

**KINGDOM OF CAMBODIA
NATION RELIGION KING**

**MINISTRY OF ENVIRONMENT
DEPARTMENT OF ENVIRONMENTAL IMPACT ASSESSMENT**

**GUIDELINE
ON
PUBLIC PARTICIPATION
IN ENVIRONMENTAL IMPACT ASSESSMENT PROCESS**

Revised 24 October, 2016

CONTENTS

CHAPTER 1: GENERAL PRINCIPLES	1
1. INTRODUCTION	1
2. OBJECTIVES OF PUBLIC PARTICIPATION AND THIS GUIDELINE.....	1
3. PRINCIPLES OF PUBLIC PARTICIPATION	2
3.1. Principle of Access to Information	2
3.2. Principle of Public Participation in Decision Making.....	2
3.3. Principle of Access to Social Justice and Effective Remedies.....	2
3.4. Principle of Gender Equality in Public Participation	3
3.5. Principle of Promoting Indigenous People in Public Participation	3
3.6. Other Principles.....	3
4. DEFINITIONS.....	4
5. PUBLIC PARTICIPATION STEPS IN THE EIA PROCESS	5
6. SPECTRUM OF PUBLIC PARTICIPATION IN THE EIA PROCESS	6
6.1. Inform.....	7
6.2. Consult	7
6.3. Involve.....	7
6.4. Collaborate.....	7
6.5. Empower	7
7. ACCESS TO INFORMATION IN THE EIA PROCESS	8
CHAPTER 2: LEGAL ASPECTS.....	9
1. LAW ON ENVIRONMENTAL PROTECTION AND NATURAL RESOURCE MANAGEMENT, 1996	9
2. SUB-DECREE ON ENVIRONMENTAL IMPACT ASSESSMENT PROCESS, 1999.....	10
3. PRAKAS ON GENERAL GUIDELINES FOR CONDUCTING INITIAL AND FULL ENVIRONMENTAL IMPACT ASSESSMENT REPORT, 2009	10
4. DECISION ON COMPOSITION AND DUTY REVISION OF EIA COORDINATION WORKING GROUP .	11
CHAPTER 3: PROCEDURE FOR PUBLIC PARTICIPATION IN EIA STEPS	11
1. LEVEL AND FORM OF PUBLIC PARTICIPATION	11
1.1. Identification of Project Affected People and other Stakeholders	11
1.2. Outcomes of Public Participation	13
1.3. Access to information	13
1.4. Timing of Public Participation	14
2. PROJECT SCREENING STEP	14
2.1. Methodology.....	14
2.2. Time Period	15
2.3. Result	15
3. PROJECT SCOPING STEP	15
3.1. Methodology.....	15
3.2. Time Frame	19
3.3. Result	19
4. PROJECT INVESTIGATION STEP AND PREPARATION OF EIA REPORT.....	20
4.1. Methodology.....	20
4.2. Time Frame	23
4.3. Result	23
5. EIA REPORT REVIEW AND DECISION MAKING STEP	25
5.1. Methodology and Scope	25

5.2. Time Period	25
5.3. Result	26
6. ENVIRONMENTAL MONITORING STEP	26
6.1. Methodology.....	26
6.2. Monitoring	26
7. PROJECT CLOSURE, DECOMMISSIONING AND POST CLOSURE STEPS.....	27

CHAPTER 1: GENERAL PRINCIPLES

1. INTRODUCTION

The Kingdom of Cambodia embraces a regime in which the King shall rule according to the Constitution and to the principle of liberal multiparty democracy. Under this regime, the people are given supreme power in developing the country and all people have full rights and freedoms in expressing their ideas and engaging in work related to politics, economy, environment, society, and culture.

In order to approve a project or activity, the royal government requires prior study and assessment of environmental impacts before making a decision on whether the development project should proceed. Under the Law on Environmental Protection and Natural Resources Management (1996) and the Sub-decree on EIA (1999), the Ministry of Environment is required to make decisions on Initial EIA and Full EIA. Public participation is important for effective, transparent and socially just decision-making, and for government to make an informed decision on the project proposal. Public Participation is also a way of improving a project and promoting sustainable development in Cambodia. Therefore, public participation in the EIA process is indispensable; meaning that an absence of public participation is equivalent to an absence of an EIA.

Public participation in the EIA process refers to involving all parties who are both directly or indirectly affected by a development project in discussing issues, exchanging of and listening to comments and ideas, and sharing information. Public Participation includes taking part in resolving disputes in all stages of a project – planning, construction, operation, and monitoring – as well as contributing to the overall task of environmental protection and natural resource management.

Public Participation occurs at all stages of the EIA process, from screening, scoping, preparation and assessment and continues until the project is decommissioned and the project site is rehabilitated. To be effective, public participation should not be limited to a small group of supportive stakeholders. Public participation includes all those who have an interest in the project and who may be directly or indirectly impacted by the project. Stakeholders concerned with the development project will include ministries/institutions, local authorities, relevant departments, project owners, consulting companies, representatives of the affected people and nongovernmental organizations concerned with the project area(s).¹

2. OBJECTIVES OF PUBLIC PARTICIPATION AND THIS GUIDELINE

The objectives of public participation in the EIA process are to provide Project Affected

¹ This is from Annex 1, Prakas on General Guidelines for Developing Initial and Full EIA Reports No.376 BRK.BST 2 September 2009.

People and other Stakeholders the opportunity to be informed and consulted about projects or activities to express an opinion about projects or activities and to allow effective and meaningful involvement in all steps of the EIA process.

The objective of this Guideline is to provide guidance as to the type and extent of public participation that should be undertaken at each stage of the EIA process in order to achieve the broader objectives of public participation in the EIA process.

3. PRINCIPLES OF PUBLIC PARTICIPATION

The Kingdom of Cambodia is committed to protecting of human rights, pushing for quality decision-making, and creating transparent decision-making. These goals provide the framework for the following principles for meaningful public participation, which underpin this Guideline.

3.1. Principle of Access to Information

The public, individuals, legal entities, and civil society shall have appropriate access to information concerning the environment and development, including information on proposed projects and activities and hazardous materials in their communities. Information on proposed projects and activities, including any proposed Environmental Management Plans and EIA Approval Letter, shall be made widely available and publicly accessible, as soon as possible, and in a manner that will maximize the opportunity for public participation in the EIA process, including monitoring and compliance during the operation of the Project.

