

## Topic 3—Public involvement

### Objectives

To understand the role, scope and contribution of public involvement in the EIA and decision-making processes.

To recognise the options by which the public can be involved at different stages of the EIA process.

To identify the principles and requirements for meaningful consultation with stakeholders and the tools and techniques that can be used for this purpose.

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### Relevance

Public involvement is a fundamental principle of EIA. The inclusion of the views of the affected and interested public helps to ensure the decision making process is equitable and fair and leads to more informed choice and better environmental outcomes.

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### Timing

Three to four hours (not including training activity).

#### ***Important note to trainers***

*You should design your presentation with the needs and background of participants in mind, and concentrate on those sections most relevant to your audience. The session presentation timings are indicative only.*

*Time taken for the training activities can vary enormously depending on the depth of treatment, the existing skills and knowledge of participants and the size of the group.*



### Information checklist

Obtain or develop the following, as appropriate:

- sections of EIA legislation and procedure that make provision for public involvement;
- any guidance relevant to the application of public involvement locally;
- examples of involvement techniques that have been used or are relevant locally;
- case examples of public involvement programmes which demonstrate good and bad practice;
- estimates of the resources necessary to support a public involvement programme, in terms of time, people and money;
- examples of comments and submissions by the public on EIA studies and reports;
- other supporting documentation or research on public involvement;
- contact names and telephone numbers of people, agencies, organisations and environmental information/data centres able to provide assistance in relation to public involvement; and
- other resources that may be available such as videos, journal articles, computer programmes, lists of speakers, and case studies.

## Session outline

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**Briefly introduce the role and contribution of public involvement in the EIA and decision-making processes and note the different levels and types of approach. Ask the participants to consider why public involvement is important locally.**

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Public involvement is a fundamental principle of the EIA process. Timely, well planned and appropriately implemented public involvement programmes will contribute to EIA studies and to the successful design, implementation, operation and management of proposals. Specifically public involvement is a valuable source of information on key impacts, potential mitigation measures and the identification and selection of alternatives. It also ensures the EIA process is open, transparent and robust, characterised by defensible analysis.

Nearly all EIA systems make provision for some type of public involvement. This term includes public consultation (or dialogue) and public participation, which is a more interactive and intensive process of stakeholder engagement. Most EIA processes are undertaken through consultation rather than participation. At a minimum, 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.

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**Discuss the objectives and benefits of public involvement and consider how they apply to local situations.**

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1

The purpose of public involvement is to:

- inform the stakeholders about the proposal and its likely effects;
- canvass their inputs, views and concerns; and
- take account of the information and views of the public in the EIA and decision making.

The key objectives of public involvement are to:

- obtain local and traditional knowledge that may be useful for decision-making;
- facilitate consideration of alternatives, mitigation measures and trade-offs;

- ensure that important impacts are not overlooked and benefits are maximised;
- reduce conflict through the early identification of contentious issues;
- provide an opportunity for the public to influence project design in a positive manner (thereby creating a sense of ownership of the proposal);
- improve transparency and accountability of decision-making; and
- increase public confidence in the EIA process.

Experience indicates that public involvement in the EIA process can and does meet these aims and objectives. Many benefits are concrete such as improvements to project design (see Box 1). Other benefits are intangible and incidental and flow from taking part in the process. For example, as participants 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.

**Box 1: Examples of the contribution of public involvement to project design**

**Ghana Environmental Resource Management Project**

This project seeks to improve natural resource management. Public consultations drove the entire project design process from the very beginning. Investments under the village-level land and water resource management component were entirely designed by the local communities, which diagnosed problems, developed action plans and are now responsible for implementation. A coastal wetlands component was also largely designed through local consultation. Affected communities and user groups participated in the demarcation of ecologically sensitive areas and in determining the levels of resource use and conservation in coastal wetlands.

**Brasil Espirito Santo Water Project**

The original design would have had a negative impact on two communities. By including these communities in the EIA process through information disclosure and consultation, satisfactory mitigation measures were achieved that counterbalanced the impacts and improved local living conditions.

*Adapted from The World Bank (1995)*

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**Discuss briefly the different terms and definitions that are used when referring to public involvement. Consider the relative advantages and disadvantages of different types and levels of public involvement.**

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Key terms and definitions of public involvement are described in Box 2. The basic types of public involvement are organised as a 'ladder' of steps of increasing intensity and interaction. When reviewing them, note their



2

different requirements with regard to planning and designing a public involvement programme.

*Information* and notification, strictly speaking, are preconditions of meaningful public involvement. On its own, information disclosure is not a sufficient provision in public involvement for an EIA of a major proposal. *Consultation* denotes an exchange of information designed to canvass the views of stakeholders on a proposal and its impacts. *Participation* is a more interactive process of engaging the public in addressing the issues, establishing areas of agreement and disagreement and trying to reach common positions. *Negotiation* among stakeholders is an *alternative dispute resolution* (ADR) mechanism, which is based on joint fact-finding, consensus building and mutual accommodation of different interests.

In practice, public involvement in EIA 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. A few countries also make provision for mediation or negotiation facilitated by a neutral third party. In principle, these approaches to public involvement in EIA are distinctive and relatively separate. However, they may be used in combination; for example, consultation and participation can be appropriate at different stages of the same EIA process.

#### Box 2: Levels and forms of public involvement

- **informing** – one way flow of information from the proponent to the public;
- **consulting** – two way flow of information between the proponent and the public with opportunities for the public to express views on the proposal;
- **participating** – interactive exchange between the proponent and the public encompassing shared analysis and agenda setting and the development of understood and agreed positions on the proposal and its impacts; and
- **negotiating** – face to face discussion between the proponent and key stakeholders to build consensus and reach a mutually acceptable resolution of issues, for example on a package of impact mitigation and compensation measures.

*Adapted from Bass et al (1995)*

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**Consider who should be involved in the EIA process. Ask the participants to identify which parties might have a stakeholder interest in being involved in an EIA and why they might wish to be involved.**

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The range of stakeholders involved in an EIA typically includes:

- the people – individuals, groups and communities – who are affected by the proposal;
- the proponent and other project beneficiaries;

- government agencies;
- NGOs and interest groups; and
- others, such as donors, the private sector, academics etc.

### **Local people**

Individuals or groups in the affected community will want to know what is proposed; what the likely impacts are; and how their concerns will be understood and taken into account. They will want assurances that their views will be carefully listened to and considered on their merits. They will want proponents to address their concerns. They will also have knowledge of the local environment and community that can be tapped and incorporated into baseline data.

### **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.

### **Government agencies**

The government agencies involved in the EIA process will want to have their policy and regulatory responsibilities addressed in impact analysis and mitigation consideration. For the competent authority, an effective public involvement programme can mean the proposal may be less likely to become controversial in the later stages of the process. For the responsible EIA agency, the concern will be whether or not the public involvement process conforms to requirements and procedures.

### **NGOs/Interest groups**

Comments from NGOs 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 which should be solicited directly.

### **Other interested groups**

Other interested groups include those who are experts in particular fields and can make a significant contribution to the EIA study. The advice and knowledge of government agencies and the industry sector 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 outside sources.

The different benefits provided for key groups by effective public participation are described in Table 1. However, these benefits may not be always realised or acknowledged by participants. Each of the above groups may perceive the benefits gained from public involvement in the EIA process through the lens of their own experience and interests.

