking</li> <li>- A proposal for environmental monitoring and auditing</li> <li>- A proposal for an environmental management programme to cover constructional, operational and decommissioning stages of the undertaking</li> <li>- Proposals for a programme of public information</li> </ul>		
	<p>viii. Approach to the study, e.g. methodology used in scoping, EIA study, involvement of stakeholders etc.</p>		
	<p>ix. Assumptions and limitations, including:</p> <ul style="list-style-type: none"> <li>- At what stage the planning and decision-making process the report was produced (and any decisions that may already have been taken)</li> <li>- Availability of baseline information</li> <li>- Financial constraints</li> <li>- Time constraints</li> <li>- Confidentiality constraints</li> <li>- The implications for the study, of the limitations and constraints identified</li> </ul>		
	<p>x. Administrative, legal and policy requirements, including:</p>		

	<ul style="list-style-type: none"> <li>- Indication of the planning and administrative procedures followed and the relevant legislation</li> <li>- Indication of how compliance has been achieved with respect to other legislative provisions</li> </ul>		
(b) A description of the proposed activity, its purposes and rationale including raw materials	<p>xi. The project proposal section, including (a.o.):</p> <ul style="list-style-type: none"> <li>- Nature of development</li> <li>- Surface area to be covered</li> <li>- Area of land to be influenced by the project, e.g., by noise, emissions or visual impacts</li> <li>- Density and layout</li> <li>- Architectural character</li> <li>- Phasing of development (Construction, Operation, maintenance and decommissioning)</li> <li>- Volumes and concentrations of effluent</li> <li>- Removal and disposal of waste</li> <li>- Support services</li> <li>- Personnel</li> <li>- Location maps and lay-out plans</li> <li>- Overall project costs</li> <li>- Overall environmental management costs</li> </ul>	<p>I (i): Description of the development:</p> <ul style="list-style-type: none"> <li>- Purpose and objectives</li> <li>- Physical characteristics, scale and design</li> <li>- Quantities of material needed during pre-construction, construction and operational phases</li> <li>- Types and quantities of waste matter, energy and residual materials</li> <li>- Methods used to make these estimations</li> <li>- Proposed methods of treatment for the waste arising and residual materials</li> </ul>	<p>Purposes/objectives/rationale are not mentioned in EIS contents</p> <p>Raw materials/quantities not mentioned in EIS contents</p> <p>Project phases, support services and personnel not mentioned in review criteria</p> <p>Project and environmental management costs not mentioned in review criteria</p>
(c) A description of the local environment (site description) and baseline conditions including socio-economic, biophysical and cultural aspects	<p>xii. The affected environment (focusing on factors necessary to understand the impacts of the development), including e.g.:</p> <ul style="list-style-type: none"> <li>- Location for example regional context, physical constraints, land tenure, surrounding land uses, direction and distance to neighbouring towns, local infrastructure etc.</li> <li>- Boundaries like of the development and of the environmental effects</li> <li>- Biophysical environment such as climate, soil, geology, hydrology, topography, flora and fauna</li> <li>- Socio-economic environment like demography and socio-economic activities</li> <li>- Cultural and historic environment such as sites of architectural and cultural interest, visual impact</li> <li>- Interested and affected parties</li> </ul>	<p>I (ii): Site description:</p> <ul style="list-style-type: none"> <li>- Area of land affected and current land uses</li> </ul> <p>I (iii): Baseline conditions:</p> <ul style="list-style-type: none"> <li>- Description of the environment as it currently is</li> <li>- Description of the environment as it could be expected to develop if the project were not to proceed</li> </ul>	<p>'Reference scenario' not mentioned in EIS contents</p> <p>Biophysical, socio-economic, cultural/historic and political (affected parties) aspects not distinguished in review criteria</p>

	<ul style="list-style-type: none"> <li>- Other aspects of particular significance or value</li> <li>- Reference to relevant reports</li> </ul>		
	<p>xiv. Methodology, including:</p> <ul style="list-style-type: none"> <li>- Outline of the methods used to identify, assess and evaluate impacts</li> </ul>	<p>2(i): Identification of impacts:</p> <ul style="list-style-type: none"> <li>- Methodology used to define project specification</li> <li>- Logic used to identify key impacts of the development on human beings, flora and fauna, soil, water, air, climate, landscape, material assets, cultural heritage, or their interaction</li> <li>- Including details of consultation with expert bodies and the public</li> </ul>	
(h) How public consultation in respect to the undertaking was implemented	<ul style="list-style-type: none"> <li>- Public participation, including: <ul style="list-style-type: none"> <li>o Who were contacted, when, where and what was said</li> <li>o Dissemination points for information relating to the project</li> </ul> </li> </ul>		
(d) Identifications, prediction and assessment of potential impacts from environmental, social, economic and cultural perspective for different phases of developments	<p>xv. Assessment of impacts, including for each identified impact:</p> <ul style="list-style-type: none"> <li>- Statement of the impact or effect</li> <li>- Brief description of the impact or effect</li> <li>- Group(s) affected, including land owner(s)</li> <li>- Statement of criteria for determining significance (could include magnitude, geographic extent, duration, frequency, risk or uncertainty, size of group affected)</li> <li>- Significance of effect without mitigation</li> </ul>	<p>2(ii): Prediction of impact magnitude:</p> <ul style="list-style-type: none"> <li>- Magnitude of each impact</li> <li>- During pre-construction, construction, operation, and in the event of an accident</li> </ul>	Groups affected not mentioned in review criteria