3.2. Principle of Public Participation in Decision Making

The public who may be affected by a decision shall be entitled to provide informed, timely, and meaningful input prior to the decision being made about the project or activity. The right to provide input shall be protected and should be free from coercion or threat of intimidation. They shall also have the right to participate in a transparent, inclusive, and accountable manner in the EIA process. Participation in EIA enhances the ability of governments to respond to public concerns and demands, to build consensus, and to improve acceptance of and compliance with environmental decisions because citizens feel involved in the EIA process.

3.3. Principle of Access to Social Justice and Effective Remedies

The public has the right to receive justice, including grievance redress mechanism and proper administrative complaint procedures, in case of violation or infringement by any party of the EIA process or the failure to comply with the Environmental Management Plans or any commitments made by the Project Proponent. People, legal organizations, and entities shall have access to appropriate venues, whether administrative or judicial, and to appropriate and effective remedies,

to enable the resolution of environmental disputes. Effective and efficient procedures and remedies should exist to enforce procedural rights and to punish those responsible for environmental harm. It is important for the public to have effective access to both informal and formal procedure to quickly and justly resolve environmental disputes.

3.4. Principle of Gender Equality in Public Participation

The meaningful involvement of women is to be promoted in environmental decision-making at all levels. Environmental impact assessments for development projects and Environmental Management Plans will include mechanisms to effectively assess the impacts on women, while public participation processes will include strategies to facilitate substantive contributions from women.

3.5. Principle of Promoting Indigenous People in Public Participation

The principle recognizes that indigenous people are often adversely impacted by development projects and need special protections. Public participation with indigenous communities must be conducted carefully and with due regard to this vulnerable position. In accordance with the National Policy on the Development of Indigenous People (2009), the view and concerns of indigenous people must be taken into account when considering projects that may affect indigenous people.

3.6. Other Principles

Principle of collaboration [unification] among all stakeholders is a principle to promote the building of consensus and agreement between PAP and other stakeholders.

Principle of being open and transparent in all stages and activities is a principle to ensure that the EIA process is subject to public scrutiny and that decisions are made in accordance with the relevant procedures.

Principle of integrity is a principle of avoiding a process that may lead to malpractice or corruption. The EIA process should have integrity and be worthy of trust and confidence. Principle of response to input and need of relevant stakeholders is a principle that the concerns and views of the PAP and relevant stakeholders are treated with genuine consideration and value. If these concerns are not to be supported, then reasons should be given to the PAP and other Stakeholders.

Principle of trust, strengthening of trust and confidence of relevant stakeholders is a principle that the EIA process is about building confidence in the whole process. Each Proposed Project or activity that is subject to the EIA process should be used to strengthen the whole process.

4. DEFINITIONS

Alternatives in relation to a proposed project, will include an assessment of lower impact alternatives to:

- the property on which or location where it is proposed to undertake the project;
- the type of project to be undertaken;
- the design or layout of the project;
- the technology to be used in the project;
- the operational aspects of the project; and
- any other substantive characteristic or aspect of the project as deemed necessary or appropriate by the ministry.

Environment - the complex web of interrelationships between living and nonliving components which sustain all life on earth, including the social/health aspects of human existence. The physical, biological, social, spiritual and cultural components which are interrelated and affect the growth and development of living organisms

Environmental Impact Assessment (EIA) is the detailed assessment of physical, biological and socioeconomic environment and resources, based mainly on primary data on the area within or in the surrounding the project site. It forms basis for identification, prediction and analysis of potential adverse environmental and social impacts by project activities, aiming to identify actions to minimize negative impacts and maximize positive impacts.

Environmental Management Plan (EMP): is the plan for environmental management as stipulated in the IEIA or full EIA report developed by the project owner and approved by the Ministry of Environment.

Initial Environmental Impact Assessment (IEIA) or Initial Environmental Examination/Evaluation (IEE) is the preliminary assessment of primarily secondary data of physical, biological and socioeconomic environment and resources on the area within or in the surrounding the project site. It forms basis for identification, prediction and analysis of potential adverse environmental and social impacts by project activities, aiming to identify actions to minimize negative impacts and maximize positive impacts.

Public: is the broad community including all stakeholders and Project Affected People.

Public Participation: is the participation of all stakeholders concerned with the development project including ministries/institutions, local authorities, relevant departments, Project Proponents, consulting companies, representatives of affected people and nongovernmental Organizations, whether local, national or international, with an interest in the project area(s) or the proposed Project.

Project Affected People (PAP) – a natural person, legal entity, or organization who/which are directly or indirectly affected by the investment project (or are likely to be affected) due to legally

requisition of lands or real estate, changes of land category, and impacts on the ecological and environmental system in their settlement areas. It can also include vulnerable groups and indigenous people that require special attention to ensure that their concerns are addressed.

Scoping is the process to determine the scope of the environmental impact assessment (EIA) or initial environmental examination (IEE) and the data needed to be collected and analyzed, to assess the impacts of the investment project on the environment, in which, such study requires terms of reference (TOR) to prepare a report on environmental impact assessment.

Screening is the step in the EIA process that determines whether a proposed Project or activity require an IEE or EIA or some other form of environmental assessment or approval.

Stakeholders are persons, groups or communities external to the core operations of a project who may be affected by the project or have interest in it. This may include individuals, businesses, academics, communities, and local government. Stakeholders can include other government ministries, national and international NGOs, the media, and people who are concerned about the project that may not live in the area directly impacted by the project.

Terms of Reference description of all works needed to be done when carrying out environmental impact assessment (EIA) or Initiative Environmental Impact Assessment (IEIA), in accordance with the scope of the study for assessing environmental impact.

5. PUBLIC PARTICIPATION STEPS IN THE EIA PROCESS

The EIA process has a number of different steps. These steps are independent but also link together to for a complete procedure. This guideline addresses public participation in each of the steps of the EIA Process. The EIA process includes the following recognized steps where public participation should occur:

1. Project screening;
2. Project scoping,
3. Preparation of the EIA Report and EMP,
4. Reviewing and assessment of EIA report;
5. Approval or Refusal of EIA Report;
6. Construction, operation and project monitoring and compliance.

Public participation is to provide opportunities to relevant parties to participate and to express their ideas and concerns about both public and private development projects, and to push for and encourage involvement from the public and private sectors and the general public on development projects. Public Participation can build trust and support for both the EIA process and for the specific development or activity.