**Table 1: The benefits of effective participation for 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
Legitimises proposals and ensures greater acceptance 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'	Increases awareness of how decision-making processes work, who makes decisions and on what basis
Assists by obtaining local information/data	Promotes good relations with the proponent and third parties	Empowers people, providing the knowledge that they can influence decision making and creating a greater sense of social responsibility
Avoids potentially costly delays later in the process by resolving conflict early	Avoids potentially costly delays later in the process by resolving conflict early	Ensures all relevant issues and concerns are dealt with prior to the decision

Source: *Institute of Environmental Management & Assessment (1999)*.



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**Discuss how the people and groups who should be involved in a particular EIA can be identified. Ask participants to consider their application to the local situation.**

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3

People who may be directly or indirectly affected by a proposal will be a focus for public involvement. First and foremost are the individuals and groups who are likely to be directly and adversely affected. Usually, their identification is relatively straightforward. The intended beneficiaries of the proposal are often more difficult to identify because the benefits of the proposal may be generalised across a large population (which may be regional or national). In some cases, the interest of beneficiaries may be represented by government agencies, private sector groups and NGOs, which support the proposal on economic and social grounds.

A variety of other individuals and groups may be indirectly affected by a proposal or have some interest in its outcome. Often, the representation of the interests of indirectly affected parties will coincide with those of other stakeholders, such as local community, private sector and environmental organisations. However, this relationship cannot be assumed automatically. For example, certain major projects may affect such an extensive area that identifying a representative and manageable range of participants is difficult. In such cases, it may be helpful to systematically 'map' the stakeholders and differentiate among their interests.

Every effort should be made to seek a fair and balanced representation of views. Often, an inclusive approach to public involvement is taken. A common rule of thumb is to include any person or group who expresses an interest in the proposal. However, particular attention should be given to those 'at risk' from the impact of a proposal. World Bank guidance indicates this group should have the most active involvement.

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**Briefly review the provisions made for public involvement in the EIA system of a given country or an international development agency. Ask the group to consider any requirements of applicable international legal and policy instruments and the precedents set by the Aarhus Convention.**

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Most EIA systems make some type of provision for public involvement. The legal and procedural requirements for this purpose vary. In developing countries, the EIA procedure established by the development banks will take precedence for projects carried out with their assistance. All of the major development banks consult the public during the EIA process carried out on their operations.

Their specific requirements differ regarding timing and scope of consultation and the type and amount of information disclosed.



For example, World Bank Operational Policy (4.01) specifies that consultation with affected communities is a key to the identification of impacts and the design of mitigation measures. It strongly recommends consultation with affected groups and NGOs during at least the scoping and EIA review stage (see below). In projects with major social components, such as those requiring voluntary resettlement or affecting indigenous peoples, the process should involve active public participation in the EIA and project development process.

The provision made for public involvement should be consistent with principles established by international law and policy (see Box 3). The most comprehensive treaty in this regard is the Aarhus Convention, although this applies only to UNECE countries and only entered into force in 2001 (by ratification by a sufficient number of signatory countries). However, it is likely to set important new precedents for standards of public involvement. Key principles for public involvement, which are widely agreed, are outlined in Box 4.

### **Box 3: Reference to public participation in international law and the Aarhus Convention**

Reference to public participation is made in a number of international legal instruments including:

- *UNECE Convention on Environmental Impact Assessment in a Transboundary Context* (Espoo, 1991) which provides for the participation of the public in the areas likely to be affected by a proposal (article 2, paras 2 and 6, and article 4, para 2);
- the *Framework Convention on Climate Change* (1992), which requires Parties to promote and facilitate public participation in addressing climate change and its effects and developing adequate responses (article 6 (a) (iii));
- *Principle 10 of the Rio Declaration on Environment and Development* (1992) which states that each individual shall have the opportunity to participate in decision-making processes, facilitated by the widespread availability of information; and
- *UNECE Convention on Access to Information, Public Participation in Decision Making and Access to Justice in International Environmental Matters (Aarhus)* (1998) is the most comprehensive legal instrument relating to public involvement. It describes how public participation should work in cases of decision-making. The main text indicates that public participation should be effective, adequate, formal, and provide for information, notification, dialogue, consideration and response.

*Source: adapted from Stec and Casey-Lefkowitz (2000)*



4

#### Box 4: Principles of public involvement

The process should be:

- inclusive – covers all stakeholders
- open and transparent – steps and activities are understood
- relevant – focused on the issues that matter
- fair – conducted impartially and without bias toward any stakeholder
- responsive – to stakeholder requirements and inputs
- credible – builds confidence and trust

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**Relate public involvement to the stages of the EIA process. Ask the group to consider whether and how these apply in a given EIA system. Develop their responses to show how public involvement can be used throughout the EIA process.**

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5

The scope of public involvement and its relationship to the EIA process should be commensurate with the significance of the environmental and social impacts for local people. Ideally, public involvement should commence during the preparatory stage of project development and continue throughout the EIA process. This is particularly important for major projects that affect people's livelihood and culture. Five main steps at which public involvement can occur in the EIA process are discussed below.

#### Screening

For certain categories of proposal, the responsible authority may consult with people likely to be affected in order to gain a better understanding of the nature and significance of the likely impacts. This information can assist in determining if an EIA is required and at what level (see Topic 4 – *Screening*). In addition, the early identification of affected parties and their concerns provides information that can be incorporated into the scoping stage of EIA and assists future planning for public involvement.

#### Scoping

Public involvement is commonly undertaken at the scoping stage. This is critical to ensure that all the significant issues are identified, local information about the project area is gathered, and alternative ways of achieving the project objectives are considered. Terms of Reference for an EIA provide a means of responding to and checking against these inputs (see Topic 5 – *Scoping*). They should also outline any specific requirements for public involvement in EIA preparation, review, and follow up.

### **Impact analysis and mitigation**

The further involvement of the public in these phases of EIA preparation (see Topics 6 – *Impact analysis* and 7– *Mitigation and impact management*) can help to:

- avoid biases and inaccuracies in analysis;
- identify local values and preferences;
- assist in the consideration of mitigation measures; and
- select a best practicable alternative.

### **Review of EIA quality**

A major opportunity for public involvement occurs when EIA reports are exhibited for comment (see Topics 8 – *Reporting* and 9 – *Review of EIA quality*). 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 EIA review. They can be formal or informal but should be structured in a way which best allows those affected to have their say. Many people are not comfortable in speaking in public and other or additional mechanisms may be needed.

### **Implementation and follow up**

The environmental impacts of major projects will be monitored during construction and operational start up, with corrective action taken where necessary (see Topic 11 – *Implementation and follow up*). Local representatives should scrutinise and participate in the follow up 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.

### **Public involvement in practice**

In many EIA systems, public involvement centres on the scoping and review stages. This can be a response to procedural requirements or reflect accepted practice. More extended forms of public involvement occur when:

- proposals are formally referred to public review, hearings or inquiries;
- proposals seek to apply a ‘best practice’ process to their proposal;
- proposals depend upon gaining the consent or support of local stakeholders; and
- proposals have major social impacts and consequences, such as the relocation of displaced people.

