Republic of Somaliland

Ministry of Environment and Climate Change
(MOECC)

National Environmental and Social Impact Assessment (NESIA) Operational andStandard Guidelines

2.1 Table of Contents

Foreword

The Environment Management Act LR 79/2018, of Somaliland Statue provides that the Ministry of Environment and Climate Change (MOECC) shall prepare and adopt guidelines for Environmental and Social Impact Assessment (ESIA) on proposed actions which may affect the Country's natural and social environment. This document provides the first edition of those standard operational guidelines. Ministry of Environment and Climate Change anticipates that this document, herein after called ESIA Operational Guidelines will be reviewed and revised as needed based on actual experience with the ESIA process in Somaliland. Hence, these ESIA Guidelines will serve as the basic administrative directive for the ESIA process until such time as they are technically and publicly reviewed.

The Ministry of Environment and Climate Change (MOECC) is indebted to Consultants for their service in the development of this ESIA Operational Guidelines. Mr. Ibrahim Mohamed Aden- Environmental Specialist (Lead Consultant) supported by the Associate Consultants: Mawlid Mustafa Ahmed and Ahmed Mohamed Mahammad. The services of these consultants were arranged by Ministry of Environment and Climate Change (MOECC), Somaliland.

The Ministry of Environment and Climate Change (MOECC) of Somaliland acknowledges the contribution of the United Nations Development Programme (UNDP) that funded the development and preparation of this ESIA Operational Guideline.

In addition, a number of Ministry of Environment and Climate Change (MOECC) staff members made contributions to the preparation of this draft ESIA operational guidelines. The primary contributors were Abdikarim Aden Omar, Senior Technical Advisor to Ministry of Environment and Climate Change; Aden Ahmed Hassen, Director of Environmental Protection, Abdinasir A. Hersi, Former Director General for the Ministry of Environment and Climate Change; Mr. Hassan Hussein Abdi, UNDP Focal Person, at the Ministry of Environment and Climate change, Special thanks goes to UNDP Team, Mr. Nabil Youssuf Abdi(Project Manager) and Abdi Abokor Yusuf (Senior Program Officer) for their endeavors and Unflinching support rendered to Ministry in the formulation of this ESIA operational guideline.

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Minister of Environment and Climate Change
Republic of Somaliland

List of Acronyms

MOECC Ministry of Environment and Climate Change

ESIA Environmental and Social Impact Assessment

EA: Environmental Audits

NEP National Environment Policy

ESMP Environmental and Social Management and Monitoring Plans

DEP Department of Environment Protection

GoSL Government of Somaliland

EMA Environmental Management Act

EIS Environmental Impact Statement

IAA--International Assistance Agencies

SIA: Social Impact Assessment

UNDP United Nations Development Programme

TORs: Terms of Reference

IAAs: International Assistance Agencies

Definition of Terms

Environment	The physical factors of the surroundings of the human beings including land, water, atmosphere, climate, sound, odour, taste, the biological factors of animals and plants and the social factor of aesthetics and includes both the natural and the built environment
Impact	The effect of any action that affects one or more elements of the natural, social or economic environment, either adversely or beneficially
Developer	Means a person, group of persons or agency developing a new project or proposing to extend an existing project which is subject to an Environmental and social Impact Assessment process
Environment Impact Assessment	A systematic examination conducted to determine whether or not a project will have any adverse impacts on the environment
Lead Agency	Any Ministry, Department, Parastatal agency, Local Government system or Public Officer in which or in whom any law vests functions of control or management of any segment of the environment.
Mitigation measures	Actions which reduce, avoid or offset the potential adverse environmental consequences of a project, and include engineering works, technological improvements, management measures and ways and means of ameliorating effects to the environment and losses suffered by individuals and/or communities, including compensation and resettlement
Participation	A process through which stakeholders influence and share control over development initiatives and decisions on resources that affect them
Scoping	Early, open identification of potentially significant environmental impacts and de-emphasis or elimination of insignificant impacts or impacts which have already been covered by other environmental impact assessments
Screening	Determination of which level of Environmental and social Impact Assessment is required
Stakeholders	Those affected by the outcome of a project or can affect the outcome of a proposed project either negatively or positively
Proponents	individual or organization that has overall control and responsibility for the Project, or an individual or organization that together with others, each of which is also a Project Proponent, has overall control or responsibility for the Project.

EXECUTIVE SUMMARY

One of the basic premises for sustainable development is the recognition that environment and development are not exclusive of one another but are complementary, interdependent, and often mutually reinforcing. Therefore, in order to achieve sustainable development, a balance needs to be reached between the use of resources for socio-economic development, and their use and conservation for other natural environmental values and functions.

While there is increasing recognition and need for sound environmental management, there is equally increasing evidence that excessive pressures and demands are being put on the natural resources, including fragile ecosystems, leading to environmental problems such as deforestation, soil erosion, pollution and other adverse environmental effects associated with environmentally unsound practices. These and other related problems have arisen due to the fact that most development policies and projects put emphasis mainly on economic benefits, with little or no regard for analysis of their likely environmental impacts.

Environmental and Social Impact Assessment (ESIA), as a tool for better planning, permits the integration of environmental concerns into the policy and project planning process at the earliest possible planning and design stages. ESIA is concerned with identifying, predicting and evaluating the foreseeable environmental impacts, both beneficial and adverse, of public and private development policies and projects, with a view to eliminating, where possible, or minimizing the negative impacts while optimizing the positive impacts.

ESIA also provides opportunity for analysis of alternatives that may be available for any proposed policy or project, so that the alternative which achieves the most desirable balance between environmental and socio-economic costs and benefits can be determined.

With the increasing public concern about environmental abuse associated with projects in their neighborhoods, these ESIA guidelines put emphasis on public participation throughout the entire ESIA process, as a way of ensuring public input into the design of projects in their surroundings.

While Environmental and social impact Assessment is commonly applied to projects whose planning and design has already been finalized, these guidelines seek to encourage the adoption and integration of Environmental and social Impact Assessment into the policy and project formulation and design stages as a way of ensuring that environmental concerns are taken into consideration early enough in the planning process, including the application of ESIA to appraisal of policy and project options at the early conceptual and feasibility analysis stages.

As an aid to decision making, ESIA presents decision makers with the information necessary to determine whether or not a proposed action, project or policy satisfies environmental requirements and therefore can be implemented or not. ESIA shall not be used to justify decisions which have already been made.

The Ministry of Environment and Climate Change was created and charged with the responsibility to oversee, coordinate and supervise the operationalization of the ESIA process in Somaliland. However, the actual implementation of the ESIA process will be the function of the relevant line ministries and departments, the private sector, non-governmental organizations and the general public.

As provided in this guidelines, developers of projects that are likely to cause significant impact to the environment are required to submit their project briefs to the Ministry that shall in-turn forward these to the appropriate sectoral Lead Agencies with responsibility for management of a specific environmental resource or component, so that these can be screened to determine the level of ESIA required, and the developer advised accordingly. The level of ESIA required shall vary on a project-by-project basis, depending on the nature, scale and possible effects of the project, and the characteristics of the site where the project is to be located. The costs for the assessment recommended shall be borne by the developer, and the assessment shall be conducted by experts approved by the Ministry of Environment and Climate Change, Somaliland.

CHAPTER 1: OVERVIEW OF ESIA OPERATIONAL AND STANDARD GUIDELINE

1.1 Background

The livelihoods of Somaliland population, particularly the rural communities, are dependent on environmental resources. The livestock economy which accounts for 60% of GDP is totally dependent on the availability of grazing areas and forage that is produced from fragile ecosystems. Therefore, the protection and management of the environment is critical to the country's development and survival of its population.

The main legislative which ensures the safeguard of the environment and promote sustainable exploitation, utilization, management and conservation of the environment and natural resources is the Environment Management Act LR 79/2018. The Constitution (2001) provides for protection and safeguards of the environment as well as the natural resources. Other relevant legislation framework includes: Mining Act 2018; National Water Act 2010; and Solid Waste Management Act 81/2018.Environmental Management Act 79/2018 provides legal basis on which to request the proponent to carry out an ESIA and such assessments are routinely undertaken as part of environmental policy. There is an established Department or Unit within the MoECC that is tasked with environmental and social impact assessment, monitoring environmentalcompliance and enforcement by Department of Environment Protect, Ministry of Environmentand Climate Change (MOECC)

1.2 Purpose of ESIA Operational and Standard Guidelines

Environmental and social Impact Assessment (ESIA), as a tool for better planning, permits the integration of environmental concerns into the policy and project planning process at the earliest possible planning and design stages. ESIA is concerned with identifying, predicting and evaluating the foreseeable environmental impacts, both beneficial and adverse, of public and private development policies and projects, with a view to eliminating, where possible, or minimizing the negative impacts while optimizing the positive impacts.

ESIA is both a planning and decision-making tool. As a planning tool, ESIA presents methodologies and techniques for identifying, predicting and evaluating potential environmental impacts of projects, in the project cycle (planning, implementation and

Decommissioning phases). The ESIA process presents decision-makers with the information necessary to determine whether or not a project should be implemented

Under the Constitution of Somaliland 2001, and its subsidiary Legislation Somaliland Environmental Management Act (Law No 79/2018), the underlying key principles of ESIA are that every person is entitled to a clean and healthy environment and that every person has a duty to enhance, safeguard the environment thus Environmental and social Impact Assessment as one of environmental management tools facilitates the inclusion of principles of sustainable development aspiration well in advance.

The ESIA operational and standard guidelines aims at:

1. Ensuring the implementation and compliance of environmental and social impacts assessment related legal and technical requirements,
2. Establishing partnership and collaboration among and between key stakeholders in Environmental Management
3. Providing a consistent and good practice approach to Environmental Management and Protection in Somaliland,
4. Assisting proponents and consultants in carrying out their environmental assessment related tasks,
5. Assisting interested and affected parties, especially communities in realizing the environmental rights and roles,
6. Assisting environmental protection and permitting organs in discharging their roles and responsibilities.

1.3 Scope of the ESIA Operational and Standard Guidelines

- Provide procedural guidelines for implementation of Environmental and social Impact Assessment (ESIA) to facilitate decision making process at the ministry level through provision systematic ESIA certifications process.
- Describes procedural steps in ESIA studies as well as the **contents and format of the ESIA study** reports to be submitted to Ministry of Environment and Climate Change (MoECC), Department of Environment Protection, The ESIA study review process and decision-making are also described.

- Detailed information on the activities, potential environmental impacts, the guidelines/standards and mitigation measures of development sectors are provided as an example of the checklist method of project screening and sample environmental impacts and mitigation measures

1.4 Target Stakeholder for ESIA Operational and Standard Guidelines

These ESIA operational and standard guidelines are meant for the general public, project proponents, researchers, policy makers, ESIA practitioners, learning institutions development partners, lead agencies staff and Ministry of Environment and Climate Change (MoECC), Department of Environment Protection staff, to understand and follow the ESIA process as well as for them to know the levels at, and the basis on which decisions on ESIA applications are made. This in turn will facilitate greater consideration and integration of environmental concerns in development projects, policies, plans and programmes.

In the context of the application of ESIA in Somaliland, the scope of ESIA as will be presented in this ESIA operational and standard guidelines will includes the social, health and economic dimensions of the environment. In this context therefore, the guideline will present ESIA as inclusive of social and health impact assessments which other jurisdictions consider as separate and different in application from ESIA.

1.5 Outline of ESIA Operational and Standard Guidelines

The ESIA operational guideline and standard document provide standard and guidelines for implementation of Environmental and social Impact Assessment for projects that are likely to, or will have significant impacts on the environment.

The Guidelines are intended for use by different user groups, including the general public, developers, ESIA practitioners, Lead agencies staff who will be involved in the review of environmental impact assessment, and by the Ministry of Environment and Climate Change, Department of Environment Protection(DEP) with a function to maintain and enforce a comprehensive Environmental and social Impact Assessment function (ESIA) that is applied accordingly to all projects that may have an impact on the environment in government of Somaliland (GoSL). The overall responsibility to co-ordinate and oversee the implementation of the guidelines, and to review and approve Environmental and social Impact Assessments.

The guidelines are developed in order to provide a systematic approach to conduct Environmental Impact Assessments in Somaliland, and caters for the needs of different user

groups. The ESIA operational and standard guidelines will be reviewed and modified as necessary.