6. SPECTRUM OF PUBLIC PARTICIPATION IN THE EIA PROCESS

Public participation can occur at different levels of involvement and communication. This is called the spectrum of public participation. It begins at the most simple level of providing information to the PAP and Stakeholders. The next two levels of “consult” and “involve” have greater participation from the PAP and Stakeholders. This can take many forms but it is a part of the development of greater feedback to the Project Proponent. At the highest level of the spectrum of public participation are “collaborate” and “empower”. At these levels of participation, the PAP and the Stakeholders become highly involved in the process, becoming partners and equals with the Project Proponent. “Empower” is the highest form of participation. This is where the PAP can become a decision-maker for the Project and if the project lacks the support of the PAP, then it does not proceed. For example, under the principle of Free, Prior and Informed Consent (FPIC), the indigenous community is empowered to either approve or reject the final project proposal.

IAP2 Spectrum of Public Participation



	Inform	Consult	Involve	Collaborate	Empower
Public participation goal	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public.
Promise to the public	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.

6.1. Inform

The level [extent] of informing is the provision of information to stakeholders does not provide any specific opportunity for their participation. It does provide the public with information they need to know and the process of the institution that makes decision. Both the goal and the promise in this information provision level shall be kept as information only.

Informing the PAP and other Stakeholders is the first step to ensuring that there can be adequate public participation in the EIA process.

6.2. Consult

The level [extent] of consultation of public participation is a minimum basic opportunity for input of the public to be included in the decision making. Consultation means asking and answering questions. The purpose of public participation at the consultation stage is the receiving and taking into consideration of the input of the public. The promise made at the consultation stage is to take into consideration the input of the public that will be received and to provide feedback as to whether or not the input will be included in the decision making on the project.

6.3. Involve

The level [extent] of involvement in public participation is higher than consultation. Involvement means that the provided input must be included. The level of involvement means that the public are invited to participate in the process from the beginning stage and given a lot of opportunities including the phase of the process for making decision. The purpose of public participation at the level of involvement (direct participation) is working directly with the public and taking into consideration their input by means of decision making process.

The promise made at the stage of involvement means that the comments from the PAP and other stakeholders will be responded to. It is a level that provides the PAP and other Stakeholders with direct feedback on how their issues were taken into account and how the project was modified to meet those concerns.

6.4. Collaborate

The level [extent] of collaboration of public participation includes all relevant stakeholders. In this stage, the PAP and other stakeholders provide input directly in the decision making. Collaboration should always encourage all stakeholders to agree on the common solution. This level of participation may be reflected in the Environmental Management Plans development by the Project Proponent.

The promise made at this level means that the public shall include main activities and all decisions and their input shall be incorporated at the maximum degree.

6.5. Empower

The level [extent] of empowerment of public participation means that public institutions provide the PAP with the opportunity to make their own decision.

The promise made at this stage is that public institutions will implement what the PAP has decided.

Table 1: Summary of Level of Public Participation Expected at Each Step in the EIA Process under these Guidelines

Step in the EIA process	Level of public participation expected
1. Screening	Inform (minimum)
2. Scoping	Consult (minimum)
3. EIA Investigation and Preparation of the EIA Report	Consult and Involve (minimum)
4. Review of the EIA Report and EMMP	Consult (minimum)
5. Decision-making on the EIA Report and EMP	Inform (minimum)
6. Construction, Operation, Monitoring, and Compliance	Anywhere on the spectrum, depending on the project (prioritized projects) In accordance with the EMP and the commitment of Project Proponent.

7. ACCESS TO INFORMATION IN THE EIA PROCESS

During the course of the EIA process, a lot of information and data will be created and gathered by the Project Proponent, the EIA consultant, the relevant Ministries and other Stakeholders. Effective and genuine public participation is based on the PAP and other Stakeholders being able to have access to relevant information. This information also needs to be accessible – both in terms of it being easily available (including via the internet and in hard copy) and in the sense that it is in a language, and uses terminology, that can be readily understood.

The Project Proponent, and the EIA Consultant, should provide information from the screening stage until the approval of the project by the Ministry. This should be ongoing and continuous to ensure that the PAP and other stakeholders have access to the relevant information to be able to participate effectively.

Once the project is approved, the Project Proponent and its Contractors and Subcontractors are responsible for providing information on a timely and continuous basis to the PAP and other Stakeholders. Once the project is operating then the Proponent or operator is required to maintain the distribution of appropriate information to the PAP and other Stakeholders, including the government.

The EIA process requires that the Project Proponent, or the EIA Consultant, will conduct meetings with Project Affected People. These should be conducted in a way that increases the opportunities for engagement. If the information is technical then there should be experts who can assist in explaining this to the PAP. If the PAP need assistance with language, then this should also be provided.

CHAPTER 2: LEGAL ASPECTS

1. LAW ON ENVIRONMENTAL PROTECTION AND NATURAL RESOURCE MANAGEMENT, 1996

Article 6:

An environmental impacts assessment shall be carried out on every project and activity of either private or public and shall be examined and evaluated by the Ministry of Environment before it is submitted to the Royal Government for decision. This assessment shall also be applicable for those existing activities and those which are being under process and which their environmental impacts have yet not been assessed.

Procedure for the environmental impact assessment shall be determined by Sub-decree following a proposal of the Ministry of Environment.

Nature and size of the proposed projects as well as the existing activities and activities under process of both private and public which are subject to assessment of their environmental impacts, shall be determined by Sub-decree following a proposal of the Ministry of Environment.

Article 7:

Every Investment Project Application and proposed project which are submitted by the State, shall enclose with them a preliminary Environmental Impact Assessment or Environmental Impact Assessment as stated the article 6 of this law. The Ministry of Environment shall consider and make recommendations on the preliminary Environmental Impact Assessment or Environmental Impact Assessment to relevant competent bodies within a period as determined in the Law on Investment of the Kingdom of Cambodia.

Article 16:

The Ministry of Environment shall, following proposals of the public, provide information on its activities, and shall encourage participation of the public in the environmental protection and natural resource management.

Article 17:

Procedure for participation of the public and access to information pertaining to the environmental protection and management of the natural resources, shall be determined by a Sub-decree following a proposal of the Ministry of Environment.

Article 18:

Information related to environmental protection and natural resource management shall be mutually disseminated between the Ministry of Environment and other ministries.

2. SUB-DECREE ON ENVIRONMENTAL IMPACT ASSESSMENT PROCESS, 1999

Article 1:

The main objectives of this sub-decree are:

- To determine an Environmental Impact Assessment (EIA) upon every private and public project or activity, and it must be reviewed by the Ministry of Environment (MoE), prior to the submission for a decision from the Royal Government.
- To determine the type and size of the proposed project(s) and activities, including existing and ongoing activities in both private and public prior to undertaking the process of EIA.
- Encourage public participation in the implementation of EIA process and take into account of their conceptual input and suggestion for reconsideration prior to the implementation of any project.