	<ul style="list-style-type: none"> <li>- Suggested measures for mitigation or optimization</li> <li>- Significance of impact with mitigation or optimization measures</li> </ul> <p>It should be described whether impacts are:</p> <ul style="list-style-type: none"> <li>- Positive or negative</li> <li>- Direct, indirect or secondary</li> <li>- Short term or long term</li> <li>- Reversible or irreversible</li> <li>- Remain static or vary with time</li> <li>- Will be felt locally, regionally or nationally</li> <li>- Controversial</li> <li>- Trans-boundary</li> </ul>	<p>2(iii): Assessment of impact importance:</p> <ul style="list-style-type: none"> <li>- Importance of impacts which remain after mitigation</li> <li>- Assessment based on national and international quality standards (if available)</li> </ul>	
(e) Analysis of those impacts as they relate to human health			Impacts on human health not mentioned in EIS contents and review criteria
(f) Consideration of alternatives and mitigation measures including commitment to mitigation	<p>xvii. Evaluation of alternatives, including:</p> <ul style="list-style-type: none"> <li>- Method of evaluation. This could be based on expert opinion or other techniques such as panel evaluation cost-benefit analysis</li> <li>- Comparison of alternatives</li> <li>- Recommendations</li> </ul>	<p>3(i): Alternatives:</p> <ul style="list-style-type: none"> <li>- Alternative sites</li> <li>- Main environmental advantages and disadvantages discussed, and reasons for final choice given</li> <li>- Alternative processes, designs and operating conditions considered at early stage</li> </ul>	No types of alternatives indicated in EIS contents (e.g. sites, processes, designs, operating conditions)
	(mentioned under xv)	<p>3(ii): Mitigation:</p> <ul style="list-style-type: none"> <li>- Specific mitigation measures, where practicable, for all significant adverse impacts</li> <li>- Effectiveness of mitigation measures</li> </ul>	
	<p>xvi. Mitigation:</p> <ul style="list-style-type: none"> <li>- Commitment of proponent</li> </ul>	<p>3(iii): Commitment to mitigation:</p> <ul style="list-style-type: none"> <li>- Details of when and how measures will be carried out</li> <li>- Monitoring programs to enable adjustment of mitigation measures</li> </ul>	
(g) Environmental management plan, monitoring and auditing program	<ul style="list-style-type: none"> <li>- Responsibility for monitoring</li> </ul>		(Environmental management plan not mentioned in EIS contents and review criteria)

	xviii. Incomplete or unavailable information, including: <ul style="list-style-type: none"> <li>- Identification of gaps in knowledge or unavailable information</li> <li>- Reasons for inadequacy or incompleteness of information</li> <li>- Implications for the decision making process</li> <li>- Provision of evidence on the application of the technology elsewhere</li> </ul>		(No review criteria on incomplete information)
(i) Any other necessary information to assess the proposed activity			
(j) Decommissioning or closure plan			(Decommissioning/closure plan not mentioned in EIS contents and review criteria)
(k) Conclusions and recommendations	xix. Conclusions and recommendations, including: <ul style="list-style-type: none"> <li>- A brief discussion of the key issues</li> <li>- Indication of the major positive and negative impacts; and the mitigation measures</li> <li>- Statement of any serious risk associated with the project in general</li> <li>- Identification of any management and monitoring needs</li> <li>- Additional recommendations</li> </ul>		Conclusions and recommendations not mentioned in review criteria
	xx. Definitions of technical terms		(Definitions of technical terms, list of consultants, references, personal communications, and appendices not mentioned in review criteria)
	xxi. List of consultants, including: <ul style="list-style-type: none"> <li>- Name and qualifications</li> <li>- Current position and the contribution to the study</li> </ul>		
	xxii. References		
	xxiii. Personal communications		
	xxiv. Appendices, including e.g.: <ul style="list-style-type: none"> <li>- Detailed planning proposal</li> <li>- Policy guidelines</li> <li>- Outline of scoping and public involvement process</li> <li>- Technical reports prepared in conjunction with the proposed development</li> </ul>		

	- Records of meetings with various stakeholders and the list of organizations and persons consulted		
		(Form of report: 4(i): Presentation - Minimum amount of technical terms - Index, glossary and full references included - Maps, diagrams, tables etc. to complement text - Technical information provided in appendix	