This ESIA operational and standard guideline document is structured in Seven Chapters, as follows:

1. Chapter One of this ESIA operational and standard guidelines briefly outlines the context of environmental situation application of Environmental and social Impact Assessment in Somaliland and also underscores the importance of ESIA as a planning tool and as an aid to environmentally sound decision-making.

2. Chapter Two of the ESIA operational and standard guidelines gives the policy, legal and regulatory framework for ESIA in Somaliland and outlines the key provisions for ESIA as defined in these respective policies and laws. This part also presents the main elements of the Somaliland ESIA process, including the procedures and guiding principles.

3. Chapter Three of the ESIA operational and standard guidelines describes the Somaliland approach to ESIA and give comprehensive description of each of the phases within an ESIA process, the Integration of the Social and Economic dimensions in the ESIA process, developing scenarios for comparison of alternatives (Technology & Site), identification, prediction of impacts and determination of significant impacts identification of measures to enhance opportunities and mitigate adverse environmental impacts and the ESIA Study approval process

4. Chapter Four of the ESIA operational and standard guidelines provides the role of the different actors in operationalizing the ESIA process as spelt out in Somaliland Environmental Management Act" (Law No 79/2018) and other laws, and includes the roles of the lead agencies, and the public. This also includes the roles of non-governmental organizations (NGO's), community based organizations (CBOs), the private sector, and other stakeholders involved in various stages of the ESIA process.

5. Chapter Five of the ESIA operational standard guidelines establish standard operating procedure for different actors in ESIA Process establishing Standard for use project developers, ESIA practitioners, Procedure for Conducting the ESIA and preparing ESIA Report, procedures for public participation and involvement in the overall ESIA process, Standard for use by the Lead Agencies and the Authority and Develop

Standard and procedures for public participation and involvement in the overall ESIA process and procedures for implementation and modification of the ESIA Operational and Standard guidelines.

6. Chapter Six of the ESIA operational and standard guidelines establish consultation and public participation discourse in the context of application of consultation and public participation in ESIA aims and objectives of and consultation and public participation, types of consultation and public participation basic principles of consultation and public participation and recent legal and institutional changes affecting role of consultation and public participation.

7. Chapter Seven of the ESIA operational and standard guidelines incorporate and integrate the Social, Health and Economic Impacts in ESIA process.

CHAPTER 2: POLICY AND LEGAL FRAMEWORK OF ESIA CONTEXT IN SOMALILAND

2.1 The Somaliland constitution 2001

Provides the key legal framework for management of environmental affairs in the country

Article 18 of the Somaliland constitution 2001, which focuses on the environment and the care of the natural resources, avers that the state shall give a special priority to the protection and safeguarding of the environment, which is deemed as being "essential for the well-being of the society". It therefore follows that development projects must comply with the constitutional provision that obliges developers to ensure a clean and healthy environment.

Article 12 of the Somaliland Constitution 2001, focuses on public assets, natural resources and indigenous production. The Article states that the central state (government) is responsible for the natural resources of the country and shall take all possible steps to explore and exploit all these resources which are available in the nation's land or sea. The protection and the best means of the exploitation of these natural resources shall be determined by law.

2.2 The National Environment Policy 2015.

This policy, developed in 2015 by the Ministry of Environment and Rural Development, (MoECC) addresses the nexus between poverty alleviation, food security and national development objectives. The policy emphasizes on the need to establish new prospects for the improvement to the standard of living, which enable people to become self-sufficient and realize their own potential without damaging the environment

Provides a framework for the sustainable management of the territory's environment and natural resources. The policy seeks to ensure that the territory's natural resource assets retain their integrity to support the needs of the current and future generations.

The policy seeks to catalyze the implementation of sustainable environmental, social and economic development initiatives for equitable benefits sharing. The policy advocates for community participation, information dissemination, environmental education and awareness raising and gender equality in order to fully harness the Somaliland's "latent capacity" in this regard.

The guiding principles of the NEP 2015 state that "ESIAs [are] necessary to ensure that public and private sector development options are environmentally sound and sustainable and that any environmental consequences are recognized early and taken into account in project design, and

Implementation.” In particular, this policy requires that “new construction of dams, irrigation or other water- related construction should incorporate ESIA and should be designed to avoid negative impacts upon the environment or other national heritage

The Policy, therefore, through the use and application of ESIA, seeks to integrate environmental concerns in all development policies, projects, activities and planning at national, district and local levels, with full public participation

2.3 Somaliland Environmental Management Act, LR 79/2018

This is an act of Parliament that provides for the establishment of an appropriate legal and institutional framework for the management of the environment and for matters connected therewith and incidental thereto.

EMA LR 79/2018 gives everybody a right to a clean and healthy environment; this has elevated environmental issues to a constitutional level. Besides the legal hierarchical superiority, such constitutional entrenchment has given the desired visibility to environmental matters and thereby assists in the enhancement of the level of public awareness about the critical importance of such matters.

Every Somali lander has the duty to safeguard and enhance the environment under this act. Environmental and social Impact Assessment (ESIA), as a tool for better planning, is undertaken to trigger informed prediction of likely environmental impacts of proposed projects, check compliance with environmental policies and legislative environmental requirements in order to allow for consideration of mitigation measures, check risks and expose them for correction. It provides information for regular monitoring in an elaborate environmental management plan, ensuring that environmental management is optimized at all stages of development through best practices.

Section 25 of EMA, LR 79/2018, provides as follows "An ESIA study shall be undertaken at the initial stages of the project development". It is a decision-making tool and should guide whether a project should be implemented, abandoned or modified prior to implementation. A proponent or investor shall not implement a project likely to have a negative environmental impact, or for which an ESIA is required by the EMA, LR 79/2018 or regulations issued under it unless an ESIA has been concluded and approved in accordance with the law. No licensing authority under any law in force in Somaliland shall issue a trading, commercial or development permit or license for any project for which an ESIA is required or for a project activity likely to have cumulative significant negative environmental impacts unless the applicant produces an ESIA license issued by the Environmental Authority -MoECC.

CHAPTER 3: ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT PROCESS

3.1 Overview of Environmental and social Impact Assessment (ESIA)

Environmental and social Impact Assessment (ESIA) as defined in the National Environmental Management Act 79/2018, is "a systematic examination conducted to determine whether or not a project will have any adverse impact on the environment".

ESIA is a process of analyzing the positive and negative effects of a proposed project, plan, or activity on the environment. This may include studies on the weather, flora and fauna, soil, human health including physical, social, biological, economic and cultural impacts. It is one of those measures taken to ensure that development is sustainable.

An ESIA should be conducted before the commencement of a project. By studying the possible impact that the project may have on the environment, it is possible to eliminate or avoid adverse impacts or costs that would be met after damage by either redesigning the project or by taking mitigation measures

ESIA must be exhaustive and comprehensive and must give due consideration to all alternatives including the "no action" alternatives.

ESIA is generally used to accomplish the following:

- Identify whether or not (YES or NO) a proposed policy, project or activity is likely to have significant impacts (both adverse and beneficial);
- If YES, identify the potential significant environmental impacts;
- Analyze the significance of the adverse environmental impacts;
- Determine whether the adverse impacts can be mitigated;
- Recommend preventive and/or mitigation measures;
- Identify and assess any other alternatives to the proposed policy, project or activity and associated activities;

Recommend whether or not the proposed policy or project should be implemented or modified.

3.2 For whom is ESIA written?

ESIA is made for the:

1. Developers /Project Proponents;
2. Project Approving Agency /lead agency;
3. Public; and
4. Private sector including financiers

- If written for the public, an ESIA must be in a language simple and brief enough to be understood by the ordinary person, otherwise it will not serve its purpose. Its purpose is to inform these actors about the project, its environmental consequences, and environmentally friendly options and why the project is preferred to those options.
- If an ESIA is meant to inform, it must be written in a simple and brief language, in a fully representative format. If meant for the developer, it must be formatted in such a way that complicated scientific and other technocratic information is easy to digest.
- ESIA must contain enough information to enable decision-makers to make a well-informed decision, or else it can be challenged in courts as being inadequate

3.3 Functions of ESIA

i. ESIA enables developers and decision makers to predict and assess the potential impacts of the project on the well-being of the natural environment and also helps them identify alternatives through recommending the implementation of appropriate modifications/actions that integrate economic, social and environmental concerns.

ii. The primary function of ESIA is to avail to both the developer and the authorities such as MoECC and the Town Planners, the opportunity to choose projects with full knowledge of their impact on the environment. It also enables the relevant authorities to decide whether to allow the project to proceed or not. This will save the developer time and costs that would have been incurred and enables him to develop plans and policies for the mitigation of such impacts.

iii. ESIA can help improve the credibility and also portrays a good corporate image for an organization as an environmentally responsible organization to the general public including government agencies and employees

iv. The ESIA process is also of great benefit to banks and other financial institutions that extend credit to their clients. It is a means by which the institution can protect its investment by ensuring that the project fulfils all planning and legal requirements, particularly with regard to environmental concerns.

v. An ESIA is designed to enable the environmental effects of a project to be weighed on a common yardstick with economic costs and benefits. ESIA is good for planners as it enables them to make environmentally and economically viable decisions during planning and to choose whether to continue or discontinue with such projects that are likely to have an impact on the environment

vi. It is a legal requirement for any project that is likely to have adverse effects on the environment to carry out an ESIA. Hence any developer found to contravene the law will have legal action taken against him or her.

3.4 The Role of ESIA in the Decision-Making Process

Environmental and social Impact Assessment is integral to the decision-making process. It must be conducted to ensure that important environmental resources are recognized and protected early in the planning and decision-making process. As an aid to decision making, ESIA presents decision makers with the information necessary to determine whether or not a proposed action, project or policy satisfies environmental requirements and therefore can be implemented or not. ESIA also provides decision makers with an opportunity to examine far-reaching proposalsthat could lead to adverse impacts on the environment before decisions are made to approve such proposals.

3.5. Principles of ESIA

The main principles of ESIA are:

- Environmental concerns must be accounted for in all development activities
- Public participation in the development of projects is important
- Recognition of social and cultural principles traditionally used in the management of the environment and natural resources
- International cooperation in the use and wise management of shared resources
- Intra-generational and inter-generational equity
- Polluter-pays principle
- The precautionary principle

3.6 Objectives of ESIA

The overall objective of ESIA is to ensure that environmental concerns are integrated in all development activities in order to contribute to sustainable development.

Short term Objectives:

- Improve the environmental design of the proposal,
- Identify environmental impacts of the project activities

- Ensure that the resources are used more appropriately and efficiently,
- Identify appropriate measures for mitigating potential impacts of the proposal,
- Facilitate decision making, including setting the environmental conditions and terms for implementing the proposal

Long Term Objectives:

- Protect human health and safety,
- Avoid irreversible changes and serious damages to environment,
- Safeguard valued resources, natural areas and ecosystem components,
- Enhances the social aspect of the proposal.

3.7 Levels of ESIA

ESIA required under the Somaliland ESIA process shall be appropriate to the nature, scale and possible effects of the proposed project, and to the nature of the proposed site for its location. Sufficient understanding of these factors is necessary for the initial screening decision on the level of ESIA required.

The level and number of stages the assessment will pass through will depend on the expected extent and gravity (significance) of the environmental impacts. The level of ESIA required for a particular project will vary on a project by-project basis, but in general such levels will include the following three major categories:

- Small scale projects whose potential adverse environmental impacts can easily be identified and for which mitigation measures can readily be prescribed, and can be included in the design and /or implementation of the project. The environmental aspects of such small-scale projects would normally be approved on the basis of the mitigation measures so identified, without the need for a detailed ESIA requiring field investigations.
- Projects for which there is some level of uncertainty on the nature and level of impacts, thus requiring a more in-depth Environmental Impact Review (EIR) to determine if mitigation measures can be identified, or a more detailed Environmental and social Impact Assessment would be required. If during the review adequate mitigation measures can be identified and incorporated in the project design, the necessity for a detailed Environmental and social Impact Assessment may be eliminated and the environmental aspects of the project may be approved.