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**Emphasise the importance of systematic, timely planning for a public involvement programme. Discuss different ways in which the programme, including the engagement of participants, could be funded.**

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Planning by the proponent for a public involvement programme needs to begin early before other EIA work. Following scoping, the terms of reference for an EIA study should include specifications for the proposed programme, including its scope, timing, techniques and resources. If there are none, a separate document should be prepared by the EIA project team with advice and input from a social scientist who is knowledgeable about the local community and participation techniques.

The plan should describe the means of notifying and informing the public about the proposals and the EIA process, beginning at an early stage and continuing with updates on the progress of the EIA 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 (see next section).

A systematic approach to planning a public involvement programme typically involves addressing the following key issues:

- *Who should be involved?* – identify the interested and affected public (stakeholders), noting any major constraints on their involvement.
- *What type and scope of public involvement is appropriate?* – ensure this is commensurate with the issues and objectives of EIA.
- *How should the public be involved?* – identify the techniques which are appropriate for this purpose.
- *When and where should opportunities for public involvement be provided* – establish a plan and schedule in relation to the EIA process and the number, type and distribution of stakeholders.
- *How will the results of public involvement be used in the EIA and decision-making processes?* – describe the mechanisms for analysing and taking account of public inputs and providing feeding back to stakeholders.
- *What resources are necessary or available to implement the public involvement programme?* – relate the above considerations to budgetary, time and staff requirements.

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**Briefly, review the underlying factors that may constrain public involvement. Ask the group whether or not they apply locally and, if so, how they could overcome them.**

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6

In certain cases, some basic constraints on public involvement may need to be overcome. Particular attention should be given to disadvantaged groups, ethnic minorities and others who may be inhibited from taking part or may have difficulty in voicing their concerns. Often, special provision may need to be made to inform and involve these groups. Except in unusual or extenuating circumstances, others should not speak for them, although knowledgeable NGOs may help in ensuring they represent their views directly and in a way that is meaningful to them.

Some of the underlying factors that may constrain meaningful public involvement include:



7

**Poverty** – involvement means time spent away from income-producing tasks, and favours the wealthy.

**Remote and rural settings** – increased or dispersed settlement distances make communication more difficult and expensive.

**Illiteracy** – involvement will not occur if print media is used.

**Local values/culture** – behavioural norms or cultural traditions can act as a barrier to public involvement or exclude those who do not want to disagree publicly with dominant groups.

**Languages** – in some countries a number of different languages or dialects may be spoken, making communication difficult.

**Legal systems** – may be in conflict with traditional systems and cause confusion about rights and responsibilities over resource use and access.

**Interest groups** – bring conflicting and divergent views and vested interests.

**Confidentiality** – may be important for the proponent, and may weigh against early involvement and consideration of alternatives.



3-1

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**Ask the group to identify some techniques and methods of public involvement and suggest where each of these could be most suitably used. List these techniques and provide participants with Handout 3-1. Work through the different techniques and their relative advantages.**

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Table 2 outlines some of the techniques that are commonly used for communicating and involving the public and illustrates their strengths and weaknesses in relation to key requirements and objectives (see Handout 3-1 for further information).

For example, various methods of public involvement can be rated in terms of the level of interaction promoted. However, it should not be inferred that methods with a high level of involvement are the preferred

approach – a mix of methods is usually necessary as part of a systematic process of public involvement.

The methods of public involvement should be tailored to suit the social environment and, wherever possible, targeted specifically at particular groups. Limitations and constraints (identified previously) should be taken into account. For instance, although people want to be consulted, they may not have the time, resources or ability to locate EIA information and report their views to the relevant authorities. Traditional local decision-making institutions and the use of the mass media (such as television, radio and papers) may be far more appropriate than placing reports in local libraries (which is the normal approach in a number of EIA systems).

When selecting public involvement techniques, the following points should be considered:

- the degree of interaction required between participants;
- the extent to which participants are able to influence decisions;
- the stage(s) of the EIA at which public involvement will occur;
- the time available for involvement;
- the likely number of participants and their interests;
- the complexity and controversy of the issues under consideration; and
- the consideration of cultural norms which may influence the content of discussions, for example relating to gender, religion, etc.

When using public involvement techniques, the following principles can help to achieve a successful outcome:

- provide sufficient, relevant information in a form that is easily understood by non-experts (without being simplistic or insulting);
- allow enough time for stakeholders to review, consider and respond to the information and its implications;
- provide appropriate means and opportunities for them to express their views;
- select venues and time events to encourage maximum attendance and a free exchange of views by all stakeholders (including those that may feel less confident about expressing their views); and
- respond to all questions, issues raised or comments made by stakeholders. This fosters public confidence and trust in the EIA process.



8

**Table 2: Techniques for communicating with the public**

Communication Characteristics			Public Participation / Communication Techniques	Public Information and Participation Objectives					
Level of Public Contact Achieved	Ability to Handle Specific Interest	Degree of 2-way Communication		Inform/Educate	Identify Problems/Values	Get Ideas/Solve Problems	Feedback	Evaluate	Resolve Conflict/Consensus
2	1	1	Public Hearings		X		X		
2	1	2	Public Meetings	X	X		X		
1	2	3	Informal Small Group Meetings	X	X	X	X	X	X
2	1	2	General Public Information Meetings	X					
1	2	2	Presentations to Community Organization	X	X		X		
1	3	3	Information Coordination Seminars	X			X		
1	2	1	Operating Field Offices		X	X	X	X	
1	3	3	Local Planning Visits		X		X	X	
2	2	1	Information Brochures and Pamphlets	X					
1	3	3	Field Trips and Site Visits	X	X				
3	1	2	Public Displays	X		X	X		
2	1	2	Model Demonstration Projects	X			X	X	X
3	1	1	Material for Mass Media	X					
1	3	2	Response to Public Inquiries	X					
3	1	1	Press Releases Inviting Comments	X			X		
1	3	1	Letter Requests for Comments			X	X		
1	3	3	Workshops		X	X	X	X	X
1	3	3	Advisory Committees		X	X	X	X	
1	3	3	Task Forces		X	X		X	
1	3	3	Employment of Community Residents		X	X			X
1	3	3	Community Interest Advocates			X		X	X
1	3	3	Ombudsman or Representative		X	X	X	X	X
2	3	1	Public Review of Initial Assessment Decision Document	X	X	X	X	X	X

Level of participation: 1 = low, 2 = medium, 3 = high.

**Discuss consensus building and dispute resolution mechanisms and consider whether and how they may be applied locally.**

Conflict management and dispute resolution approaches are beginning to be applied in a number of EIA processes. As recognised by the World Bank and other international agencies, the use of these approaches in developing countries must be consistent with local practices:

The objective is to define traditional mechanisms for making agreements, for negotiations, and for managing conflict in affected communities.

Understanding and working within cultural expectations and practices may enhance consultation and participation processes, especially in projects



where there are multiple and competing stakeholders or where disputes or conflict are evident. (*The World Bank, 1995*)

Negotiation, mediation and other alternative means of dispute resolution have different rules compared to more traditional 'open door' forms of public consultation and participation. These processes are carried out by a small number of representatives who are nominated by the major stakeholders (some of them may form coalitions for this purpose). Stakeholder dialogue is a more informal version of this process and focuses on sharing views and information to find win-win solutions to issues. As shown in Table 3, the approach differs in kind rather than degree from more traditional forms of public involvement.