3. PRAKAS ON GENERAL GUIDELINES FOR CONDUCTING INITIAL AND FULL ENVIRONMENTAL IMPACT ASSESSMENT REPORT, 2009

Article 1

The Prakas aims to provide general guidelines on the development of initial Environmental Impact Assessments (IEIA) and full Environmental Impact Assessment (EIA) and check lists as per Annex 1 and 2 to this Prakas.

Article 7

The Department of Environmental Impact Assessment Monitoring and Review or concerned Provincial Departments of Environment shall make visit to and comment on the project site as stated in Article 2 and 3 above whether an IEIA or full EIA report is needed.

Article 9

The Department of Environmental Impact Assessment Monitoring and Review or concerned Provincial Departments of Environment shall review and comment on the IEIA or full EIA report following the general guidelines.

Article 14

The Department of Environmental Impact Assessment Monitoring and Review or provincial

Department of Environment shall be responsible for follow-up, monitoring and taking appropriate measures to ensure compliance by the project owner of the Environmental Management Plan (EMP) during project construction, operation and closure as stated in the IEIA or EIA report approved by the Ministry of Environment or provincial Department of Environment.

4. DECISION ON COMPOSITION AND DUTY REVISION OF EIA COORDINATION WORKING GROUP

Article 2

The EIA Coordination Working Group has the following duties:

- Review and decide on EIACWG internal regulation
- Review and comment on Environmental Impact Assessment Report of proposed projects and existing and in operation private and public development activities basing on the result of primary review and comment of EIA Department.
- Make decision on Initial Environmental Impact Assessment Report.
- Report to the Minister of the Ministry of Environment about the result of the meeting to provide comment on the Environmental Impact Assessment Report.

CHAPTER 3: PROCEDURE FOR PUBLIC PARTICIPATION IN EIA STEPS

1. LEVEL AND FORM OF PUBLIC PARTICIPATION

1.1. Identification of Project Affected People and other Stakeholders

The first step is to identify the PAP and other Stakeholders. The Project Proponent and EIA Consultant should endeavor to carefully determine and ensure participation from both governmental and nongovernmental stakeholders that are subject to the impacts and are interested in the project and its potential impacts. The geographical scope should include the areas that are in and around the project sites at both political and natural boundaries; or it can be called entire geographical scope of human and natural resources that are subject to impacts caused by proposed project activities. The impacts of the project can be direct or indirect.

The identification of specific problems presented by the project or proposed programs will help determine key Project Affected People and other Stakeholders and, in turn, those stakeholders will also help identify the problems to be analyzed. Additional stakeholders will continue to be

identified through the entire assessment process and should be included in the next activities of public participation. The participation from the public should include all of those who are interested in the project, for example, those who are interested in relevant project policies in Cambodia, people who live at lower (downstream) and upper (upstream) parts of the proposed project, or those who are subject to potential impacts of the development project and land users who might be affected by the development project.

The systematic and inclusive identification of the PAP and Stakeholders is a key part of the Scoping Phase. It is necessary to prepare a Public Participation Plan to include with the Scoping Report. This Public Participation Plan will outline the steps to be taken and the information to be provided during the EIA. The Public Participation Plan should provide details on how to identify the PAP and the representatives of the other Stakeholders.

1. Project Affected People

- Landowners and residents – both local and downstream;
- Indigenous groups in the affected area;
- Women, children and elderly people;
- Vulnerable groups including disable people and poor people

2. Government Authorities

- National, provincial, district and local authorities;
- Authorities responsible for pollution control including water, waste, soil, noise and air pollution;
- Authorities responsible for protection of nature, cultural heritage and the landscape;
- Health and safety authorities;
- Land use control, spatial planning and zoning authorities;
- Authorities in neighboring countries where transboundary impacts may be an issue.

3. Other Stakeholders

- Local, national and international environmental, social and development interest groups;
- Sectoral departments of ministries/insitutions responsible for agriculture, energy, forestry, fisheries, etc. (whose interests may be affected);
- International agencies whose interests may be affected
- Local employers' and business associations such as Chambers of Commerce, trade associations, etc.;
- Civil Society organizations such as Women's, Groups, Youth Groups etc.
- Employees' organisations such as trades unions;
- Groups representing users of the environment, e.g. farmers, fishermen, women using local resources for own consumption and trade, tourism

- operators; Research institutes, universities and other centers of expertise;
- The local and national media.

4. The wider Community

- Elected representatives and community figures such as religious leaders or teachers;
- Local community groups, resident groups, etc.;
- Scientific community;
- General members of the local and wider public.

1.2. Outcomes of Public Participation

The key outcomes of an effective public participation process will help:

- To identify the Project Affected People
- To identify other relevant Stakeholders
- To promote sustainable development for the Kingdom of Cambodia
- To identify Project Affected People and other Stakeholders
- To inform the PAP and all stakeholders about proposed project and its impacts
- To collect input, opinion, and concerns of the PAP and all stakeholders
- To accept information and opinion of the public in the EIA process
- To respond to the opinion of the public in the design of the Project
- To involve the public in the preparation of the Environmental Management Plans for the project
- To assist the Government in the assessment and decision making process
- To accept knowledge and tradition of local communities as the basis for decision making
- To coordinate and consider the options of measures and jobs for the people
- To ensure that major negative impacts are not overlooked and to increase benefits to a maximum degree
- To reduce disputes by identifying and avoiding or mitigating primary problems
- To provide opportunity to the public in the project design phase in positive measures
- To improve in way that the decision making will be done in a transparent and responsible manner
- To increase trust from the public in the EIA process

1.3. Access to information

During the EIA Process the Project Proponent or the EIA Consultant should establish a dedicated website for the provision of information about the project. This website shall be regularly updated with information about the status of the project, copies of all approvals,

plans and reports and permits required for the project and any details of compliance reviews and audits of the project.

The Public Participation Plan should include details about when and how the EIA Consultant

will provide information to the PAP and other Stakeholders. This may also include a Project Facebook page together with details on information to be provided at the Commune level.

Information that is relevant to the proposed Project should be provided to the PAP.

1.4. Timing of Public Participation

Public Participation should start early in the Project feasibility stage if possible. In the EIA process, Public Participation starts at the Screening Stage. Public Participation at the Screening and Scoping are very important. If this is done well then it will be a solid basis for the rest of the EIA process.

The PAP and Stakeholders must also be given time to consider the information that it provided to them about the Proposed Project. It is reasonable to allow at least one to 2 weeks to consider information about the project.