- Projects which clearly will have significant impacts whose mitigation measures cannot readily be prescribed unless a detailed Environmental Impact Ass of the project and its possible alternatives is conducted. Conducting an ESIA requires greater public participation

3.8 Scenarios for ESIA application in Somaliland

Because ESIA is conducted before projects are implemented, it is appropriate that it shall be conducted before projects are licensed or approved for implementation by the responsible licensing and/or approving agencies.

As far as the practice has so far been, three scenarios are being used for the application of ESIA by developers. These include:

a) Application of ESIA as part and parcel of the project planning and design process,
b) Application of ESIA after finalization of project design but before actual implementation, and
c) Application of ESIA after project development has commenced through site preparation or actual construction and in most cases as a consequence of the project having been halted by regulatory authorities on the basis of ESIA having not been undertaken.

- According to the Somaliland ESIA requirements, option (a) is the most desirable, and in any case ESIA must be considered as part of the planning and design process for all projects.
- The Somaliland ESIA process therefore seeks to promote option one rather than the latter two scenarios and the process described below is based on option one as provided for in the law and ESIA Guidelines

3.9 ESIA as part of the project planning and design process

In order to meet the objectives of ESIA, and to fully integrate environmental concerns into the project planning and design process, it is a requirement that ESIA shall be conducted as an integral part of the overall project cycle from project conception, feasibility analysis and project design, and shall therefore form the basis for environmentally sound project implementation and monitoring.

ESIA conducted at the early planning stages serves as a tool that assists and guides developers in designing more environmentally sustainable projects, through providing environmental information and raising environmental concerns at key stages in the project formulation and/or

planning cycle, thus leading to projects designed with in-built mitigation measures. Through this approach, any design proposals with potentially adverse environmental impacts can be mitigated, while those found to be incapable of mitigation could be changed accordingly. Thus, ESIA applied at this stage permits early indication of practical design changes aimed at either avoiding or minimizing identified negative environmental impacts, or enhancing environmental benefits.

The information resulting from the environmental assessment at this early stage can be included in the regular project document and in the project report being presented for approval. Such projects with in-built ESIAs would then be reviewed in light of sufficiency of mitigation measures proposed for the identified impacts. If comprehensively carried out, ESIA done as part of the project design process will be all that is needed from the developer to satisfy the ESIA requirement**.** If, however, a detailed Environmental and social Impact Assessment is subsequently called for, it will focus on critical issues requiring detailed analysis

CHAPTER 4: COMPONENTS OF THE ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT PROCESS

This part presents specific guidelines for each level of ESIA, and also provides guidance to the general public who are interested to know basic elements of the overall ESIA process, including the procedure for screening and scoping.

The basic components of the ESIA Process in Somaliland consist of three interconnected phases: screening, environmental impact study, and decision making. The relevant components of the ESIA process can be applied to projects during the conceptual and design stages, or after completion of project formulation and design but before actual implementation.

The main ESIA process is made up of three phases namely;

4.1 Stage I: Preliminary activities/ Screening process

Environmental Management Act LR 79/2018 usually requires that all projects which are listed in second schedule of the Act, undergo a preliminary assessment to determine whether a full ESIA is required. However, not all development projects will necessarily cause adverse effects to the environment, and hence not all proposed projects that require ESIA may undergo the entire ESIA process or the same level of assessment.

The objective of the screening phase is to determine if a proposed project.

1. Has or does not have significant impact. If it is found to have no potential of causing adverse effects to the environment, it shall be excluded from further ESIA and an appropriate decision shall be made to either approve or implement the project.
2. Has adverse environmental impacts for which mitigation measures can readily be identified either directly or through an environmental impact review. If found that adequate mitigation measures have been incorporated for the identified impact, the environmental aspects of the project may then be approved.
3. Has significant impact whose mitigation measures cannot readily be identified, hence requiring a detailed ESIA.

The developer gives a description of the project he intends to undertake and its impacts in the preliminary report. The report is submitted to the, a Statutory body which is mandated by law to approve a project where upon it is decided whether a full ESIA should be undertaken or not.

- If a decision is made at the screening stage to exempt a project, or to approve its environmental aspects on the basis of identified mitigation measures, such a decisionshall be contained in an **Approval Certificate of the ESIA** issued by the Authority (MoECC).
- If, however, after screening, it is determined that the project requires a detailed Environmental Impact Assessment Study, such a certificate shall only be issued after approval or disapproval of an Environmental Impact Statement (EIS).

4.2 Stage II; Environment Impact Study (EIS)

This stage deals with the identification of possible impacts

4.2.1 Scoping

This exercise should as much as possible involve consultation with the potentially affected communities as well as Non-Governmental Organizations, the private sector and other interested parties. Meetings should be arranged to obtain their comments on what to include in the study and what alternatives to be considered.

The team under the guidance of the coordinator identifies all the possible environmental impacts of the proposed project. The team in conjunction with the authority determines the scope of the study based on the magnitude of the project, extent of the impact, significant impacts which include specific local economic, social and ecological setting

4.2.2 Baseline Study

This involves undertaking a detailed description of the existing environment including the social and economic activities of the local population resident in the area to be affected.

4.2.3 Impact Evaluation

The various impacts that the project may have on the environment are evaluated by the team and ranked according to two criteria;

- quantitative or measurable change, where the impact can be measured and
- Qualitative change where the impact cannot be measured but depends on the Environmental acceptability of the project.

Quantitative changes provide a numerical representation of a measure and include the following;

- **Water quality and hydrology:** whether the proposed project will contaminate a publicwater supply, alter the course or flow of flood water, or deplete ground water supply;

- **population and housing**: whether the proposed project will displace large numbers of people, induce substantial growth or concentration of people
- **geology**; whether the proposed project will expose structures and human to major hazards such as earth quakes, landslides or result in changes in deposition of soils;
- **Biological resources**: whether it will eliminate plant and animal communities, causefish or wildlife population to drop below self-sustaining levels;
- **Air quality:** whether the intended project will result in substantial air emissions or decrease in ambient air quality.

Qualitative changes on the other hand refer to measures that are more descriptive and represent the presence of something reported and not necessarily measurable. These changes would subsequently lead to the degradation of the visual quality and sense of beauty of the natural environment. This considers such issues as, whether:

- the proposed project will significantly alter the existing natural view sheds including changes in natural terrain;
- it will greatly reduce sunlight or introduce shadows in areas used extensively by the communities;
- It will comply with local guidelines or goals related to visual quality; it will significantly increase light and glare on the project vicinity.

4.2.4 Identification of Mitigation Measures

The ESIA process seeks to compare various alternative options that may be available for any project and hence determine which one represents the most desirable balance between environmental and economic costs and benefits. Analysis and discussion of a range of alterative to the proposed project should include an evaluation of the merits of each alternative with respect to:

- technology and engineering design
- associated environmental costs of each alternative; interference and harmony with the surrounding features;
- conformity to the existing laws;
- Constraints and benefits of each alternative; nature of the alternative/ locations of project.

During such analyses, environmental losses and gains associated with the various alternatives are compared together with economic costs and benefits to provide a balanced and full picture of each alternative.

The team then identifies measures for the elimination (where possible), reduction of the potential impact, repairing damage or compensation for the various alternatives identified in the study and enhancing positive environmental benefits. The cost of the mitigation measures is also included in the evaluation

4.3 Stage III: Review and Decision-making

On the basis of whether the proposed project is exempt or appropriate mitigation measures have been incorporated for the identified impacts, upon review a decision shall be made to either approve or disapprove the environmental aspects of the proposed project. If approved, the necessary action shall be undertaken by the developer. After reaching a decision on the proposed action, and if it is approved, the developer will be permitted to implement the project in accordance with the mitigation terms or conditions attached to the approval. In the decision given by the developer, he/she shall give one alternative and cite reasons for rejecting others. The alternatives rejected and their reasons for being rejected should also be included in the report

When approving an ESIA, the Lead Agency can give a directive to the developer before, during and after realization of the project with a view to remedying any adverse effects of the project and ascertaining what impact the project may have in the event of decommissioning

4.4 Alternatives analysis during Environmental Impact Assessment

The ESIA process seeks to compare various alternative options that may be available for any project, and thus determine which alternative represents the most desirable balance between environmental and economic costs and benefits. The ESIA process shall therefore include an analysis and discussion of a reasonable range of alternatives to the proposed project which could feasibly meet the basic objectives of the project. The analysis and discussion should include an evaluation of the merits of each alternative with respect to:

- Nature of the alternative sites/locations of project;
- Feasibility of the alternative;
- The trade-offs of advantages and disadvantages of each alternative;
- Cost effectiveness, including associated environmental costs and benefits of each alternative;

- Technology and engineering design;
- Interference and/or harmony with the surroundings and future plans;
- Construction practices for each alternative;
- Operations, including associated demands for energy and other inputs by the various alternatives;
- Future/foreseeable impacts and/or constraints, and benefits of each alternative;
- Risks associated with the alternative, including potential risks to human health;
- Existence of important cultural and sensitive ecological systems and habitats in the proposed project area;
- Presence of endangered, rare and/or threatened species that may be at risk if the project is implemented;
- Conformity to existing policies, plans, laws, regulations etc.;
- The "No project" alternative.

During alternatives analysis, the environmental losses and gains associated with the various alternatives are compared together with the economic costs and benefits to provide a balanced and full picture for each alternative. A recommendation and indication of the preferred alternative and why it was chosen shall normally be given in the discussion of alternatives. If the preferred alternative is not the one with the least impacts, the discussion shall indicate why it was chosen. The environmental and economic cost benefit analysis associated with alternatives analysis is an important aid to the decision-making process.

Where it may not be possible to quantify or attach monetary value to a certain set of environmental impacts for purposes of comparing the various alternatives, other approaches may be adopted for placing value on such environmental impacts and thus permitting a decision to be made on the alternative to be implemented. This may involve holding meetings, seminar and/or round-table discussions involving stakeholders, and/or ranking of alternatives using various importance-weighting techniques adopted on a project-by-project basis. After the study is concluded, an Environmental Impact Statement shall be prepared.

4.5 Post Assessment Environmental Audits

- Monitoring of projects after ESIA has been conducted is essential as this will ensure that the mitigation measures and any other conditionality's set out by the developer in the ESIA are complied with and also verifies the performance of existing plans in the face of new laws and standards.

- The developer is required to ensure that all practicable measures to minimise any predictions as laid out in the project brief or EIS are complied with.

Environmental Audit means the systemic, documented periodic and objective evaluation of how well an environmental organisation, management and equipment are performing in conserving the environment and its resources.

The responsibility of carrying out an environmental audit lies with MoECC and the Lead Agencies After completion of the project or before the commencement of its activities, the developer is required to undertake an initial environmental audit of the project. It is required of the developer to prepare an environmental audit report after each audit and to have it submitted to the **Director General**.

4.5.1 Environmental Inspection by MoECC

An inspector shall be designated to carry out an audit of any land, project or facility for which a project brief or EIS has been made to determine how far the predictions made in the project brief or EIS are complied with.

4.5.2 Mitigation Measures

A mitigation measure is that which a developer may carry out to reduce or minimize the impact to the environment that the proposed project may cause or may have caused.

The purpose of this is to look for alternative and better ways of implementing the proposed project or associated activities so that the negative impacts are substantially eliminated or minimised while the benefits are enhanced.

A mitigation or management plan should include the following items.

a) Identification and summary of all anticipated adverse' environmental impacts

b) Description of each mitigation measures, including the type of impact to which it relates and the conditions under which it is required, together with designs, equipment descriptions and operating procedures

c) Description of the elements of the monitoring programme

d) Monitoring and reporting procedures that are designed to ensure early detection of conditions that necessitates corrective actions and provide information on the progress and results of mitigation and institutional strengthening measures.

4.5.3 Improvement Orders

Where a developer fails to put in place mitigation measures as set out in his/her EIS, he/she will be issued with an improvement notice by an environmental inspector and or commence criminal or civil proceedings against him/her as laid out in the LR 79/2018.