However, there may be opportunities to reduce or resolve conflict in more traditional forms of public participation, providing all stakeholders are involved at the earliest stage of the proposal and sufficient time and appropriate opportunities are provided. A skilled facilitator may be able to assist stakeholders in finding common ground. In most cases, however, the range of interests and the different values of the participants will mean that consensus is unlikely. The focus of attention then should be on minimising the areas of dispute, and narrowing it to those key issues that cannot be resolved and leaving it to the decision-making process to arbitrate among the different positions (i.e. determining the 'winners' and 'losers').

Principles which will help minimise conflict, particularly if applied consistently from the earliest stages of the planning of the proposal, include:

- involving all those likely to be affected, or with a stake in the matter;
- communicating the need for and objectives of the proposal, and how it is planned to achieve them;
- actively listening to the concerns of affected people, and the interests which lie behind them;
- treating people honestly and fairly, establishing trust through a consistency of behaviour;
- being empathetic, putting yourself in the shoes of the other party, and looking at the area of dispute from their perspective;
- being flexible in the way alternatives are considered, and amending the proposal wherever possible to better suit the interests of other parties;
- when others' interests cannot be accommodated, mitigating impacts to the greatest extent possible and looking for ways to compensate for loss and damage;
- establishing and maintaining open two-way channels of communication throughout the planning and implementation phase; and
- acknowledging the concerns and suggestions of others, and providing feed-back on the way these matters have been addressed.



9



When conflict arises, try to defuse it at the earliest possible time. The use of an independent, mutually acceptable third party as the convenor of discussions between disputants can improve the chances of a satisfactory outcome. It is desirable for that third party to be trained in the principles of negotiation or mediation, and to be able to assist the parties in dealing with the feelings, facts and process issues associated with the dispute.

<b>Table 3: Comparing the characteristics of ' traditional consultation' and ' stakeholder dialogue'</b>	
Traditional consultation tends to:	Stakeholder dialogue tends to:
Assume win/lose outcomes	Search actively for win/win results and ways to add value for all parties
Focus on differences and polarise rival positions	Explore shared and different interests, values, needs and fears, and build on common ground while trying to resolve specific disputes
Focus on issues and results	Focus on processes as well as issues and results in order to build long-term ownership of and commitment to mutually agreed solutions
Produce results that are perceived as inequitable, reflecting the traditional distribution of power and resources	Produce results which can be judged on their merits and which seem fair and reasonable to a broad spectrum of stakeholders
Stick to the facts and positions	Take into account, as well, feelings, values, perceptions, vulnerabilities
Ignore the importance of building relationships and bridging differences	Strengthen existing relationships and build new ones where they are most needed
Offer no learning	Invest in mutual learning as a starting point for future processes and projects
<i>Source: Ackland et al. (1999).</i>	

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**Many arguments are put forward to avoid public involvement. Discuss whether these misconceptions are accepted locally and how they may be countered.**

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Public involvement can be a time-consuming and costly exercise. This issue can be best addressed by sound planning. A proposal may be subject to delay and added expense if public consultation is non-existent or inadequate. Various arguments have been and still are advanced to justify avoiding public involvement. Some of the commonly used 'reasons' and answers follow:



10

**It's too early; we haven't yet got a firm proposal** The early provision of information to the public will minimise the risk of untrue and damaging rumours about the proposals. Even though the proponent may not have a clear idea of project details, communicating the objectives of the proposals can start to build trust with the community, allow useful public input on site constraints and alternatives and can help the proponent devise a robust scheme.

**It will take too long and will cost too much** Public involvement can be expensive and time-consuming. If integrated into the project planning process, excessive timelines can be avoided. The costs of not involving the public are likely to be even greater in terms of costs arising from delays.

**It will stir up opposition, and the process will be taken over by activists** Those who are likely to oppose a project will not be dissuaded by the lack of a public involvement programme. Rather such a programme can ensure that all sides of the debate are heard. Importantly, the issues raised by opponents should be thoroughly examined and treated on their merits. If the impacts cannot be avoided, public involvement can help demonstrate that the concerns of all segments of the community have been fairly addressed.

**We will only hear from the articulate** Those who are articulate, knowledgeable and powerful find it easier to use the opportunities provided through public involvement. Those preparing and managing such programmes must be aware of this, and incorporate measures to ensure that the views of 'the silent majority' are expressed and understood.

**We'll raise expectations we can't satisfy** Great care must be taken in the first phases of a public involvement programme to ensure that unreasonable expectations are not raised. The purpose of public involvement in EIA and decision-making should be clearly communicated, together with decisions which have been made already.

**The local community won't** Lack of technical education does not negate intelligence and the understanding people have of their own surroundings. Often people's knowledge of their

**understand the** environment and how it will be changed can be more  
**issues involved.** accurate than that predicted by models.

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**Briefly conclude with a reference to the spirit of openness required by proponents if public involvement is to be beneficial.**

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No public involvement programme will be effective unless the proponent is serious in engaging with the community in a two-way dialogue and is open minded to what it can contribute to the proposal. Key prerequisites are a willingness to listen to the information, values and concerns of the community, to amend the proposal so as to minimise community concerns, and to acknowledge the value of community input.

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**Include a training activity to reinforce the topic (if desired).**

**Summarise the presentation, emphasising those key aspects of the topic that apply locally**

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### Reference list

The following references have been quoted directly, adapted or used as a primary source for parts of this topic.

Ackland A, Hyam P and Ingram H (1999) *Guidelines for Stakeholder Dialogue – A Joint Venture*. The Environment Council, London.

*African High-Level Ministerial Meeting on Environmental Impact Assessment (EIA) Durban, South Africa. Communiqué* (1995) issued by UNEP, Nairobi.

Bass S, Dalal-Clayton B and Pretty J (1995) *Participation Strategies for Sustainable Development*. IIED, London.

Boyle J and Mubvami T (1995) *Training Manual for Environmental Impact Assessment in Zimbabwe*. Department of Natural Resources, Ministry of Environment and Tourism, Harare, Zimbabwe,

Institute of Environmental Management & Assessment (1999), *Draft Guidelines on Public Participation in Environmental Decision Making*. Institute of Environmental Management & Assessment, Lincoln, UK.

Kennedy W (1999) *Environmental Impact Assessment and Multilateral Financial Institutions*. In Petts J (ed) *Handbook of Environmental Impact Assessment. Volume 2. Environmental Impact Assessment in Practice: Impact and Limitations* (pp. 97-120). Blackwell Science Ltd. Oxford, UK.

Scott D (1989) *The Quality of Environmental Decision Making; Principles and Practice of the Victorian Land Conservation Council*. Melbourne, Australia.

Scott Wilson Ltd (1996) *Environmental Impact Assessment: Issues, Trends and Practice*. Environment and Economics Unit, UNEP, Nairobi.

Stec S and Casey-Lefkowitz S with Jendroska J (2000) *The Aarhus Convention: An Implementation Guide*. United Nations, New York and Geneva.

World Bank (1995) *Public Involvement in Environmental Assessment Requirements, Opportunities and Issues. Environmental Assessment Sourcebook Update Number 5*. World Bank, Washington D.C.