For the IEIA or EIA Report, the PAP and Stakeholder may require up to 4 weeks to be able to consider all the information contained in the reports. This means that the EIA Consultant should allow enough time between providing information to the PAP and for the consultation meetings and asking for comments.

2. PROJECT SCREENING STEP

2.1. Methodology

The Screening step is required to determine if a Project should be subject to an IEIA or a complete EIA. It is a decision made by the Ministry of Environment after consideration of information provided by the Project Proponent.

Project proponents shall provide information about their projects to stakeholders, including relevant ministries, institutions and/or territorial authorities and PAP and their communities. This is important both to advise stakeholders of the project proposal's existence and in order to start collecting data and information. At the screening step there may only be general information about the Project. Screening is the first opportunity for the Project Proponent to start to build trust with the community and to provide information to the PAP.

Screening is usually conducted by small scale meetings in and around the project sites with participation of stakeholders such as local authorities and PAP. It could also be by way of newspaper announcements. The scope of public participation at the Screening step is to:

- Establish relationships between the project proponent and both the local community and relevant government agencies
- Ensure the local community are aware of the project proposal and screening process
- Provide the local community with an opportunity to contribute their initial views on
- The project proposal for consideration in the Screening decision
- Ensure the Screening decision is made publicly available.

2.2. Time Period

At least one meeting must be conducted depending on the scale of the project and its impact, and each time can be conducted for a full day in order to provide opportunity for participants to give as much comment as possible.

The PAP must be given enough notice to be able to attend the meeting. The invitation letters should contain the date, time and location of the suggested meeting, information about the Project and contact details for the Project Proponent or the EIA consultant.

2.3. Result

The Project proponent shall provide Ministry of Environment with documents related to the development project as well as the situation of the environment and society after dissemination, so that the Ministry has the basis for analyzing and screening the project. The Ministry's screening decision must be made public as soon as possible once it is official.

The project proponent and EIA consultant shall be required to compile an Initial or Full Environmental and Social Impact Assessment based on the result of the collection of comments of all stakeholders to include in this report especially the result of the final consultation workshop.

Table 2: Screening meeting summary

Who should be involved?	Who is responsible for arranging the meeting?	What are the desired meeting outcomes?
<p>PAP at the local level and local CSOs</p> <p>Relevant local authorities</p> <p>Project proponent and (if already engaged) EIA consultant</p> <p>Translator/s</p>	<p>Project proponent in cooperation with relevant local authorities and the local community leaders</p> <p>DEIA is usually involved in this meeting.</p>	<p>To inform the PAP of the project and EIA process.</p> <p>For proponent to collect initial feedback about the screening of the proposed project for incorporation into project and EIA preparation.</p> <p>For DEIA to collect initial feedback about the proposed project for consideration in the Screening decision.</p>

3. PROJECT SCOPING STEP

3.1. Methodology

The project proponent and EIA Consultancy Firm shall disseminate to the general public including relevant ministries, institutions, relevant capital-provincial department, territorial authorities, civil society, community representatives, and stakeholders related to the development

projects.

Scoping is the next step in the EIA process. This happens early in the EIA process in order to identify major problems and in order to focus and link with the assessment. The Scoping Phase of the EIA Process will also produce a detailed TOR and a Public Participation Plan. Both of these are approved by DEIA.

An initial public hearing will be able to provide more information to the PAP. Even at this early stage the Project Proponent and EIA consultant should consider separate meetings to ensure that both men and woman are able to raise the issues of concern to them. It is important for public participation to include equitable representation of both women and men. EAI department, project proponent and EIA consultant shall consider to obtain the views from vulnerable people, including very poor people and those with disabilities, Indigenous people will also need special consideration to ensure that their views are collected and taken into consideration.

The Scoping Step is also the first opportunity to develop the Public Participation Plan (also known as a Public Participation Plan). The Public Participation Plan is drafted to set out the plan that the Project Proponent will adopt during the EIA process to ensure that it complies with its obligations to consult with the PAP and other Stakeholders. The Public Participation Plan should be developed in consultation with the PAP and other Stakeholders.

In order to be effective, public participation should be organized with a specific team. Communication goals should be clear. Communication with PAP and other Stakeholders should be timely, clear and informative. Responding to any concerns raised about the process is very important for building trust.

The project proponent and consulting firm shall disseminate information to the general public including relevant ministries and institution, relevant provincial/municipal departments, territorial authority, civil society, community representatives, and other stakeholders who are interested in the project. Information should be provided to clearly show the scope and type of the Project. This should be accompanied by maps, drawings and diagrams.

The information should be relevant and in a form that can be understood by the PAP and the other Stakeholders. This means that technical documents should be explained in simple terms in the local language. It also means that maps and charts and brochures should be left with the community to discuss further.

This information should also be placed on the internet so that it can be accessed by other Stakeholders and the general public. All material provided to the PAP should be treated as information in the public domain and so can be accessed and distributed to people outside the local community if required.

If there is a request for scientific and technical information to be explained, then the EIA Consultant should arrange for a meeting with the appropriate experts and the community.

Table 3: Scoping meetings summary

	Who should be Involved?	Who is responsible for arranging the meeting?	What are the desired meeting outcomes?
1st	PAP at the local level	EIA consultant in	To inform the PAP and

<p>Meeting (early in Scoping)</p>	<p>and local CSOs, MoE, Provincial Department of Environment</p> <p>Local authorities.</p> <p>Specific attention should be made to include women and vulnerable groups.</p> <p>Project proponent and EIA consultant</p>	<p>coordination with the local community leaders</p>	<p>stakeholders of the project proposal</p> <p>To inform the PAP and stakeholders of the EIA process</p> <p>To set the date for the next Scoping Meeting.</p>
<p>2nd Meeting</p>	<p>PAP at the local and regional level and local CSOs; MoE, Provincial Department of Environment</p> <p>Local authorities.</p> <p>Project proponent and EIA consultant Translator/s</p> <p>This meeting should also include separate meetings for men and women (with women facilitators) and then a combined meeting.</p>	<p>EIA consultant in cooperation with local community representatives</p>	<p>To elicit initial feedback and ideas from the PAP and other stakeholders on some of the issues that should be included in the ToR.</p> <p>To inform the PAP of the proposed Public Participation Plan that will include future meetings and provision of information.</p>
<p>3rd Meeting</p>	<p>PAP at the local and regional level and local and regional CSOs; MoE, Provincial Department of Environment</p> <p>This could also include those indirectly impacted and national</p>	<p>EIA consultant in cooperation with local community representatives</p>	<p>To present Draft ToR and seek feedback on whether it includes those issues of concern to PAP and other stakeholders.</p>

	NGOs with an interest in the area or the project Local authorities Project proponent and EIA consultant		
--	---	--	--

Methodology selection and time schedule used in communicating with relevant stakeholders and the public provide the following result:

- Encouragement for provision of key information for assessing and creating options
- Transparency about what has been proposed, and its potential impact, and measure to raise those problems, and
- A clear message to every member of the public whose inputs are important and beneficial in the entire EIA process.