Basic steps in the Somaliland ESIA Process.	
Step I	The developer submits a project report to MoECC and to any other appropriate lead agency. The Project Brief outlines basic information on the proposed activity/project to establish whether or not the activity is likely to have significant impact on the environment
Step II	Based on the contents of the Project Report, the MoECC in consultation with an appropriate lead agency(is), carries out screening to determine adequacy of the Project Brief, in terms of the extent it addresses the environmental issues or level of ESIA required if it has not been done as
Step II	The developer is informed of the findings and decision whether further assessment is necessary or not. If the Project Report adequately addresses environmental concerns, approval can be issued without the need for further assessment
Step IV	If the Project Report is not adequate, a full Environmental Impact Study will be required and scoping to determine the likely significant environmental Impact is done and based on the scoping output, Terms of Reference (TORs) are prepared for approval by MoECC
Step V	The **Environmental Impact Study** is then carried out based on approved TORs
Step VI	After the assessment, the Environmental Impact Statement (EIS) is submitted to MoECC or **review** in consultation with other relevant lead agencies and stakeholders. Depending on the nature of environmental impacts at hand, the review process may include holding of a public hearing especially where there are controversial issues, impacts of a trans-boundary nature or very outstanding social concerns
Step VII	Based on the review of the EIS, a **final decision** is then taken on the environmental aspects of the project. Such a decision shall be contained in a **License of Approval of the Environmental and social Impact Assessment** issued by the MoECC
Note – The premise of the screening phase is that not all development projects may necessarily cause adverse effects on the environment due to differences in scale of	

the operation, nature of the proposed project and its location. Thus, not all proposed projects requiring ESIA shall necessarily undergo the same level of assessment. The objective of the screening phase therefore is to determine the level of ESIA required depending on whether the project has or does not have significant impacts

– The ESIA process also provides for subsequent post ESIA monitoring after approval has been granted. This provides for both self-monitoring by the developer, as well as for enforcement monitoring by the Regulatory Authorities

CHAPTER 5: INSTITUTIONAL FRAMEWORK FOR ENVIRONMENT IMPACT ASSESSMENT

5.1 ESIA Administrative Agency

The *Ministry of Environment and Climate Change (MOECC), Department of Environmental protection* has responsibility for efficient operation of the ESIA process. This encompasses a number of tasks, including screening of projects and provision of general procedural advice to the project proponents throughout the ESIA process. In cases where Environmental Screening or full-scale ESIA is required, the ESIA agency will approve the TOR for the ESIA report. The ESIA agency manages the review of the ESIA report and is responsible for any approvals or recommendations associated with the ESIA. In most jurisdictions, the ESIA agency is responsible for verifying that environmental protection measures are properly implemented.

In addition to their responsibilities for day-to-day operation of the review process, the administrative agency must provide formal procedural guidance to proponents and ESIA practitioners who will be participating in the ESIA process. Procedural guidelines outline the basic requirements of compliance with the ESIA rules and regulations. Many ESIA agencies have recognized the need for such technical guidance. Sectoral guidelines outlining environmental issues, potential environmental impacts, and suggestions for mitigation are often developed by these agencies.

5.2 Project Proponent

The *project proponent* is the entity with overall responsibility for the project. The proponent may be a private sector developer, a government agency, a joint venture, or some combination of these. The proponent is responsible for providing the scientific and technical information necessary at all stages of the ESIA process.

Proponents usually contract outside experts skilled in ESIA to assist them in this task. The proponent is also responsible for providing access to information about the project activities and the environmental setting of those activities. The level of detail required varies with the type of report. Initial project screening requires the least detailed information. A scoping/IEE report requires a higher level of detail, and a full ESIA will generally require field work to gather sufficient data for an adequate assessment of the potentially significant environmental impacts of the project. During a full-scale ESIA, the proponent normally commissions a study to gather the required information. As the ESIA will be conducted as an integral part of the

feasibility study, much of ESIA team's data needs may be provided by other members of the project team.

In the review process, the proponent must be available to answer questions about the project, its potential impacts, and the proposed environmental protection measures. The proponent is responsible for the implementation of mitigation measures and MOECC shall conduct regular environmental monitoring in line with Somaliland Environmental Management Act 2018.

5.3 Environmental Practitioners

Environmental practitioners act for the proponent, the ESIA agency, and governmental project implementing agencies. Environmental practitioners can be drawn from private consultancy practices, project proponent personnel, government utilities and infrastructure development agencies, scientific and technical institutes, and academia. They have considerable influence on the scientific and technical aspects of the ESIA review process. Over time, practitioners have accumulated considerable procedural knowledge. This knowledge is applied to help proponents satisfy the requirement of the ESIA process and develop guidelines for impact assessment.

In many jurisdictions, ESIA practitioners provide advice to the ESIA agency throughout the process. Few ESIA agencies have the necessary technical and scientific expertise on staff to deal with the broad range of environmental issues they face. Where possible, they supplement their staff by hiring outside practitioners to help with project screening, reviewing TOR, and reviewing ESIAs. The sectoral standing committees and commissions set up as review bodies may also be supported by independent practitioners.

Proponents rely heavily on practitioners to prepare Terms of Reference (TORs) in line with this guideline; to conduct environmental and Social Assessment (ESIA) study; design mitigation measures; and prepare ESIA reports, environmental and social management plans, and environmental monitoring and Audit

5.4 Other Government Agencies

ESIA is usually conducted in conjunction with the project approval process. Responsibility for granting final project approval may lie with a planning agency or an economic development agency. This agency normally is involved throughout the ESIA process. At the beginning of the project approval process, the agency ensures that the project proponent is aware of the requirements of the ESIA process, and may refer the proponent to the ESIA administrative agency.

The planning department is also involved in environmental management and monitoring planning. It can play an important role in ensuring the appropriate environmental protection measures are incorporated into the feasibility study. Once the ESIA administrative agency has completed its review, the agency responsible for approval takes the decision or recommendations of the ESIA administrative agency into account in its decision-making process.

The degree of cooperation and interaction between the two agencies determines the degree to which potential environmental impacts are taken into account in the final project approval.

Other government agencies are often charged with management and/or protection of environmental resources, social development, public health, and economic development. If a project will have an impact on one or more of these sectors, the agencies responsible should have an opportunity to raise issues and provide input into the ESIA process. These agencies are often contacted by the ESIA team during the preparation of the ESIA report, and should be represented in the ESIA review panel/committee

5.5 The Public

Most development projects affect a wide range of people with varied interests. Public participation is required to allow the affected people to identify significant environmental and social issues. An effective ESIA process takes issues raised by the public into account in the project design, or addresses the issues through appropriate environmental protection measures. Many development projects have failed because their designs did not address local needs or were not appropriate to the socioeconomic context of the locality. Although most developing countries have no formal requirements for public participation, communities are sometimes consulted by the ESIA team during its preparation of the ESIA report. While this practice of community consultation is relatively new, it is assuming increasing importance and is thus becoming more prevalent

5.6 International Assistance Agencies (IAAs)

Most projects funded by loans from IAAs must undergo an ESIA. All IAAs operate on the principle that responsibility for the preparation and review of the ESIA rests with the recipient country. In some cases, however, the IAAs will provide technical assistance for the ESIA pursuant to local ESIA laws and regulations. Such help may include screening the project; conducting the IEE; preparing the TOR; retaining a consultant to conduct the ESIA studies and prepare the ESIA report; reviewing the ESIA report; and attaching terms and conditions to the approval.

In other cases, the IAA will leave the recipient country to do the ESIA, but will require that the completed ESIA meet its requirements. The IAA then reviews the ESIA report, approves or rejects the funding proposal, and attaches terms and conditions if approved. After the project is in operation, the IAA may conduct a post project evaluation.

In general, the IAAs tend to require higher standards for ESIA than do many developing countries. The IAA standards for ESIA are often useful goals for the evolving ESIA processes in developing countries. An important aspect of the ESIA team's work is to find a balance between the standards of the IAA and the standards of the developing country.

5.7 Academic and Consulting Institutions

Universities and other academic Institutions can assume several roles in the ESIA process. They may assemble teams to perform ESIAs because they have access to different disciplines on their faculties. The same advantage gives them a role in reviewing ESIA drafts; more importantly, they usually have an independence from the project that is difficult to find in other sources of reviewers. Universities should be the main source of training for ESIA practitioners. They should also bring new analytical methods, such as GIS and computer-assisted risk assessment, into practice

CHAPTER 6: CONSULTATION AND PUBLIC PARTICIPATION IN ESIA PROCES

6.1 Background

There is no doubt that public involvement and consultation is a vital component of both successful ESIA systems and specific ESIA studies. Timely, well-planned and implemented public involvement and consultation programmes will contribute to the successful design, implementation, operation and management of proposal actions. It also enhances the effectiveness of the ESIA process. Specifically, public involvement and consultation provides a valuable source of information on key impacts, potential mitigation measures and the identification and selection of alternatives.

No less important, public involvement and consultation ensures the ESIA process is open, transparent, and robust, and also that individual ESIAs are founded on justifiable and defensible analyses.

ESIA processes are undertaken through consultation rather than participation. At a minimum, public involvement and consultation must provide an opportunity for those directly affected by a proposal to express their views regarding the proposal and its environmental and social impacts.

6.2 Role of stakeholders in public involvement and consultation

In ESIA it is not possible to consult everybody that might be considered to constitute the public current practice refers to identifying stakeholders who collectively can be taken to represent the public. Who are stakeholders? Basically, they are individuals and groups who have a "stake" or an "interest" that may be affected by a decision on a proposed policy, plan or project.

Often, when stakeholders are being identified, certain broad categories are defined, and individual stakeholders are assigned to one of the categories. One of the most common divisions is that between primary and secondary stakeholders. The former consist of those whose interests would be affected directly by a decision on a proposed initiative (examples are local communities living in the area in which a project will be located).

Secondary stakeholders consist of those not directly affected but who may be indirectly affected and/or who have an ability to influence the decision (examples might be international conservation NGOs or local/national media).

Another categorization divides stakeholders into internal and external groups. The former is those involved in the decision-making and the latter are those with interests that may be directly or indirectly affected

In most ESIA contexts typical stakeholders will be:
Local people (individuals) and communities (for example, villages) likely to be

- Affected by a project. Traditional leaders or representatives on community-level
- Bodies such as district councils can be consulted to obtain a communityviewpoint;
- Non-resident social groups who may use local resources, either regularly or intermittently, for example pastoralists;
- Selected social categories, for example women, the elderly and the poorestpeople;
- religious leaders;
- politicians;
- NGOs and voluntary organizations such as local community development or
- Resource user's groups, gender-based groups, labour unions and cooperatives;
- private sector bodies such as professional societies, trade associations andchambers of commerce;
- The different media (newspapers, radio, television); and
- National and local government ministries, departments and statutory agencies.

Whose remit and responsibilities includes areas and sectors likely to be affected (such as health, natural resources and land use). Such individuals, groups or organizations probably represent the minimum "search category" for those planning public involvement and consultation in an ESIA/SEA.

ESIA provide an opportunity for others to be involved – for example, research scientists who may be experts on aspects of a locality to be affected. There may be other stakeholders that need to be included in certain circumstances, for example, the project, programme or plan beneficiaries (may or may not be local) and perhaps the interested "public" in the country that should be involved in ESIA Process.

6.3 Objectives of Consultation and public Participation in ESIA Process

a) To understand the roles, objectives, relevance and contribution of public involvement in the ESIA and decision-making processes.
b) To recognize the options by which the public can be involved at differentstages of the ESIA process.
c) To understand who are the key stakeholders
d) To identify the methods, and the tools and techniques that can be used for thispurpose
e) To identify the principles and requirements for meaningful consultation with

stakeholders for this purpose.

f) To improve public disclosure of development activities to all stakeholders
g) Informing the public about the proposal and its likely effects
h) Obtaining local and traditional knowledge that may be useful for decision-making to solicit their views and concerns
i) Facilitating consideration of alternatives, mitigation measures and trade-offs
j) Ensuring that important impacts are not overlooked and benefits are maximized;
k) Reducing conflict through the early identification of contentious issues;
l) Providing an opportunity for the public to influence project design in a positive manner (thereby creating a sense of ownership of the proposal)
m) Improving transparency and accountability of decision-making; and
n) Increasing public confidence in the ESIA process

Relevance

Public participation and involvement are fundamental principles of ESIA. They establish and strengthen communication channels among stakeholders. The inclusion of the views of the affected and interested public helps to ensure that the decisions are equitable, fair and leads to more informed choices and better environmental outcomes. Experience indicates that public involvement in the ESIA process can and does meet these aims and objectives. Many benefits are concrete whereas other benefits are intangible and incidental. For example, as stakeholders see their ideas are helping to improve proposals, they gain confidence and self-esteem by exchanging ideas and information with others who have different values and views.