World Bank (1996) *The Impact of Environmental Assessment – A Review of World Bank Experience*. World Bank, Washington, D.C.

## Further reading

Department of Planning and Development, Victoria (1995) Environment Effects Statement Consultative Committees: Guidelines for Operation and Membership. Melbourne, Australia.

Davis S and Rukuba-Ngaiza N (1998) Meaningful Consultation in Environmental Assessments. Social Development Note No.39, World Bank, Washington D.C.

Fisher R and Ury W (1981) *Getting to Yes: Negotiating Agreement Without Giving In*. Houghton Mifflin. Boston, Mass.

*Participatory Learning and Action Notes* 32 (1998) Participation, Literacy and Empowerment.\*

Petts J (1999) Public Participation and Environmental Impact Assessment. in Petts J (ed) *Handbook of Environmental Impact Assessment*. Volume 1: Environmental Impact Assessment: Process, Methods and Potential (pp145-176). Blackwell Science Ltd. Oxford, UK.

Reitbergen-McCracken J and Narayan D (1998) *Participation and Social Assessment: Tools and Techniques*. Book and video tape. World Bank, Washington D.C.

Roberts R (1995) Public Involvement: From Consultation to Participation. In Vanclay F and Bronstein D (eds) *Environmental and Social Impact Assessment* (pp221-248). John Wiley & Sons, Chichester, UK.

World Bank (1995) *Environmental Assessment Challenges and Good Practice*. Paper No. 018. Environmental Management Series. Washington, D.C.

World Bank (1998) *Social Development Update: Making Development More Inclusive and Effective*. Social Development Paper. No.27. Washington, D.C.

*Participatory Learning and Action Notes* are issued by the International Institute for Environment and Development (IIED) to review themes and approaches to involving people in defining their needs and opportunities and taking action to realise them. The series has particular focus on the experience of developing countries. See also the website of the Resource Centre for Participatory Learning at: <http://www.rcpla.org/>

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## Training activities

*Training activities will be more instructive if they are framed around a local proposal. Consider inviting prospective course participants to make a presentation if they have expertise in this area of EIA.*

### Discussion themes

- 3-1 A large dam is proposed in a rural setting. What public involvement techniques might be used to support the EIA for the project? How would the approach change if the project concerns a major chemical plant in a large city?
- 3-2 How would you go about identifying the range of people affected directly or indirectly by a proposal? If necessary, how would representatives of the groups identified be selected?
- 3-3 What are the needs and interests of the affected community that make their involvement so important to them? Is their involvement as important for the proponent?
- 3-4 'Public involvement should take place at the scoping stage of a proposal, and when the EIA document is completed.' Does this statement satisfy the requirements for community involvement?
- 3-5 People feel more comfortable in familiar surroundings. Where should the venues and locations for discussions, small group meetings, public meetings and displays be located? How will the setting and other meeting arrangements contribute to the success of public involvement?
- 3-6 What are the objectives of public involvement? What value will it bring to the successful implementation of the proposal?
- 3-7 What criticisms of public involvement can you expect, and how can these criticisms be answered?
- 3-8 How would you attempt to manage conflict when it arises? If you were looking for someone to help, what qualities would you seek in that person?

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### Speaker theme

- 3-1 Invite a speaker who is expert in the field to talk about their personal experience in public involvement on major projects and to focus on certain questions. How much did a typical involvement programme cost, what techniques were used, how effective were they? Did people respond positively, were there changes made to the proposal? Was the proponent supportive of the public involvement programme? What lessons were learnt from the experience?
-

## Group Activity 3–1: Public involvement

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**Title:** Preparing a public involvement programme

**Aim:** To reinforce the training material presented through the preparation of a public involvement programme, and consideration of the associated issues.

**Group size:** Four to six people

**Duration:** One day

**Resources required:**

- Case study description of a proposal, with some details of its likely impacts and setting. Refer to Handout 3-1

**Description of activity:**

Participants will be required to think through the various issues, and relate the tasks involved to the objectives of the public involvement programme.

Using the case study and referring to Handout 3–1:

- prepare a public involvement programme, showing the objectives of the programme, and the stages of the EIA process at which public involvement will be sought;
  - indicate how the various stakeholders will be identified;
  - advise when the public involvement should commence, and what level of information should be provided;
  - list the methods which might be used to:
    - inform people
    - identify their concerns, attitudes and knowledge
    - enable them to participate in developing the proposal;
  - prepare a timetable for the programme, indicating the resources (people and money) which will be needed;
  - outline ways to ensure that information gained from the involvement of the public is used constructively to improve the proposal;
  - identify problems which are likely to occur, and ways of managing them; and
  - prepare a framework to evaluate the success of the programme.
-

## Group Activity 3–2: Public Involvement

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**Title:** Site location decisions — what are the facts?

**Aim:** To show how public involvement can assist in deciding between alternative sites and in achieving public acceptance of a proposal.

**Group size:** Four to six people

**Duration:** Three hours

**Resources required:**

- Brief description of a facility with two possible alternative locations, a short statement of need for the project, a list of the likely impacts, and a description of the surrounding communities.

**Description of activity:**

The alternative sites for a facility affect different communities, and will involve some land acquisition. Get each group to:

- discuss how they would structure the public involvement to minimise conflict, while allowing informed debate on the respective merits of the proposals;
  - propose steps that could be taken to pre-empt rumours and distortions about what may be proposed;
  - outline ways in which a shared view of the basic facts could be reached, given that opponents often appear to have a biased view of the basic facts relating to the proposal and the need for action;
  - detail the sort of information that would be required by the decision-maker before a decision could be made; and
  - discuss the way in which the public involvement would assist the project.
-





1

### **Purpose and objectives of public involvement**

- informing stakeholders
  - gaining their views, concerns and values
  - taking account of public inputs in decision making
  - influencing project design
  - obtaining local knowledge
  - increasing public confidence
  - improving transparency and accountability in decision-making
  - reducing conflict
- 



2

### **Levels of public involvement**

- information  
– (one way flow from proponent to public)
  - consultation  
– (two way exchange of information)
  - participation  
– (interaction with the public)
  - negotiation  
– (face to face discussion)
- 



3

### **Key stakeholders**

- local people affected by a proposal
  - proponent and project beneficiaries
  - government agencies
  - NGOs
  - others, e.g. donors, the private sector, academics
- 



4

### **Principles of public involvement**

The process should be:

- inclusive – covers all stakeholders
  - open and transparent – steps and activities are understood
  - relevant – focussed on the issues that matter
  - fair – conducted impartially and without bias toward any stakeholder
  - responsive – to stakeholder requirements and inputs
  - credible – builds confidence and trust
-



5

### Public involvement in key stages of the EIA process

- screening
  - determining the need for, and level, of the EIA process
- scoping
  - identifying the key issues and alternatives to be considered
- impact analysis
  - identifying the significant impacts and mitigating measures
- review
  - commenting on/responding to the EIA report
- implementation and monitoring
  - checking EIA follow up



6

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### Developing a public involvement program typically involves:

- determining its scope
- identifying interested and affected public
- selecting appropriate techniques
- considering the relationship to decision-making
- providing feedback to stakeholders
- undertaking the analysis of stakeholder inputs
- keeping to budget and timelines
- confidentiality