Identification of impacts includes:

- Determining areas that will have an environmental, cultural traditional, social and economic impact
- Collecting comments of all stakeholders and including these comments in the decision-making process.
- Reviewing proposed project and explaining about the measures to mitigate negative environmental and social impacts.
- Taking into consideration in a broad manner the options for project and mitigation measures.

Scoping meetings involving the project proponent, public and responsible governmental institutions are a good mechanism for discussing the potential scope of the EIA (the issues to be considered during the EIA preparation phase). Meeting structures can be different depending on the nature and complexity of the proposed Project or activities and number of interested participants. For a Project with a limited impacts the meetings to determine scoping can be done in the same way as a business conference in which the participants take part in unofficial discussion about the problem. The meeting to determine scoping for a large or complex Project may require a more formal public meeting, where interested parties are provided with opportunity to show evidence. It may also require more than one public meeting to ensure that the views of all the PAP and other Stakeholders can be heard.

The EIA consultant must make a presentation about the proposed project. This can include:

- a brief description of the proposed project;
- the main phases of the project (design, preconstruction, construction activities, operation, decommissioning/ closure/post closure);
- a brief history of the project;
- planned timeframes for the project;
- expected investment and benefits (taxes, royalties, etc.);
- the actual status of the existing infrastructure related to the project;
- the need for the project including a brief justification;

- potential alternatives to the proposal, including alternative locations;
- potential likely impacts of the project; and
- potential impact avoidance, mitigation and management measures.

Other types of meetings to help determine the scope may include “workshop” with participants in small working group in seeking for options and other designs. Meetings may require translators to translate information for those who do not speak the same language. Technical and scientific terms and issues may also need to be carefully explained.

Some of the key issues to be explained by the EIA Consultant in the meetings during the Scoping phase include:

- Project boundaries and limits.
- Key concerns (based on similar projects)
- Identify/Explain the steps in EIA process
- Significant potential impacts
- Identify sensitive areas/important areas
- Identify alternatives
- Identify key issues of environment/social
- Identify the Project Affected Persons (PAP)
- Identify the other Stakeholders
- Stakeholder engagement plan (Public Participation Plan)
- Draft TORs

3.2. Time Frame

A period of 7 days to 15 days notice should be given in advance of a scoping meeting, depending on the type of project, the scale of potential impacts and the nature of potentially affected persons. This time period may be varied by the need to conduct more EIA meetings or at the request of the PAP for more time to consider the information provided by the EIA Consultant.

Each meeting should discuss the next possible meeting (if required). The Project Proponent or EIA Consultant should be as clear as possible about the next steps that will be taken in the EIA process. This is a key way to build trust with the community.

3.3. Result

The company shall prepare a Scoping Report and submit the compiled documents attached with relevant documents to Ministry of Environment for review and comment.

The Scoping Report should include draft Terms of Reference for the key issues that need to be included in the EIA Report and the Public Participation Plan. Once the Department has reviewed the Scoping Report, the Terms of Reference and the Public Participation Plan, the Project Proponent and its EIA Consultant may proceed to the EIA Preparation Step.

Table 4: Scoping Step Information Needs and Disclosure

What type of information should be provided?	Who is responsible for providing the information?	Who should have access to the information?
--	---	--

Outline of project, including maps, draft plans and other available information. Details of the time frame for construction and outline of possible impacts (in general)	EIA consultant	Local communities, PAP, CSOs, government agencies, media
Scientific or technical information about the project proposal and possible impacts	EIA consultant should organize specialists, as well as translators	Any PAP, stakeholder or government official that requests such information
Initial comments from the local communities, CSOs, and government agencies.	EIA consultant	Written feedback should be provided to the community on the initial comments.
Draft Scoping Report, ToR and Public Participation Plan	EIA consultant should prepare and distribute these documents for discussion with the local communities	Local communities (PAP, other Stakeholders) and local authorities DEIA
Approved Scoping Report, ToR and Public Participation Plan	EIA Consultant Ministry of Environment	General public

4. PROJECT INVESTIGATION STEP AND PREPARATION OF EIA REPORT

4.1. Methodology

As with the Screening step, ensuring that public participation is meaningful during the EIA preparation step requires ensuring that PAP and stakeholders:

1. First, are fully informed about the proposed project, including background of project proponent and the project, and the Public Participation Plan, and sufficient time to consider that information;
2. Second, have the opportunity to be consulted on their views and knowledge during the EIA investigation;
3. Third, have the opportunity to provide feedback on the investigation, findings and analysis; and
4. Finally, have the opportunity to formally comment on a draft EIA Report before it is finalized and submitted to the EIA Department for review.

The number of meetings required to achieve this level of meaningful public participation will vary depending on the nature of the proposed project, its location and the level of existing awareness of the proposal amongst the stakeholders – including, of course, the extent of public participation already undertaken in the Screening and Scoping steps. Generally, at least two meetings with PAP and stakeholders will be required during the EIA preparation step. It will be the responsibility of the EIA consultant to determine – based on the Public Participation Plan, the particular circumstances and in negotiation with the project proponent – the exact number of meetings that will be required (this should not be any less than was included in the Public

Participation Plan).

Study Phase: The project proponent and EIA consultant shall meet, discuss, interview and consult with affected people in accordance with the Prakas.

Determination of scope of study is based on the scale of impact both in and around the project site. This will depend on the TORs, any Sector Specific Guidelines that may have been developed and also the concerns expressed by the PAP and other Stakeholders during the Screening and Scoping Steps.

Environmental Management Plan: The final presentation at the EIA Finalisation Phase shall also include a presentation of the proposed EMP, which should include details of the proposed community grievance mechanisms or dispute resolution process to apply if the project is approved.

Full EIA Report Finalization Phase: The project proponent and EIA consultancy firm shall conduct a final consultation workshop prior to submitting the EIA Report to the Ministry of Environment, or the Provincial Department of Environment. This is so that PAP stakeholders involved with the project can provide final comments on the results that the consultancy firm have discovered before the EIA report is finalized. Participants should include representatives from relevant ministries and institutions, provincial and municipal departments, territorial authorities, civil society, the local community, and other stakeholders involved with the development project, with skilled officials of the EIA Department as observers.