Nearly all ESIA systems make provision for some type of public involvement. However, as a minimum requirement, public involvement must provide an opportunity for those directly affected by a proposal to express their views regarding the proposal and its environmental and social impacts.

6.4 Purposes of consultation and Public Participation

Public participation is essential for good governance. Public Participation in Environmental and social Impact Assessment is *multi-purposive* aiming specifically to:

- Invite affected and interested people into the decision-making process to foster justice, equity and collaboration;
- Inform and educate the public on the planned intervention and its

consequences;

- Gather data and information from the public about their human (including cultural, social, economic and political dimensions) and biophysical environment, as well as about the relations (including those related to traditional and local knowledge) they have with their environment;
- Seek input and opinions from the public on the planned intervention, including its scale, timing and ways to reduce its negative impacts and to increase its positive benefits;
- Contribute to better analysis and more creative development, and consequently to a better public acceptance and support.
- Contribute to mutual learning of all parties and to improvement of the Public Participation and Environmental and social Impact Assessment practice

6.5 Levels of Consultation and Public participation

The basic types of public involvement are organized as a „ladder" of steps of increasing intensity and interaction. Levels of participation in ESIA varies from passive (unidirectional form of participation), to active through and interactive participation.

Public hearings and village meetings are active forms of public participation as they involve consultation while workshops demonstrate interactive participation.

There are different requirements with regard to planning and designing a public involvement program as explained below:

I. ***Information and notification***, strictly speaking, are preconditions of meaningful public involvement. On its own, *information disclosure* is not sufficient. *Consultation* denotes an ***exchange of information*** designed to canvass the views of stakeholders on a proposal and its impacts.

II. ***Participation*** is a more interactive process of engaging the target audience in addressing the issues, establishing areas of agreement and disagreement and trying to reach common positions.

III. ***Negotiation,*** among stakeholders is an *Alternative Dispute Resolution* mechanism, which is based on joint fact-finding, consensus building a mutual accommodation of different interests.

In practice, public involvement in ESIA largely corresponds to consultation. However, participation will be appropriate in many circumstances, for example, where a local population is displaced or relocated as a result of a project.

6.6 Key stakeholder's identification in the ESIA process

Determining who should participate in ESIA requires careful analysis because potential stakeholders will often represent different social groupings, religious leaders, gender, academic and research institutions, private sectors and constituencies. Each can contribute in different ways and may advocate different priorities based on individual needs, motivations and interests. Powerful, influential and wealthy groups tend to have better access to decision-making processes, and thus care is required to ensure that their views do not prevail to the detriment of the views, concerns and needs of poor, affected or marginalized groups.

Recognizing such issues, and balancing the needs of heterogeneous groups is crucial in ESIA. Some of the key stakeholders includes government institutions, development agencies, and private and commercial sector. It is important that these groups are involved, and that stakeholder involvement does not just focus on public groups.

1. ***The community*** Individuals or groups in the affected community would like to know the proposed project, the likely impacts; and the way their concerns will be understood and taken into account. They would like to get an assurance that their views will be carefully listened to and considered on their merits. They would like the proponents to address their concerns. They also have knowledge of the local environment and community that can be tapped and incorporated into baseline data.
2. ***Proponents*** Understandably, proponents will wish to shape the proposal to give it the best chance of success. Often, this involves trying to create public understanding and acceptance of the proposal through the provision of basic information. More creatively, project design can be improved through using public inputs on alternatives and mitigation and understanding local knowledge and values.
3. ***Government institutions*** the government agencies involved in the ESIA process would like to have their policy and regulatory responsibilities addressed in impact analysis and mitigation consideration. For the component authority, an affective public involvement program can mean the proposal may be less likely to become controversialin the later stages of the process. For the responsible ESIA agency, the concern will bewhether or not the public involvement process conforms to requirements and procedures. The advice and knowledge of government agencies, most directly concerned with the proposal should always be sought. However, in many cases,substantive information about the environmental setting and effects will come from other sources.
4. ***Civil society Organizations and interested groups*** Comments from NGOs and CBOs can provide a useful policy perspective on a proposal; for example, the relationship of

the proposal to sustainability objectives and strategy. Their views may also be helpful when there are difficulties with involving local people. However, this surrogate approach should be considered as exceptional; it cannot substitute for or replace views that should be solicited directly. Other interested groups include those experts in particular fields and who can make a significant contribution to the ESIA study.

6.7 Advantages of Consultation and public participation

There are a number of advantages gained by allowing effective public participation. Each of the key groups may perceive the advantages gained from public involvement in the ESIA process through their own experience and interests.

Table 1: Advantages of effective participation to selected different groups

The Proponent	**The Decision-maker**	**Affected communities**
Raises the proponent's awareness of the potential impacts of a proposal on the environment and the affected community.	Achieves more informed and accountable decision-making	Provides an opportunity to raise concerns and influence the decision-making process.
Legitimizes proposals and ensures greater acceptability and support	Provides increased assurance that all issues of legitimate concern have been addressed	Provides an opportunity to gain a better understanding and knowledge about the environmental impacts and risks that may arise.
Improves public trust and confidence	Demonstrates fairness and transparency, avoiding accusations of decisions being made „behind closed doors"	Increase awareness of how decision-making processes work, that makes decisions and on what basis.
Assists by obtaining local information/data	Promotes good relations with the proponent and other stakeholders	Empower people, providing knowledge that they can influence decision-making and create a greater sense of social responsibility.

6.8 Public Participation at different stages of ESIA processes

Public participation is mainstreamed in during different stages of ESIA:

A. ***Screening*** The public provides information that facilitates scrutiny of the proposal. In addition, the early identification of affected parties and their concern provides information that can be incorporated into the scoping stage of ESIA.

B. ***Scoping*** Public participation is commonly undertaken at the scoping stage. Stakeholder analysis is a process that allows ESIA experts to widen the involvement of the people and institutions in project planning and design. It is an important means of identifying which stakeholders should be included within the ESIA process, and determining how the project might impact upon different groups.

To be effective, stakeholder analysis should be undertaken during the scoping stage of ESIA by identifying their interests in relation to project objectives and activities. It is critical to ensure that all the significant local information about the project area is gathered and alternative ways of achieving the project objectives are considered so that the public can be conversant with all issues regarding the undertaking.

A. ***Impact analysis and mitigation***-During impact identification, determination of impact magnitude and significance and development of mitigation options/measures public involvement is highly required. In many cases, planning for public involvement in the mitigation plan will be a vital ingredient for success. Not only does it imply that the public needs to be involved in contributing to the formulation of the management plan, but also, the plan needs to be accessible to the public. This is likely to enhance environmental and social management because initially it is the people who will suffer or benefit.

B. ***Review of EIS*****A** major opportunity for public involvement occurs when ESIA reports are exhibited for comment (public disclosure). However, making written comments is daunting to all but the educated and literate. Other means of achieving responses should be provided where proposals are controversial. Public hearings or meetings may be held as part of ESIA review. They can be formal or informal but should be especially structured in a way that best allows those affected to air their concerns. Some people or groups are not comfortable in speaking in public, and in such cases other or additional mechanisms may be used.

C. ***Monitoring and auditing***-The environmental impacts of major projects will be monitored during construction and operational start up, with corrective action taken where necessary. Local representatives should scrutinize and participate in monitoring process. This arrangement can assist proponents and approval agencies to respond to problems as they arise. It can also help to promote good relations with local communities that are affected by a development.

6.9 Timing of consultation and Public Involvement

Planning by the proponent for a public involvement program needs to begin early before other ESIA activities. Following scoping, the terms of reference for an ESIA study should include specifications for the proposed program, including its scope, timing, techniques and resources. If there are none, a separate document should be prepared by the ESIA team with advice to community and participation techniques. The plan should describe the means of notifying and informing the public about the proposals and the ESIA process, beginning at an early stage and continuing with updates on the progress of the ESIA study and feedback on community concerns. Specific reference should be made to the ways in which the public will be engaged, how their inputs (knowledge, values and concerns) will be taken into account and what resources (people and money) are available to assist their involvement. Wherever possible, meetings and inquiries should be held within the local community, especially if there are basic constraints on its involvement

6.10 Barriers to smooth effective public participation and involvement:

1. ***Remote and rural settings***-increased or dispersed settlements make communication and hence participation more difficult and expensive.
2. ***Illiteracy***-limits involvement especially when print media is used.
3. ***Local values/culture***-behavioral norms or cultural traditions can hinder public involvement or exclude those who do not want to disagree publicity with dominant groups.
4. ***Poverty:*** people are engaged in income generating activities rather than participating in meetings. To them involvement and participation means more time spent away from income-producing activities
5. ***Legal systems***-may be in conflict with traditional systems and cause confusion about rights and responsibilities over resource use and access.
6. ***Interest groups***-bring conflicting and divergent views and vested interests

7. ***Confidentiality***-may be important for the proponent and may weigh against early involvement and consideration of alternatives.
8. ***Lack of interest***: some people or groups might have no interest in attending for which they think have no benefit with such activity or are tired of too much such consultations.

CHAPTER 7: SOCIAL, HEALTH AND ECONOMIC IMPACT ASSESSMENT

7.1 Introduction

Social Impact Assessment includes the processes of analyzing, monitoring and managing the intended and unintended social consequences, both positive and negative of planned interventions (policies, programs, plans, projects) and any social change processes invoked by those interventions. Its primary purpose is to bring about a more sustainable and equitable biophysical and human environment.

1. The focus of concern of SIA is a proactive stance to development and better development outcomes, not just the identification or amelioration of negative or unintended outcomes. Assisting communities and other stakeholders to identify development goals, and ensuring that positive outcomes are maximized, can be more important than minimizing harm from negative impacts.
2. The methodology of SIA can be applied to a wide range of planned interventions, and can be undertaken on behalf of a wide range of actors, and not just within a regulatory framework.
3. SIA contributes to the process of adaptive management of policies, programs, plans and projects, and therefore needs to inform the design and operation of the planned intervention.
4. SIA builds on local knowledge and utilizes participatory processes to analyze the concerns of interested and affected parties. It involves stakeholders in the assessment of social impacts, the analysis of alternatives, and monitoring of the planned intervention.
5. The good practice of SIA accepts that social, economic and biophysical impacts are inherently and inextricably interconnected. Change in any of these domains will lead to changes in the other domains. SIA must, therefore, develop an understanding of the impact pathways that are created when change in one domain triggers impacts across other domains, as well as the iterative or flow-on consequences within each domain. In other words, there must be consideration of the second and higher order impacts and of cumulative impacts.
6. In order for the discipline of SIA to learn and grow, there must be analysis of the impacts that occurred as a result of past activities. SIA must be reflexive and evaluative of its theoretical bases and of its practice.

7. While SIA is typically applied to planned interventions, the techniques of SIA can also be used to consider the social impacts that derive from other types of events, such as disasters, demographic change and epidemics.

7.2 Social impacts

Social Impact Assessment (SIA) is much more than the prediction step within an environmental assessment framework. Social impacts are much broader than the limited issues often considered in ESIAs (such as demographic changes, job issues, financial security, and impacts on family life). A limited view of SIA creates demarcation problems about what are the social impacts to be identified by SIA, versus what is considered by related fields such as health impact assessment, cultural impact assessment, heritage impact assessment, aesthetic impact assessment, or gender impact assessment. The SIA community of practitioners considers that all issues that affect people, directly or indirectly, are pertinent to social impact assessment.

Social impacts can be subdivided into:

- Demographic impacts such as changes in population numbers, population characteristics (such as sex ratio, age structure, in-and out-migration rates) and resultant demand for social services (hospital beds, school places, housing etc.);
- Cultural resource impacts including changes in archaeological, historical and cultural artifacts and structures and environmental features with religious or ritual significance; and
- Socio-cultural impacts including changes in social structures, social organizations, social relationships and accompanying cultural and value systems (language, dress, religious beliefs and ritual systems).

In many ESIAs social impacts are considered to be only changes in population characteristics. It is likely that these impacts alone are assessed because such impacts are readily quantifiable and are easily calculated using well understood techniques. They can be given numerical values (for example, number of in-migrants and expected family size), which can provide an indication of the magnitude and scale of likely changes.