7

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### Factors affecting the effectiveness of public involvement

- poverty
  - remote and rural settings
  - illiteracy
  - culture/local values
  - language
  - legal systems override traditional ones
  - dominance of interest groups
  - proponent confidentiality
-



8

### **Principles for successful application of public involvement techniques**

- provide the right information
- allow sufficient time to review and respond
- provide appropriate opportunities/ means for stakeholder involvement
- respond to issues and concerns raised
- feed back the results of public input
- choose venues and times of events to suit stakeholders



9

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### **Principles for minimising conflict**

- involve all stakeholders
- establish communication channels
- describe the proposal and its objectives
- listen to the concerns and interests of affected people
- treat people fairly and impartially
- be empathetic and flexible
- mitigate impacts and compensate for loss and damage
- acknowledge concerns and provide feed-back



10

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### **Common reasons given for avoiding public involvement**

- it's too early
  - it will take too long and will cost too much
  - it will stir up opposition
  - we will only hear from the articulate
  - we'll raise expectations
  - people won't understand
-

## Tools and techniques for public involvement

Technique	Description and use	Advantages	Disadvantages
<b>Level 1. Education &amp; information provision</b>			
Leaflets/ Brochures	Used to convey information. Care should be taken in distribution.	Can reach a wide audience, or be targeted.	Information may not be understood or be misinterpreted.
Newsletters	May involve a series of publications. Care should be taken in distribution.	Ongoing contact, flexible format, can address changing needs and audiences.	Not everyone will read a newsletter.
Unstaffed Exhibits/Displays	Set up in public areas to convey information.	Can be viewed at a convenient time and at leisure. Graphics can help visualise proposals.	Information may not be understood or be misinterpreted.
Local Newspaper Article	Conveys information about a proposed activity.	Potentially cheap form of publicity. A means of reaching a local audience.	Circulation may be limited.
National Newspaper Article	Conveys information about a proposed activity.	Potential to reach a very large audience.	Unless an activity has gained a national profile, it will be of limited interest.
Site Visits	Provides first hand experience of an activity and related issues.	Issues brought to life through real examples.	Difficult to identify a site which replicates all issues.
<b>Level 2. Information feedback</b>			
Staffed Exhibits/Displays	Set up in public areas to convey information. Staff available.	Can be viewed at a convenient time and at leisure. Graphics can help visualise proposals. Groups can be targeted.	Requires a major commitment of staff time.
Staffed telephone lines	Can phone to obtain information, ask questions or make comments about proposals or issues	Easy for people to participate and provide comments. Promotes a feeling of accessibility.	May not be as good as face-to-face discussions. Staff may not have knowledge to respond to all questions.
Internet	Used to provide information or invite feedback. On-line forums and discussion groups can be set up.	Potential global audience. Convenient method for those with internet access.	Not all parties will have access to the Internet.
Public Meetings	Used to exchange	Can meet with other	Can be complex, unpredictable

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**Tools and techniques for public involvement**


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	information and views.	stakeholders. Demonstrates proponent is willing to meet with other interested parties.	and intimidating. May be hijacked by interest groups.
Surveys, Interviews and Questionnaires	Used for obtaining information and opinions. May be self-administered, conducted face-to-face, by post or telephone.	Confidential surveys may result in more candid responses. Can identify existing knowledge and concerns.	Response rate can be poor. Responses may not be representative and opinions change.
<b>Level 3. Involvement &amp; consultation</b>			
Workshops	Used to provide background information, discuss issues in detail and solve problems.	Provides an open exchange of ideas. Can deal with complex issues and consider issues in-depth. Can be targeted.	Only a small number of individuals can participate. Full range of interests not represented.
Open-House	Location provided, e.g. at a site or operational building, for people to visit, learn about a proposal and provide feedback.	Can be visited at a convenient time and at leisure.	Preparation for and staffing of the open house may require considerable time and money.
<b>Level 4. Extended involvement</b>			
Community Advisory/Liaison Groups	People representing particular interests or areas of expertise, e.g. community leaders, meet to discuss issues.	Can consider issues in detail and highlight the decision-making process and the complexities involved.	Not all interests may be represented. Requires on-going commitment from participants.
Citizen Juries	Group of citizens brought together to consider an issue. Evidence received from expert witnesses. Report produced, setting out the views of the jury.	Can consider issues in detail and in a relatively short period of time.	Not all interests may be represented. Limited time may be available for participants to fully consider information received.
Visioning	Used to develop a shared vision of the future.	Develops a common view of future needs.	Lack of control over the outcome. Needs to be used early in the decision-making process.