Table 5: Project Investigation Step and Preparation of EIA Report– Meetings Summary

Nature/ objective of meeting	Who should be Involved?	Who is responsible for arranging the meeting?	What are the desired meeting outcomes?
Informing meetings (early in the investigation step)	PAP at the local level Local CSOs Relevant local authorities Project Proponent	EIA consultant in cooperation with relevant local authorities and the local community leaders	To inform the PAP of the project proposal, the Public Participation Plan and the ToR for the EIA investigation. To identify sources of information within the PAP and stakeholders that could contribute to the research and analysis in the investigation
Consultation meetings (during the EIA investigation and data gathering)	PAP at the local level Local CSOs Relevant local authorities	EIA consultant in cooperation with relevant local authorities and the local community leaders	To enable the PAP and stakeholders to contribute their knowledge, experience and views on the local environment and project proposal into the EIA data gathering process. To explain to the PAP

	<p>Technical and scientific experts (if requested by the community or otherwise considered necessary)</p> <p>Project Proponent</p> <p>Translator/s</p>		<p>and stakeholders the early and ongoing findings regarding the investigation findings, potential project impacts and analysis – including measures to address these impacts.</p> <p>To provide the PAP and stakeholders the opportunity to respond to, and present their perspectives on, these findings and analyses.</p>
Meetings on Draft EIA Report	<p>PAP at the local level</p> <p>Local and national CSOs</p> <p>Relevant national government and local authorities</p> <p>Technical and scientific experts</p> <p>Project proponent</p> <p>Translator/s</p>	<p>EIA consultant in cooperation with local community representatives</p>	<p>To present the draft EIA report, explain the findings of the investigation (including the impacts, alternatives, avoidance and mitigation measures and EMP) and how the PAP and other stakeholders' views have been incorporated.</p> <p>To provide information about compensation and any proposed benefits for the PAP.</p> <p>To give the PAP and stakeholders an opportunity to respond to the draft EIA Report before it is finalised and submitted to the EIA Authority.</p>
EIA Report finalization meeting	<p>PAP at the local level</p> <p>Local and national CSOs</p> <p>Project proponent</p> <p>Translator/s</p>	<p>EIA consultant in cooperation with local community representatives</p>	<p>To present the final EIA report (including the EMP).</p>

4.2. Time Frame

Study Phase: Public participation processes during the study phase should run for a period of one to three months for initial environmental impact assessments, and a period of three to six months for full environmental impact assessments. This timeframe is only for guidance. The primary requirements for IEIA and EIA is that the EIA Consultant fully considers the environmental, social, health and economic impacts of the proposed Project or activity. Sometime the studies may take longer than six months. The study phase should include regular briefing of the PAP and other Stakeholders.

The EIA Consultant will need to address the issues raised in the Terms of References and implement the Public Participation Plan.

Environmental Management Plan: Once the Study Phase has identified the potential impacts of the proposed Project, the Project Proponent and EIA consultancy firm will consider alternatives to the Project and also methods to mitigate or avoid adverse impact. This will require the development of Environmental Management Plans. These Environmental Management Plans, which would also include reporting requirements and any commitments to the PAP by the Project Proponent, should be developed in consultation with the PAP and other Stakeholders.

EIA Report Finalization Phase: The Project Proponent shall organize a joint consultation workshop, at which all relevant stakeholders should be invited to participate. This should be held for one to two days, depending on the type of project and the scale of impact, and scheduled with enough time prior to the EIA report being finalized to incorporate final feedback.

The final consultation workshop should also include a presentation of the proposed EMP, which should include details of the proposed Community Grievance Mechanism (CGM) or Dispute Resolution Procedures (DRP) to apply if the Project is approved.

4.3. Result

The project proponent shall incorporate the input from PAP and Stakeholders obtained during the EIA investigation, as well as comments from the presentation of the draft EIA Report to the PAP and Stakeholders, into the final version of the EIA Report. The EIA Report will need to comply with the Prakas on General Guidelines for Developing Initial and Full EIA Reports N. 376 BRK.BST (2009).

The EIA Report will then be lodged with the MOE for assessment. Under the EIA Sub Decree 1999 there is no time frame for the preparation of the EIA Report. The Screening, Scoping and Preparation phases of the EIA are undertaken by the EIA Consultant and their duration will depend on the complexity of the project.

Input from the public reflects the change in the assessment of project or program or commitment to mitigate impacts. The Ministry of Environment records specific steps in communicating with the public and other stakeholders and the time of those participations both before and during the preparation of EIA. The summary on public activities, observers number of participants, relevant organizations, concerns raised, response to comments, and if there is a need, copies of written comment should be attached in the annex section of EIA. Report on the provision of comments received by means of any methodology determined above shall be clear so that the reviewers and the public can assess the responsiveness to those comments including whether or not

it is understood, whether or not it is appropriate and why, and if it is appropriate, what activities are to be used in responding to those comments, and whether or not those activities are sufficient in solving all of the concerns. Many procedures can be accepted in summarizing or including true copies and photocopied copies in writing and orally and showing the responsiveness by describing the table and references in comparison with any changes.

The following subsections should be included in the Section 'Public Consultation and Disclosure' of any EIA report:

- Introduction
 - Background and Objective of the Project
 - Purpose of Consultation in EIA Preparation
 - Legal Requirements
- Methodology and Approach
 - Including how the needs of specific groups (women, children, ethnic minorities, etc) were identified and considered
- Summary of Consultation Activities Undertaken
 - Overview of how consultation undertaken, when, with whom and by whom
 - Summary of the opinion of the persons consulted
- Result of Consultation during Project Scoping
 - Issues identified by stakeholders
 - How these issues were taken into account
- Result of Consultation on the preparation of the EIA Report
 - Issues identified by stakeholders
 - How these issues were taken into account
- Result of Consultation during EIA Presentation
 - Issues identified by stakeholders
 - How these issues were taken into account
 - Comments on Environmental Management Plan
 - How the issues were taken into account.
- Recommendations for Ongoing Consultation and Dispute Resolution Process during construction and operation
- Appendixes:
 - Summary of Project presented during the public consultations (should provide project description in brief, potential impact of project, and mitigation measures for some significant impacts)
 - Detail proceedings / minutes for each consultation activity

- Complete list of participants for each consultation activity

5. EIA REPORT REVIEW AND DECISION MAKING STEP

5.1. Methodology and Scope

Under the relevant Prakas, the DEIA or the Provincial Department of Environment must visit the project site after the EIA Report has been lodged. There is no requirement under the Prakas for the DEIA or the Provincial Department of Environment to conduct a public participation meeting before the review of the EIA Report.