This restricted view of social impacts, however, omits more than it includes. An entire category of impacts, which for convenience can be called “socio-cultural” as opposed to demographic, is ignored. In the main, this is due to the lack of an accepted technique for predicting such impacts and the non-existence of detailed knowledge of the social effects of a variety of projects in different settings.

Socio-cultural impacts are those changes in social relations between members of an institution, community and society resulting from external influence. Social impacts include changes in such features of social life as:

- Quality of life/way of life;
- Social organization and structures;
- Cultural life; including such aspects as language, rituals and general life-style (such as dress). It is the components of cultural life which make a social group immediately recognizable as distinct from other groups;
- Political and dispute-resolution institutions and processes;
- Relationships between generations; and values.

There are two very important conceptual and technical reasons for incorporating social impacts within ESIAs.

1. People and their social groups (such as villages and tribes) are a component part of their environment. The strength and diversity of the linkages are, perhaps, stronger in developing countries compared with industrialized countries. Since they are part of the environment there are good logical grounds for assessing social impacts (indeed, there are also good political reasons). There is often a direct link between social and subsequent biophysical impacts. For example, a project in a rural area can result in the in-migration of a large labour force, often with families, into an area with a low population density. This increase in population can result in adverse biophysicalimpacts unless the required supporting social and physical infrastructure is provided at the correct time and place.

- Additionally, direct environmental impacts can cause social changes which, in turn, can result in significant environmental impacts. For example, clearing of vegetation from a valley in Somaliland, to assist construction and operation of an earth water pan,. This meant that local people and their livestock could move into the area and settle in new villages. The people exploited the newly available natural resources in an unsustainable way by significantly reducing wildlife populations and the numbers of trees and other woody species which were used as fuel wood. A purely “environmental” ESIA might have missed this consequence because the social impact of actions associated with dam construction would not have been investigated.

- The close relationships between social and environmental systems make it imperative that social impacts are identified, predicted and evaluated in conjunction with biophysical impacts. It is best if social scientists with experience of assessing social impacts are employed as team members under the overall direction of a team or study leader who has an understanding of the links between social and biophysical impacts and who is able to ensure, therefore, that integration occurs throughout assessment work. Sometimes the social impact assessment is done almost in isolation from the other work and the results of the work are incorporated in the ESIA report as a "stand alone" chapter which has very little connection to the rest of the text. This is little betterthan having a completely separate social impact assessment report. Both outcomes should be avoided.

2. The local people are often not the main beneficiaries of development projects. Often they may enjoy a few short-term benefits (increased access to jobs, especially during the construction phase), but are subject to a variety of cumulative adverse impacts which are long-lasting if not permanent (such as local natural resource depletion and declining air/water quality). It should never be assumed that this generalization is universally true-however, experience has shown it to occur frequently. Increasingly, equity and gender issues are appearing as prominent development-oriented objectives in the policies of various governments and multi- and bilateral agencies. Information on the social distribution of the environmental costs and benefits is important to designmitigating measures and to inform decision makers of the equity effects of particular development options.

- There is a current trend which will encourage integration of social impact assessment into ESIA. ESIAs increasingly incorporate a programme of public consultation and review. This provides an opportunity for individuals and groups to influence the nature and location of proposed developments via ESIA. There is an important side-effect to this process which is often overlooked. People and social groups react to expected changes which affect their interests, and can take proactive steps to prevent, avoid or reduce the intensity of expected events. Species and natural communities cannot act similarly. This specific "social" issue will lead to greater consideration of social impacts, on the part of developers, governments and agencies, as a way of encouraging the creation of a planning process which encourages local people to adapt in reasoned and acceptable (to them) ways to expected changed circumstances.

-

- Successful pursuit of this strategy should lead to more successful project implementation through elimination of delays and other costly events resulting from low levels of consensus amongst all the interested and affected parties in the development process.
- The process of social impact assessment is identical, in terms of the major activities and their sequence, to ESIA, thus including it within ESIA is relatively easy. There are, however, a number of issues specific to social impact assessment which need to be taken into account. First, and this is a direct consequence of the human propensity to act in advance of expected events, social impacts can occur from the moment people learn that a proposed project might be implemented in their locality.
- The issue of proactive response is also important when impacts have been predicted and public consultation occurs based on an interim or draft ESIA report. Interested and affected individuals and groups may react to the information in ways that may result in impacts. The nature of any response should be identified and, if possible, assessed before consultation occurs. This is not easy to do and is often omitted from ESIAs.
- Social impacts, like other impacts, need to be evaluated for their importance and significance once their extent and magnitude have been predicted. When assigning significance, it is less easy to rely on scientific, "objective" judgments provided by those implementing the assessment or on pre-existing criteria or standards. The "social" significance assigned to changes by individuals and particular social groups differs and needs to be incorporated into decisions on significance. Certain biophysical impacts will be a focus of public concern and "social" significance an important consideration, but the degree to which social significance is to be included in decisions on significance is probably greater in relation to social as opposed to biophysical impacts.

3. Finally, when an impact management plan is prepared covering mitigation, monitoring and community liaison requirements, it is important to consider that mitigation can apply not only to the proposal (design, siting, construction schedule etc.) but also to the host community or region likely to be affected. Communities can implement actions to reduce, if not avoid, significant adverse effects independent of actions aimed at the project. Also, it can be useful to consider whether any measures to mitigate biophysical impacts may have important social impacts.

Social impacts can be very difficult to identify and predict with any degree of certainty because of the variety and complexity of social structures and systems. Demographic and cultural resource impacts may be the exception to this "rule".

This contrasts, to some extent, with our ability to predict biophysical impacts such as noise, concentrations of air pollution, someecological impacts and the effects of water pollution.

The first stage is to identify the specific social groups which make up local communities.

Important social categories or characteristics which can be significant include:

- Ethnic/tribal affiliation;
- Occupation;
- Socio-economic status;
- Age; and
- Gender.

The next main step is to determine the degree of local control over natural resources, whether or not recognized formally in law. Control is defined as the actual ability to make major decisions regarding access to local resources and production and distribution rights in terms of the outputs from local resources. The links between the identified social groups and control over natural resources should be determined through identification and analysis of the institutions by which decision-making regarding use of natural resources and the resolution of conflict occurs**.**

7.3 Health impacts

Traditionally, health issues have been given little attention in ESIAs. Even when social impacts were being investigated, the effects of a proposal on individual mental and physiological well-being (health status and trends) were often omitted or treated in an unsatisfactory manner. The World Health Organization (WHO) defines health as "…*the extent to which an individual or group is able to realize aspirations and satisfy needs and… to change or cope with the environment'*. It is a positive concept emphasizing social and personal resources, as well as physical capacity". It is not just the absence of disease. If this view is accepted, then the links between health and social impacts are very apparent.

Often, but not always, health impacts depend on initial environmental impacts such as habitat changes causing increased vector densities (such as water borne diseases, like mosquitoes, diarrhea) or increased likelihood of contact between the vectors and humans.

- This direct relationship between a biophysical change and disease incidence may be one of the reasons why social impact assessments do not always examine health

Impacts. However, there are disease pathways which occur solely within a social context.

- A common example is an increased incidence of sexually transmitted diseases resulting from the influx of a large construction labour force (predominantly male), with money to spend, into a rural area.
- There are winners and losers in the development process. Some groups or individuals may be more exposed to harmful pollutants and their health status may decline. Also, some groups may suffer a reduction in their standard of living and become poor if their resource base is degraded or reduced with no comparable substitute(s) provided. Such a change in socio-economic status can be accompanied by increases in morbidity and mortality due to poor nutrition, unsanitary living conditions and reduced physical and financial access to health care facilities.
- Similarly, relocation of individuals and groups to new areas to enable a development to occur (a dam flooding a valley containing several villages) has been shown to increase death and illness rates amongst those being relocated. The old and the young have been the most vulnerable to illness and death. Health impacts can occur, also, directly from a development, particularly from a hazardous installation when an accident occurs such as the release of a certain amount of a toxic gas (as occurred at Bhopal) or an explosion.
- As in the case of social impact assessment, the ESIA logical framework of step-by-step activities, undertaken to assess and evaluate impacts and to formulate mitigation and monitoring measures, applies to health impact assessment. The scoping activities will determine the specific health impacts to be investigated and an expert in environmental or public health should be part of the overall ESIA team. Depending on the type of project and its locality it may be necessary to use specialists to provide periodic advice/input to the health expert (for example, toxicologists, epidemiologists and social psychologists).
- The assessment of health impacts is based on an identification of health hazards. This involves identifying the kind of hazards normally associated with projects of a specific type in a region. The next step is to assess the change in health risk attributable to the project. This involves identifying environmental factors which may cause health impacts and the individuals or groups who are potentially threatened by changes in these factors. These changes can arise from both routine and normal operating discharges, habitat alterations or unexpected conditions or events (an accident). The

Factors or agents, whose nature and behaviors can be affected by a proposed development, can be classed as chemicals, radionuclides, organisms or physical phenomena (pressure waves from explosions). Finally, it is essential to assess the capability of existing health institutions to protect the individuals or groups from the hazardous agents.

- Once this is done, a useful approach is to describe the known relationship between the "dose" of a health-impact-causing agent and the predicted health impact in the exposed group(s). Next, an assessment is made of the exposure of the group(s) to the pathways by which agents can affect them. Specific "doses" should be estimated for various alternative options and for each threatened group. These "dose" estimates are then compared with the known or expected dose-response relationships. This comparison enables an estimate to be made of the likely magnitude of the health impacts. Unfortunately, dose-response relationships do not work for communicable diseases, malnutrition or injury. For exposures that occur sporadically (accidents) instead of continually, it is necessary to estimate, using probabilistic risk analysis, the likelihood of the event occurring and combining the results with the exposure assessment.

7.4 Economic impacts

The reasons that have resulted in the incorporation of social impacts into ESIA have acted, also, to encourage integration of economic impacts. There can be no doubt that changes in thelocal economy can have a direct bearing on "quality of life" for individuals and communities. The focus of economic impact assessment is the estimation of changes in employment, per capita incomes and levels of business activity.

The magnitude and extent of economic impacts are dependent on the following main factors:

- Duration of construction and operational periods;
- Workforce requirements for each period and phasing of construction workforce needs (numbers to be employed during the peak phase for construction works);
- Skill requirements (local availability);
- Earnings;
- Raw material and other input purchases;
- Capital investment;
- Outputs; and of course, the characteristics of the local economy.

- When a new major project is proposed it is essential to obtain information on the proposed employment levels and expenditures on labour and local materials and services. At the same time, it is necessary to undertake a baseline study of the local labour market and economy. Using data from these studies, projections can be made of the likely economic impacts.
- It is essential to obtain information on the size of the labour forces required for construction and operation, the skills required (numbers of managers, engineers, office staff and laborers), age breakdown, average incomes and the length of time for which they will be employed. Experience from past economic impact assessments has shown a tendency for developers to overestimate the numbers of workers required for construction. It is difficult to achieve accuracy in this matter because of inherent uncertainty and technological changes which render past experience redundant. Nevertheless, some attempt should be made by those involved in the assessment to determine the size of the labour force and the time for which it is required (for example, construction labour forces tend to reach a peak about mid-way through the construction period then slowly decline).
- As well as estimating labour forces, it is very useful to obtain information on capital expenditure by the developer on locally produced goods and services which will be required for both construction and operational phases. At the same time as these data are being obtained, a survey of the local economy should also have been undertaken.
- Information should relate, primarily, to the local labour market. Generally, a local labour market is defined in terms of the travel-to-work pattern of local people. Precise definition of a local labour market is difficult and will vary from case to case. Initially, the nature of the local industrial structure should be examined. This examination should include the degree to which local employment depends on a particular industry – for example, food processing. Data on the industrial structure should be collected over time to determine trends in the growth and decline of particular industries.
- Additionally, the occupational structure of the local labor market should be analyzed. This should cover the number of workers with particular skills, vacancies that exist for specific skills – for example, welding – and the average wage levels for the different skill groups. Also, it is important to collect information on the unemployed in terms of their numbers, age and skills. This information is important because it can be an important determinant of the extent to which the unemployed can take up jobs made

Available by a project. If the unemployed were found to be elderly, then it is unlikely that many would wish to take up jobs involving laboring for long hours. Finally, an examination of male/female activity rates (the proportion of a population of working age which is in "full" employment) can give a useful indicator of hidden employment reserves. Once data on likely employment characteristics relating to the project and on the local labour market have been obtained, an attempt can be made to predict economic impacts.