Source: *Institute of Environmental Management and Assessment (1999)*

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# **Topic 5**

## **Scoping**

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**Introduction**

**Checklist**

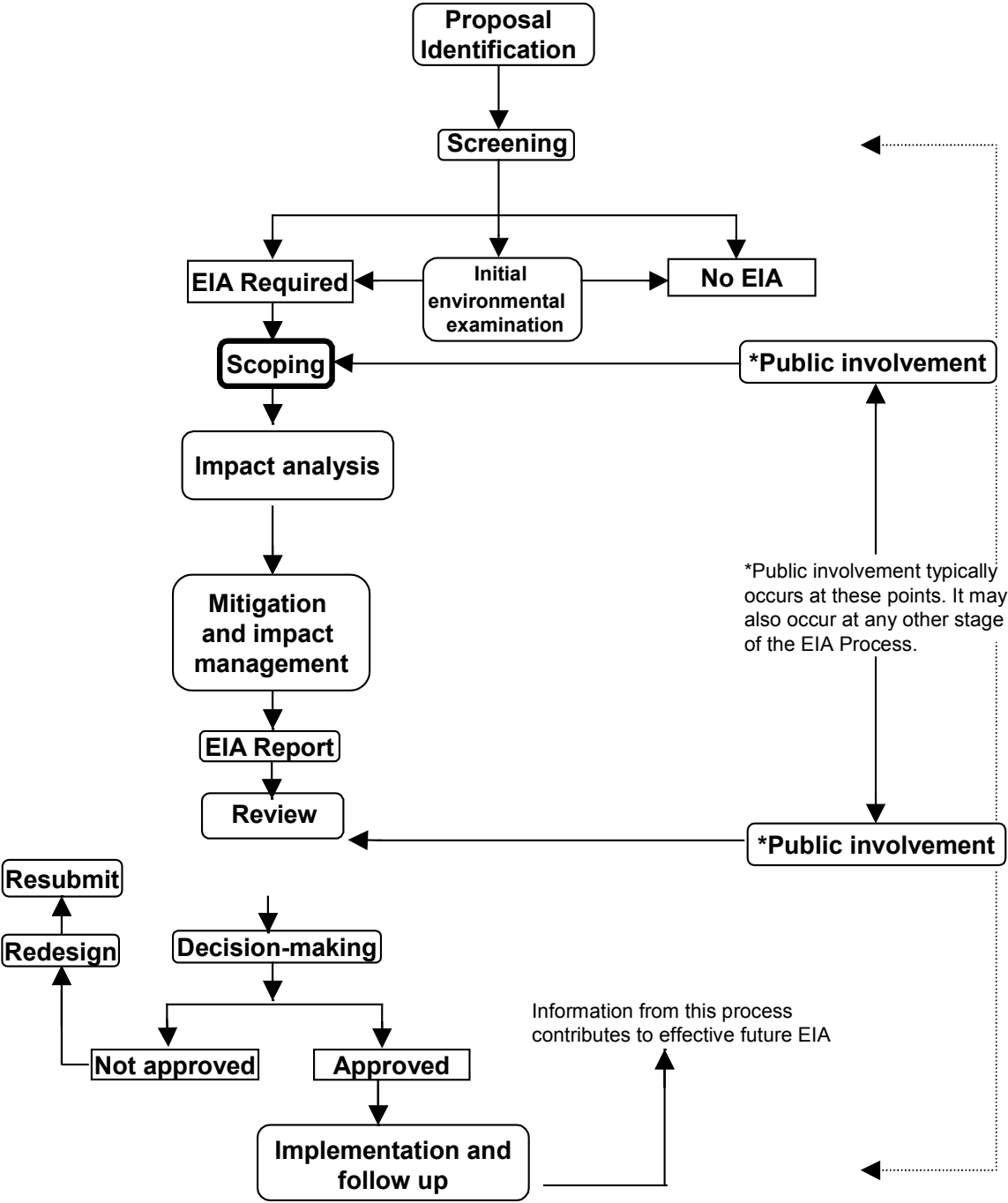
**Session outline**

**Reference list and further reading**

**Training activities**

**Support materials**

# Scoping in the EIA process



\*Public involvement typically occurs at these points. It may also occur at any other stage of the EIA Process.

Information from this process contributes to effective future EIA

## Topic 5—Scoping

### Objectives

To understand the role and purpose of scoping in the EIA process.

To identify principles of scoping and elements of approach.

To gain familiarity with the procedures and methods commonly used in the conduct of scoping.

To recognise the importance of the consideration of alternatives during the scoping phase.

To be aware of the processes for establishing Terms of Reference and boundaries for EIA studies.

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### Relevance

Scoping is a critical, early step in the preparation of an EIA. The scoping process identifies the issues that are likely to be of most importance during the EIA and eliminates those that are of little concern. In this way, EIA studies are focused on the significant effects and time and money are not wasted on unnecessary investigations.

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### Timing

Three hours (not including training activity)

***Important note to trainers***

*You should design your presentation with the needs and background of participants in mind, and concentrate on those sections most relevant to your audience. The session presentation timings are indicative only.*

*Time taken for the training activities can vary enormously depending on the depth of treatment, the existing skills and knowledge of participants and the size of the group.*





## Information checklist

Obtain or develop the following, as appropriate:

- details of the scoping procedure used locally, including any requirements for public involvement;
- information on the scoping process used in other countries in the region;
- applicable regulations, policies, or guidance relating to scoping;
- sample Terms of Reference or other documents prepared during scoping;
- examples of scoping analyses undertaken locally, which demonstrate good and bad practice;
- indications of the resources necessary to support scoping, in terms of time, people and money;
- copies or results of any research focused on the scoping phase of EIA;
- contact names and telephone numbers of people, agencies, organizations and environmental centres able to provide information on, and assistance in, scoping; and
- other resources that may be available, such as courses on techniques used in scoping, videos, journal articles, computer programmes, lists of speakers, and case studies.

## Session outline

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**Welcome participants to the session by introducing yourself and getting them to introduce themselves. Outline the overall coverage of the session, its objectives and why they are important.**

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1

Scoping is a critical, early step in the preparation of an EIA. The scoping process identifies the issues that are likely to be of most importance during the EIA and eliminates those that are of little concern. Typically, this process concludes with the establishment of Terms of Reference for the preparation of an EIA. In this way, scoping ensures that EIA studies are focused on the significant effects and time and money are not wasted on unnecessary investigations.

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**Outline the role of scoping in the EIA process and encourage the participants to consider, and, if necessary, develop a definition of scoping that is applicable locally. Note that there is often confusion in the terms used by different countries for the early stages of the EIA process (screening, scoping, etc).**

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2

Scoping refers to the early, open and interactive process of determining the major issues and impacts that will be important in decision-making on the proposal, and need to be addressed in an EIA. The requirements and procedures established for this purpose differ from country to country. In many EIA systems, the involvement of the public, as well as the competent authority and other responsible government agencies, is an integral part of the scoping process. Public input helps to ensure that important issues are not overlooked when preparing Terms of Reference and/or initiating the EIA study.

The purpose of scoping is to identify:

- the important issues to be considered in an EIA;
- the appropriate time and space boundaries of the EIA study;
- the information necessary for decision-making; and
- the significant effects and factors to be studied in detail.

In addition, the scoping process can be used to help define the feasible alternatives to a proposed action. Not all EIA systems make provision for the generation or review of alternatives during scoping. These may follow, instead, from the issues that are identified as important. However, consideration of alternatives during scoping is becoming accepted, internationally, as an EIA 'good practice'.

Typically, scoping begins after the completion of the screening process. However, these stages may overlap to some degree. Essentially, scoping takes forward the preliminary determination of significance made in screening to the next stage of resolution – determining which issues and impacts are significant and require further study. In doing so, the scoping process places limits on the information to be gathered and analysed in an EIA and focuses the approach to be taken.

Scoping is completed when Terms of Reference (ToR) or an equivalent document is prepared. This document sets out what the EIA is to cover, the type of information to be submitted and the depth of analysis that is required. It provides guidance to the proponent on how the study should be conducted and managed. Experience shows that the ToR should be a flexible document. The terms may need alteration as further information becomes available, and new issues emerge or others are reduced in importance.

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### **Involve the group in exploring the purpose of scoping in EIA.**

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Scoping provides the foundations for an effective and efficient EIA process. When systematically carried out, scoping highlights the issues that matter and results in Terms of Reference for an EIA that provide clear direction to the proponent on what is required. This increases the likelihood of an adequately prepared EIA report. It helps to avoid the problem of unfocused, voluminous reports and the attendant delay while their deficiencies are addressed and corrected. Scoping thereby helps to make sure that resources are targeted on collecting the information necessary for decision-making and not wasted on undertaking excessive analysis.

The scoping process itself can vary in scope, complexity and time taken. A comprehensive approach to scoping may be needed for large-scale proposals, which have a range of impacts that are potentially significant. In other cases, scoping will be a more limited and restricted exercise. Depending on the circumstances, the scoping process can be tailored to include some or all of the aims listed below.

Key objectives of scoping are to:

- inform the public about the proposal;
- identify the main stakeholders and their concerns and values;
- define the reasonable and practical alternatives to the proposal;
- focus the important issues and significant impacts to be addressed by an EIA;
- define the boundaries for an EIA in time, space and subject matter;
- set requirements for the collection of baseline and other information; and
- establish the Terms of Reference for an EIA study.



3

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**Explore with the group guiding principles for the scoping process. Introduce the elements of a comprehensive approach to scoping and ask participants whether and how these might be applicable locally.**

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4

Guiding principles for carrying out the scoping process include the following:

- recognise scoping is a process rather than a discrete activity or event;
- design the scoping process for each proposal, taking into account the environment and people affected;
- start scoping as soon as you have sufficient information available;
- prepare an information package or circular explaining the proposal and the process;
- specify the role and contribution of the stakeholders and the public;
- take a systematic approach but implement flexibly;
- document the results to guide preparation of an EIA; and
- respond to new information and further issues raised by stakeholders.