The review and comment on the IEE/IEIA Report and EIA Report consists of two steps:

- (1) internal review meeting of Ministry of Environment which includes EIA Department and Working Group to coordinate EIA work; and
- (2) Internal review meeting with inter-ministries: this meeting is conducted with participants from the working group of Ministry of Environment, relevant ministries and institutions, civil society, and national and international experts.

Prior announcement and sufficient time (period) for the chance to review and to provide each comment, which allowed appropriate time for the public to review or to find assistance from outside to review (for example independent consultants/experts). In general, Ministry of Environment allows a time period of 5 to 10 days for the provision of each comment, which can be longer or shorter, depending on the decision of the ministry. The time allowed for giving comment shall not be less than 5 days. There should be clear opportunity for adding the time period for giving comment when requested by the public.

5.2. Time Period

- Consult with local affected communities, local authorities, skilled departments and relevant civil society organizations and the period is 3 to 5 days.
- The meeting to review and comment of EIA Department is based on Sub-decree on the Organization and Functioning of MoE, 2015, and Prakas on the Organization and Functioning of EIA Department. This meeting shall be conducted for half a day in the period of around 5 working days after the officials of the department have visited the actual sites.
- The meeting and comment of EIA Coordinating Working Group based on the decision on the creation and adjustment of the composition of EIA Coordinating Working Group. This meeting has a period of one day in a timeframe of 10 working days after the EIA Department has assessed the amended Initial or Full EIA report is appropriate and acceptable.
- The meeting and commenting of Inter-ministerial Working Group on the EIA report. This meeting has a period of one day within a period of 10 working days.

5.3. Result

The result of the project review and assessment phase shall be a report to the Minister on whether the project should be approved and the conditions of the approval, The Report to the Minister shall include reference to the EMP and Grievance Redress Mechanism and any further results of the Public Participation Plan.

The decision of the Minister shall be notified to the Project Proponent and placed on the MoE website, together with the EMP for the Project. The PAP and stakeholders shall be notified of the decision taken by the Minister within 7 days of the decision.

It is the responsibility of the EIA Authority to ensure that the final EIA Report (along with associated documents and appendices, including the EMMP) is made publicly available as soon as it is received. Key documents that (at a minimum) should be available publicly at this step include the:

- final EIA Report;
- Scoping Report and approved ToR; and
- Public Participation Plan.

6. ENVIRONMENTAL MONITORING STEP

6.1. Methodology

Once the EIA or IEE has been approved by the Ministry of Environment and the EIA Approval Certificate will be issued. This will include the EMP, the conditions and obligations of the Project Proponent. These must be complied with during the construction and operation of the Project. In addition, there may be obligations for the closure and restoration or rehabilitation of the Project. These will be included in the Environmental Protection Contract and the EIA or IEE approval certificate.

For projects that have an EIA approved and proceed to implementation, it is vital both for the project's environmental and social outcomes and for the integrity of the EIA system that the project construction, operation, and eventual decommissioning comply with the EIA Report, EMP and any conditions of approval issued by the Ministry of Environment, and other relevant Ministries.

To ensure this compliance, and to achieve the commitments in the EIA Report, a monitoring system is required that involves both internal monitoring by the project manager (or an expert third party) and independent monitoring by external parties. This external monitoring could be undertaken by government agencies (national or sub national level), CSOs and community.

6.2. Monitoring

Monitoring is a continuous activity. Monitoring will help to satisfy the community that the project is being operated in accordance with the conditions of approval. It also helps to respond to and correct issues and concerns that may arise during implementation before serious consequences occur. Monitoring also enables the identification of:

- any weaknesses in mitigation and management measures (i.e. measures may be being implemented as per the EIA Report and EMMP, but not resulting in the anticipated

avoidance or mitigation of impacts);

- any new impacts that may not have been included in the EIA Report, as well as appropriate mitigation measures and associated amendments to the EMP; and
- findings and experience that may be relevant for future EIAs on similar projects or projects in similar locations.

PRIOR TO CONSTRUCTION

The project proponent and the project builder shall arrange a meeting or more than one meeting (if necessary) with the PAP before any construction works begin on site so that the people can clearly understand. This meeting should provide the details of the proposed construction schedule. Details should be provided of issues like the number of trucks and construction vehicles, the number of works, the hours of construction, how long the construction period will last, and the possible impact to the PAP should be explained, and clear mitigation measures.

CONSTRUCTION

The project builder should also detail the Public Participation Plan during the construction phase and shall arrange a meeting or more than one meeting (if required) so that the people can clearly understand. This should provide details of any mechanisms for liaising with the local community (such as a Community Consultation Committee) and for grievance redress.

OPERATION

The operational phase will last the life of the project and should have its own EMP. This EMP will include the details for the management of the environmental and social impacts of the project. During the operational phase, monitoring will be required of any pollutants and waste produced by the project's operation. This could be air pollution, noise pollution, visual pollution or water pollution. The waste could be recyclable waste, general garbage, or even toxic or hazardous waste.

Provision should be made for the involvement of the PAP and other relevant Stakeholders in the monitoring and compliance of the EMP. For a large project with ongoing potential impacts the Project Proponent should consider the establishment of a Community Consultation Committee.

7. PROJECT CLOSURE, DECOMMISSIONING AND POST CLOSURE STEPS

Public participation continues during the operation of the Project. The PAP and other Stakeholders should also be consulted and involved in the EMP for the closure and decommissioning of the Project.

For projects, such as mines and heavy industrial sites, that have a decommissioning or post closure monitoring period, the PAP and Stakeholders shall be involved in this monitoring period. This Rehabilitation Plan shall include shortterm and longterm monitoring requirements, including monitoring and management of any occurrences of contaminated waste and water. The post closure monitoring period may extend beyond five (5) years and shall be determined based on international standards.

Closure and post-closure monitoring shall document the progress of the closure and

reclamation effort. The elements of monitoring programs are to include:

- i. inspection of the physical conditions (e.g., for evidence of erosion and landslides) at the end of the initial rainy season post closure;
- ii. inspection of the plantings after the first year post-closure;
- iii. after two years, evaluation of the effectiveness of the reclamation effort (e.g., number and type of plant species, plant heights, productivity);
- iv. demonstration that water quality objectives are met; and
- v. assessment of the adequacy and performance of drainage structures and sediment control systems.

The development of any plans shall include the PAP and relevant Stakeholders.