There are a number of techniques available to predict economic impacts, but the most commonis the income and employment multiplier. It works on the basis of an initial income injection into a local economy. This income injection is provided by the wages of direct employees at aproposed installation and any expenditure on local goods and services required for constructionand operation of the project.

- This initial income injection represents extra money which is incorporated, to a certain extent, in the local economy. This extra money is spent, by those who receive it directly, on other goods and services (some of which might be locally produced). This means that those who have produced the goods and services also enjoy a rise in income which subsequently is spent in a similar way as in the first round of expenditure. This process is repeated with a smaller amount being passed on at each stage. The eventual increase in local incomes depends on how many individuals purchase local goods and services.
- In many economies, increased direct income is either saved or exported from the economy in remittances to family and other kin outside the local area. If this were a characteristic of a particular workforce, then the value of the multiplier would be low. On the other hand, if consumption of local goods and services were high then the value of the multiplier would also be high. The higher the income multiplier the more jobs created in the local economy.
- It is important to realize that there are a number of factors which will determine the economic (in particular, employment) impacts of a project. It has already been stated that the characteristics of the unemployed will affect their ability to benefit from new employment opportunities.
- Also, activity rates showing a reservoir of suitable labour might also be misleading. Various social/cultural and economic factors may militate against men/women wishing to work in an industrial environment. For example, men who have a number of different occupations may not, as a result of previous experiences, wish to take the risk of single

Occupation employment. They might rather spread the risk of failure or job loss over a number of part-time occupations.

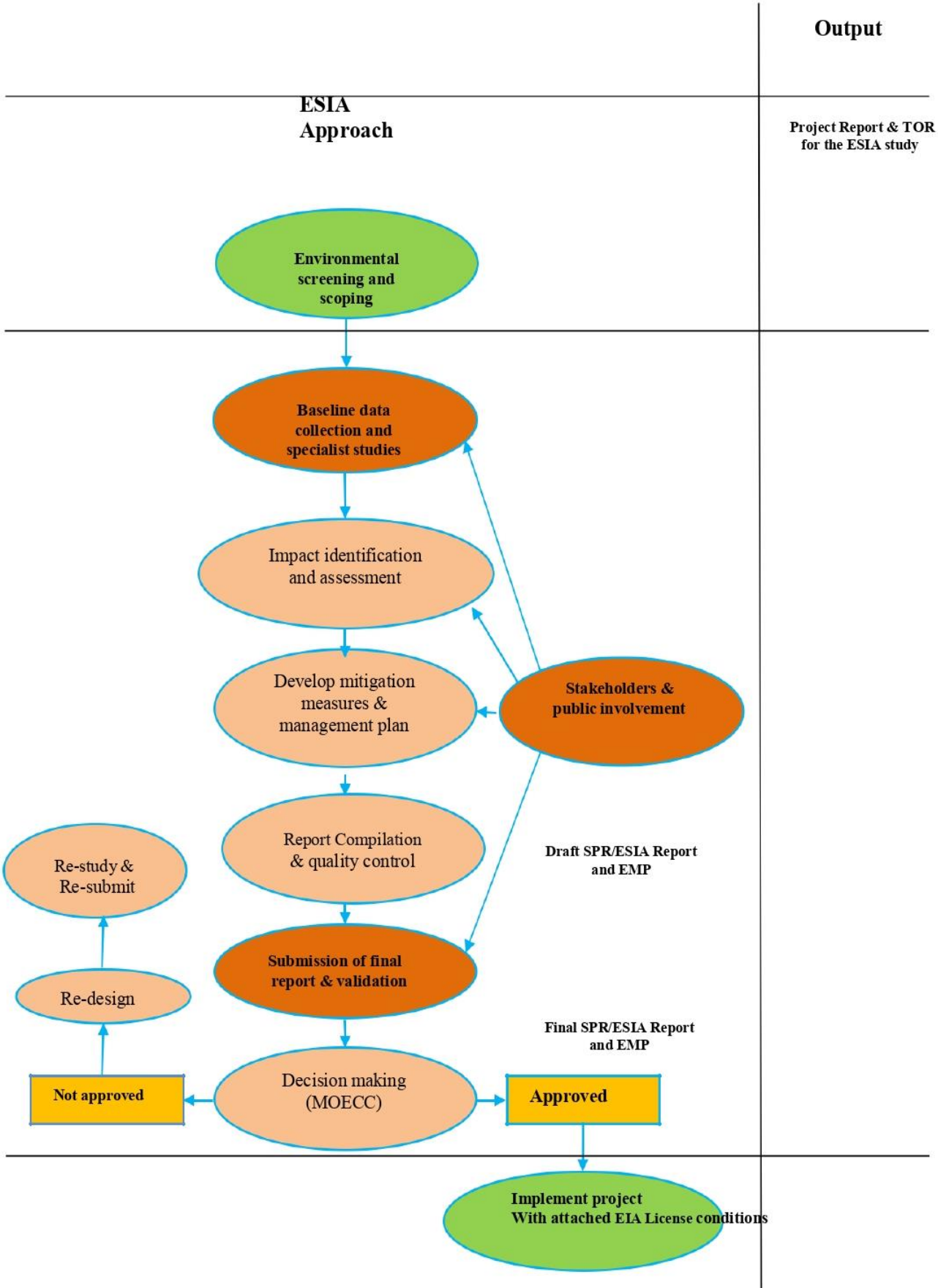
The effects of a new major project on existing long-established industries may be deleterious. The possibility exists of labour being attracted away from existing industries. The extent to which this will happen depends on:

Should such industries lose labour to a construction workforce then increased mechanization might mean that those employees who lose their jobs when a project has been built are unable to obtain their previous jobs. The impacts of a new project on existing industries should be assessed, though this is a very difficult task. The loss of certain industries through competition for labor might be economically marginal, but if the industries (and skills) concerned have a cultural significance in terms of ethnic or national identity then their loss might be considered to be very serious.

The economic impacts of a project are the main cause of social impacts. This is especially true if the construction and/or operation of a project results in the in-migration of workers from outside the local area. This does not always happen – it depends on whether the local labour market is able to supply the type of workers required by the new Project.

In many developing countries such as Somaliland, the phenomenon of induced development needs to be considered. New large projects represent “islands of prosperity in seas of poverty”. As such they attract people hoping to take advantage of job opportunities and the health and educational facilities that often accompany new projects. If this movement and aggregationof people occur, then local areas can receive more in-migrants than might be expected from an analysis of the number of jobs likely to be available. These people can place significant additional strains on local infrastructure, the environment and local government resources

Annex A: Flow chart Diagram ESIA Process



Annex B: Checklist for Environmental Impact Review

	Will the proposed project adversely affect the following environmental parameters?															
Tick as appropriate	**Socio-economic**			**Aesthetic/Cultural**			**Biological**				**Physical**					
Stage of Project and Related Activities	**Income**	**Employment**	**Displacement**	**Landscape**	**Local Preferences**	**Gender**	**Cultural sites**	**Plants**	**Animals**	**Human**	**Ecologically Sensitive Areas**	**Water**	**Land**	**Air**	**Noise**	**Other**
1. Site selection and preparation																
Nature of Activity																
Nature of Site																
Alternative Activity																
Alternative Sites.																
Other																
2. Site Preparation and Construction Phase.																
- Site Clearing																
- Excavation																
Access Roads																
Movement of Equipment																
Waste disposal																
Reclamation																
Other																

3. Implementation and operation Phase.															
Occupation Health and Safety															
Equipment operation															
Energy requirements.															
Water requirements															
Waste disposal															
Spills and leaks															
- Pollution															
Other e.g. Production															
4. Future and related Activities															
Growth Inducement															
Population															
Migration															
Energy requirements															
Cumulative Impacts															
- Other															

Note: Report of identified mitigation measures for significant impacts to be attached

Annex C: Detailed Checklist for Environmental Impact Identification

The following checklist is for use to determine whether a proposed project, policy, program, or activity is likely to have significant environmental effects.

1. Project title:

2. Lead agency name and address:

3. Developers name and address:

4. Project location:

5. Description of project (Describe the whole actions involved, including activities during different phases of the project, and any secondary, support, or off-site features necessary for its implementation Attach additional sheets if necessary).

6. Description of Proposed Project site and surroundings.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors ticked below would be potentially affected by this project, as indicated by the checklist on the following pages.

Geology	Air Quality	Hazards and Risks
Biological Resources	Noise	Recreation
Aesthetics	Public Services	Other EconomicActivities
Water Quality andHydrology	Utilities and ServiceSystem	Positive Impacts
Land Use and Planning	Energy	Transportation and Traffic
Population and Housing	Public Health and Safety	Cultural Resources

Tick as appropriate (All answers must take account of the whole actions involved, including off-site as well as on-site, cumulative as well as project-level indirect as well direct, and construction as well as operational impacts.)

GEOLOGY

Will the proposed activity	**A** Impact Potentially Significant Unless Mitigation Incorporated	**B** Impact not Significant
Expose people, structures, or property to major geologic hazards such as earthquakes, landslides, mudslides, or ground failure.		
Result in unstable earth conditions or changes in geologic substructure.		
Result in disruptions, displacements, compaction or over-covering of the soil.		
Result in change in topography or ground surface relief features.		
Destroy, cover, or modify any unique geologic or physical features.		
Increase wind or water erosion of soils, either on or off the site.		
Results in changes in deposition or erosion or changes which may modify the channel of a river or stream or the bed of any bay, inlet or lake.		
Be located within a known active fault zone, or an area characterized by surface rupture that might be related to a fault.	____	
Contain substrate consisting of material that is subject to liquefaction or other secondary seismic hazards in the event of ground shaking	____	____
Display evidence of hazards, such as land sliding or excessively steep slopes that could result in slope failure.	____	____
Be located in the vicinity of soil that is likely to collapse, as might be the case with karst topography, old mining properties or areas of subsidence caused by groundwater draw down.	____	____
Exhibit soils characterized by shrink/swell potential that might result in deformation of foundations or damage to structures.	____	____
Be located in a zone identified or designated as Important Farmland		

BIOLOGICAL RESOURCES

Will the proposed activity:	**A** Impact Potentially Significant Unless Mitigation Incorporated	**B** Impact not Significant
Cause a fish or wildlife population to drop below self-sustaining levels.		
Threaten to eliminate a plant or animal community		
Substantially affect, reduce the number, or restrict the range of unique, rare, or endangered species of animal or plant, or the habitat of the species.		
Substantially diminish or reduce habitat for fish, wildlife, or plants.		
Interfere substantially with the movement of any resident or migratory fish or wildlife species.		
Change the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, and aquatic plants) or animals (birds, land animals including reptiles, fish and Shellfish, benthic organisms or insects).		
Introduce new species of plants or animals into an areas, or become a barrier to the normal replenishment of existing species.		
Cause reduction in acreage of any agricultural crop.		
Increase the rate of use of any natural resources.		
Cause deterioration of existing fish or wildlife habitat.		
Adversely affect significant riparian lands, wetlands, marches, or other wildlife habitats.		

VISUAL AND AESTHETIC QUALITY

Will the proposed activity	**A** Impact Potentially Significant Unless Mitigation Incorporated	**B** Impact not Significant
Have a substantial, demonstrable negative aesthetic effect.		
Result in the obstruction of any scenic view open to the public, or result in the creation of an aesthetically offensive site open to public view.		
Comply with local guidelines or goals related to visual quality.		
Significantly alter the existing natural view sheds, including changes in natural terrain.		
Significantly change the existing visual quality of the region or eliminate visual resources. Significantly increase light and glare in the project vicinity.		
Significantly reduce sunlight or introduce shadows in areas used extensively by the community.		

WATER QUALITY AND HYDROLOGY

Will the proposed activity:	**A** Impact Potentially Significant Unless Mitigation Incorporated	**B** Impact not Significant
Substantially degrade water quality.		
Contaminate a public water supply.		
Substantially degrade or deplete groundwater resources.		
Interfere substantially with groundwater recharge.		
Cause substantial flooding, erosion, or siltation.		
Result in changes in currents, or the course of direction of water movement.		

Result in changes in absorption rates, drainage patterns, or the rate and amount of surface runoff.		
Alter the course of flow of flood waters.		
Change the amount of surface water in any water body.		
Discharge into surface waters, or result in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity.		
Alter the direction or rate of flow of ground waters.		
Cause change in the quantity of ground waters, either through direct additions or withdrawals.		
Substantially reduce the amount of water otherwise available for public water supplies.		
Expose people or property to water related hazards such as flooding.		
Interfere with other proposed facilities that would be located in flood-prone areas.		
Enhance impact of the proposed facilities that would increase off-site flood hazard, erosion or sedimentation.		

LAND USE

Will the proposed activity:	**A** Impact Potentially Significant Unless Mitigation Incorporated	**B** Impact not Significant
Conflict with adopted environmental plans and goals of community where it is located.	____	____
Disrupt or divide the physical arrangement of an established community.	____	____
Conflict with established recreational, educational, religious or scientific uses of the area.	____	____
Convert prime agricultural land to non-agricultural use, or impair the agricultural productivity of prime agricultural land.	____	____
Conflict with existing land-use policies		
Result in a substantial alteration of the present or planned land use of an area		
Result in a substantial alteration of the present or planned land use of an area.		
Result in the conversion of open space into urban or suburban scale uses.		
Conflict with local general plans, community plans, or zoning.		

POPULATION, HOUSING AND EMPLOYMENT

Will the proposed activity:	**A** Impact Potentially Significant Unless Mitigation Incorporated	**B** Impact not Significant
Attract people to the Project area and expose them to hazards found in an area		
Induce substantial growth or concentration of population.		
Displace a large number of people.		
Alter the location, distribution, density or growth rate of the human population of an area.		
Affect existing housing, or create a demand for additional housing.		
Conflict with the housing and population projections and policies set forth in the general plan.		

TRANSPORTATION AND TRAFFIC

Will the proposed activity:	**A** Impact Potentially Significant Unless Mitigation Incorporated	**B** Impact not Significant
Cause an increase in traffic which is substantial in relation to the existing traffic load (volume) and capacity of the street system.		
Generate substantial additional vehicular movement.		
Affect existing parking facilities, or demand for new parking.		
Substantially impact existing transportation systems.		
Alter present patterns of circulation or movement of people and/or goods.		

Alter waterborne, rail or air traffic. Increase traffic hazards to motor vehicles, cyclists, or pedestrians.		
Significantly impact intersection levels of service which are or will be below acceptable levels.		
Provide inadequate parking and internal circulation capacity to accommodate project traffic so that neighbouring areas are adversely affected.		

AIR QUALITY

Will the proposed activity:	**A** Impact Potentially Significant Unless Mitigation Incorporated	**B** Impact not Significant
Violate any ambient air quality standards.		
Result in substantial air emissions or deterioration of ambient air quality through e.g. suspended dust.		
Create objectionable odors.		
Alter air movement, moisture, or temperature, or result in any change in climate, either locally or regionally.		
Provide toxic air contaminant (TAC) emissions that exceed the Air Pollution Control threshold level for health risk.		
Hamper visibility		

NOISE

Will the proposed activity:	A Impact Potentially Significant Unless Mitigation Incorporated	**B** Impact not Significant

Increase substantially the ambient noise levels for adjoining areas.		
Expose people to severe noise levels.		
Generate noise that would conflict with local noise standards.		
Introduce land uses that substantially increase noise levels in the area.		

PUBLIC SERVICES, UTILITIES AND ENERGY

Will the proposed activity:	**A** Impact Potentially Significant Unless Mitigation Incorporated	**B** Impact not Significant
Result in an impact upon the quality or quantity of existing recreational opportunities.		
Require additional law enforcement staff and equipment to maintain acceptable service ratios.		
Require additional fire protection staff or equipment to maintain an acceptable level of service (response time, equipment).		
Require expansion of the existing school system.		
Affect or require the designation of substantial additional parkland to remain in conformity with locally acceptable or adopted park standards.		

UTILITIES

Will the proposed activity:	**A** Impact Potentially Significant Unless Mitigation Incorporated	**B** Impact not Significant
Breach published national, state, or local standards relating to solid waste control.		
Require extension of a sewer trunk line with capacity to serve new development.		

Result in a need for new systems, or substantial alterations to the following utilities:		
1. power or natural gas; 2. communication systems; 3. water; 4. sewer or septic tanks; 5. storm water drainage; and 6. Solid waste and disposal.		
Cause a significant increase in the consumption of potable water.		
Require substantial expansion of water supply treatment and distribution capacity.		
Require substantial waste-water disposal		
Produce solid waste in excess of available landfill capacity.		

ENERGY

Will the proposed activity:	**A** Impact Potentially Significant Unless Mitigation Incorporated	**B** Impact not Significant
Result in significant irreversible environmental changes including uses of non-renewable resources during the initial and continued phases of the project.	____	____
Result in significant effects on local and regional energy supplies or on requirements for additional capacity.	____	____
Result in significant effects on peak and base period demands for electricity and other forms of energy.	____	____
Conflict with existing energy standards.		
Result in significant effects on energy resources.		

Encourage activities which result in the use of substantial amounts of fuel, water or energy.	____	____
Substantially increase demand upon existing sources or energy, or require the development of new sources of energy.	____	____

PUBLIC HEALTH AND SAFETY

Will the proposed activity:	**A** Impact Potentially Significant Unless Mitigation Incorporated	**B** Impact not Significant
Attract people to a location and expose them to hazards found there		
Create a potential health hazard (including mental health), or involve the use, production, or disposal of materials which pose a hazard to people or animal or plant populations in the area affected.		
Create a risk of explosion or release of hazardous substances (including, but not limited to, oil, pesticides. chemicals or radiation) in the event of an accident or upset conditions.		
Expose people to potential health hazards.		
Pose a public health and safety hazard through release of toxic emissions.		
Result in unsafe conditions for employees, residents, or surrounding neighborhoods.		
Comply with all applicable laws regarding handling of hazardous waste materials.		

GENERAL

Will the proposed activity:	**A** Impact Potentially Significant Unless Mitigation Incorporated	**B** Impact not Significant
Substantially degrade the quality of the environment		
Achieve short-term environmental goals to the disadvantage of long-term environmental goals.		
Cause possible cumulative environmental effects that are individually limited but cumulatively considerable or for which the incremental effects of an individual project are considerable when viewed in connection with:		

past projects: current projects; and- probable future projects		
Cause substantial adverse effects on human beings, either directly or indirectly.		

CULTURAL

Will the proposed activity:	**A** Impact Potentially Significant Unless Mitigation Incorporated	**B** Impact not Significant
Disturb or destroy a resource which is associated with an event or person of recognized significance in Ugandan history.		
Disturb or destroy an archaeological resource with has recognized importance in prehistory.		
Disturb or destroy an archaeological resource which can provide information which is both of demonstrable public interest and useful in addressing scientifically consequential and Reasonable or archaeological research questions.		
Disturb or destroy an archaeological or historic resource which has a special or particular quality such as oldest, best example, largest, or last surviving example of its kind.		
Disturb or destroy any human remains.		
Disturb, alter, or destroy a site that is currently used for religious ceremonial, or other sacred purposes.		
Disturb, alter, or destroy a site that is important in preserving unique ethnic cultural values.		

DETERMINATION AND EVALUATION OF THE ENVIRONMENTAL IMPACTS

The proposed activity will result in the following Positive Impacts
(List)
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

This is to advise that the..... (Lead Agency) has reviewed and screened the above-described project on this day of the month of_____and year_____, and has made the following determinationregarding the project (Delete whichever is not applicable):

1. The project was found not to have any likely significant environmental impactsand therefore requires no further ESIA to be conducted.
2. The project was found to have a significant environmental impact but mitigation measures as attached were identified and shall be a condition of approval and implementation of this project. (Attach the relevant details as required).
3. The project was found to have significant environmental impacts for which no adequate mitigation measures have been identified and further detailed environmental impact study is required.

Discussion (Add notes as appropriate)
.....
.....
.....
.....
.....
Name of Agency Reviewing Project

_____
Name of Responsible Officer:
Title:_____
Signature of Responsible Officer

_____
Tel.

_____
Address_____
Date_____
Received by MOECC: _____
Signature of Responsible Officer: _____
Title: _____

Annex D: General Projects and Activities to undergo ESIA

1. General–
    a. An activity out of character with its surrounding;
    b. Any structure of a scale not in keeping with its surrounding;
    c. Major changes in land use.
2. Urban Development including: -
    a. Designation of new townships;
    b. Establishmen of Industrial estates;

c. Establishment to expansion of recreationalareas;
d. Establishment or expansion of recreational townships in mountainareas, national parks and game reserves;
e. Shopping Centre sandcomplexes.

3. Transportation including
    a. All major roads;
    b. All roads in scenic,
    c. Airport sand airfields;
    d. Oil and gas pipelines;
    e. Water transport.
4. Dams, river sand water resources including–
    a. Storage dams, barrage sand piers;
    b. River diversions and water transfer between catchments;
    c. Flood control schemes;
    d. Drilling for the purpose of utilizing ground water resources including geothermal energy.
5. Aerial spraying.
6. Mining, including quarrying and open-cast extraction of–
    a. Precious metals;
    b. Gems tones;
    c. Metal life rousers;
    d. Coal;
    e. Phosphates;
    f. Limestone and dolomite;
    g. Stone and slate;
    h. Aggregates, sand and gravel;

i. Clay;
j. Exploitation for the production of petroleum in any form;
k. Extracting alluvial gold with use of mercury.

b. Forestry related activities including–

a. Timber harvesting;
b. Clearance of forest areas;
c. Reforestation and Afforestation.

7. Agriculture including–
   a. Large-scale agriculture
   b. Use of pesticide;
   c. Introduction of new crops and animals;
   d. Use of fertilizers;
   e. Irrigation.
8. Processing and manufacturing industries including–
   a. Mineral processing, reduction of ores and minerals;
   b. Smelting and refining of ores and minerals;
   c. Foundries;
   d. Brick and earth-ware manufacture;
   e. Cement works and lime processing;
   f. Glassworks;
   g. Fertilizer manufacture or processing;
   h. Explosive plants;
   i. Oil refineries and petro-chemical works;
   j. Tanning and dressing of hides and skins;
   k. Abattoirs and meat-processing plants;
   l. Chemical works and process plants;
   m. Bulk grain processing plants;
   n. fish-processing plants;
   o. Pulp and paper mills;
   p. food-processing plants;
   q. Plants for the manufacture of assembly of motor vehicles;

9. Natural conservation areas including:
    a. Creation of national parks, game reserves and buffer zones;
    b. Establishment of wilderness areas;
    c. Formulation or modification of forest management policies;
    d. Formulation or modification of water catchment management policies;
    e. Policies for the management of ecosystems, especially by use of fire;
    f. Commercial exploitation of natural fauna and flora;
    g. Introduction of alien species off fauna and flora into ecosystems.
10. Major developments in biotechnology including the introduction and testing of genetically modified organisms.

Annex E: Projects which are likely to be exempted from the ESIA Process in Somaliland

The following list identifies those projects which are normally exempt from the ESIA Process. The characteristics and anticipated physical effects of each project should be carefully considered when or if they are exempted from further steps of the ESIA Process.

- Clearing and farm construction for individual subsistence small farms.
- Construction or repair of individual houses.
- Information collection (scientific or educational) except if it involves use of chemicals or endangered species or alien materials.
- Transfer of ownership of land or related facilities so long as the general character of the area is not changed
- Environmental enforcement actions.
- Emergency repairs to facilities within the character of its surroundings.

Annex F: Incident Management Register

Republic of Somaliland
Department of Environment Protection

INCIDENT MANAGEMENT REGISTER –Somaliland						
REF. No./Id	**Date received**	**Name and contact of Complainant**	**Complaint issue/ Description of Incident**	**Location**	**Category**	**Action Taken**

Annex G: Environmental and Social Management Plan (ESMP)

Environmental and Social Management Plan (ESMP)					
Social & Environ-mental Impacts	**Description of Impact**	**Mitigation Measures**	**Costs**	**Implementation Responsibility**	**Timeframe**
Construction Phase:					
Operation Phase					
Decommissioning Phase					