5

The elements of scoping differ to some degree with the EIA requirements established by different countries and international agencies. A comprehensive scoping process will include all or a combination of the following functions:

- identify the range of community and scientific concerns about a proposed project or action;
- evaluate these concerns to identify the significant issues (and to eliminate those issues which are not important); and
- organize and prioritise these issues to focus the information that is critical for decision making, and that will be studied in detail in the next phase of EIA.

A systematic and transparent approach should be taken to sifting and paring down the concerns, issues and impacts. This can be undertaken in three steps (corresponding to those listed above):

*Step 1* – compile a ‘long list’ of concerns from the information available and the inputs of stakeholders. No attempt should be made at this stage to exclude or pre-judge concerns.

*Step 2* – derive a ‘short list’ of key issues and problem areas based on their potential significance and likely importance for decision-making on the proposal. This phase involves evaluating the issues against selected criteria; for example, differentiating serious risks or threats from effects that can be mitigated (see Topic 6 – *Impact analysis* and Topic 7 – *Mitigation and impact management* for further information).

*Step 3* – classify and order the key issues into ‘impact categories’ by reference to policy objectives and scientific concepts, such as emission levels that may exceed health or environmental standards. Such a synthesis or aggregation provides a coherent framework for drafting the Terms of Reference for the EIA study.

Box 1 contains an indicative list of activities to be carried out when scoping in accordance with this approach. The list begins with ‘getting ready’ by preparing a profile of the scope under key headings and using this as a basis for informal consultations with key stakeholders. Once this round of discussion has occurred, the three steps described above take place with iterations between them. Finally, the Terms of Reference are established, with provision for adjustment and feedback as and when necessary during the EIA process.

In practice, the first phase of scoping – opening out the list of concerns and issues – is much easier to achieve than the next two. With few exceptions, most EIA systems experience difficulties in narrowing down and focusing on the issues that matter. This imposes certain limitations when preparing Terms of Reference, with potential knock on effects on the next stage of work on the EIA study. Ultimately, it is the responsibility of the proponent or competent authority to bring the scoping process to a conclusion.



6

#### **Box 1: Indicative list of scoping activities**

##### **Getting ready**

1. Prepare a preliminary or outline scope with headings such as:
  - objectives and description of the proposal
  - the policy context and environmental setting
  - data and information sources, constraints etc.
  - alternatives to the proposal
  - concerns, issues and effects identified to date
  - provision for public involvement
  - timetable for scoping, EIA and decision making
2. Develop the outline scope by informal consultation and by assembling available information, identifying information gaps, etc.
3. Make the provisional scope and supporting information available to the public.

##### **Undertaking scoping**

4. Draw up a long list of the range of issues and concerns.
5. Evaluate their relative importance and significance to derive a short list of key issues.
6. Organise the key issues into the impact categories to be studied.

**Completion and continuity**

7. Amend the outline scope to progressively incorporate the information from each stage.
8. Establish the Terms of Reference for the EIA, including information requirements, study guidelines, methodology and protocols for revising work.
9. Monitor progress against the ToR, making adjustments as needed and provide feedback to stakeholders and the public.

*(As stated these steps are only indicative, and should be tailored to meet the requirements of the particular situation.)*

---

**Outline procedures and methods commonly used for the conduct of scoping and describe briefly how they can be useful. Note that although scoping is an early step in an EIA, the importance of issues is continually re-evaluated as new information becomes available.**

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Depending upon the EIA system, responsibility for scoping may lie with the proponent, with the competent authority, or with the EIA agency or an independent body set up for the purpose. In many cases, some form of guidance will be given on the conduct of scoping, the procedures to be followed and the methods that can be used to undertake the consultative and technical components of this activity. For specific proposals, it may be possible to draw upon previous experience, represented by existing scoping documentation for a similar proposal, or generic or sector guidelines and checklists. None of these aids, however, replace the need for designing a scoping process for each proposal and its likely consequences.

A custom-tailored scoping process will include an overview or profile of the proposal, the environment and community that is likely to be affected, the possible alternatives, the range of potential impacts, and the ways these may be mitigated or managed. In addition, the following should be addressed:

- geographical area(s) and the time-frame(s) for impact analysis;
- the policy and institutional frameworks under which the EIA will be conducted;
- existing information sources, gaps and constraints on methodology;
- the scheduling of the EIA study, and the allocation of resources and responsibilities; and
- the relationship to the decision-making process – including modification of design and selection of alternatives – as well as final approval of the proposal.

The use of impact models or cause-effect frameworks may be helpful during scoping of large-scale proposals, which have a wide range of potentially

complex effects on the environment. But they can also have value in other cases where it is sometimes easy to overlook long-term and secondary impacts of proposals. For example, waste discharged into the air or waterways can extend a long way beyond the boundaries of a project, and heavy metals can bio-accumulate in species and food chains. The identification of such potential impacts can be assisted by a systematic consideration of the various phases of the project life cycle, from construction through operation to decommissioning.

A proposed plan for public involvement in the EIA process (including the scoping phase) should be prepared. Early consideration should be given to the means of informing and involving the people who are likely to be directly affected by or interested in a proposal. A first step is to draw up a list of participants who should be involved in scoping. Both the overall approach to scoping and the mechanisms for consultation need to take into account local values, traditions and culture (see Topic 3 – *Public involvement*).

The following public involvement methods are used in the conduct of scoping:

- notification/invitation for public comment and written submissions;
- consultation with the various stakeholders;
- public and community meetings; and
- issues workshops and facilitated discussion.

Although scoping is a distinct, early process within EIA, the significant effects continue to be re-interpreted throughout an EIA study, the decision-making process and project implementation and monitoring. Unforeseen issues that require further consideration may arise in any of these phases. The work undertaken for an EIA study on a particular issue (the impact of toxic effluent on aquatic species and human health, for example) may uncover further questions, some of which may become contentious. In some cases, earlier guidance may need to be revisited, for example relating to data collection and analysis or the criteria used to interpret the significance of effects. Ultimately there are no 'right' answers to these questions, just a succession of judgements that try to balance the available resources for the study (both time and money) with the legitimate concerns of the participants.

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**Ask the group to outline the possible roles in scoping of the various stakeholders in the EIA process.**

---



7

***The proponent/competent authority:***

will know most about the proposal, and have a strongly developed view about the factors that will influence the site selection and other aspects of decision-making. It is common for the proponent or the competent authority to have responsibility for scoping. The scoping process helps them to recognize the perspective of others, to consider alternatives and concerns of those affected, and to make changes to the proposal, which will address these inputs.

***The EIA administering body:***

will generally establish and oversee statutory or procedural requirements for scoping. The requirements for scoping may cover the matters to be addressed, the people to be consulted, and the form of consultation. The administering body may issue Terms of Reference for the EIA, and/or review and approve the EIA report submitted by the proponent, checking it against the agreed scope.

***Other responsible agencies:***

will contribute relevant information about specific issues and matters within their jurisdiction. This information may include specific legislative requirements, policy objectives, and standards, technical knowledge and expertise, and experience with similar projects or local conditions. Certain agencies other than the competent authority also may have the role of providing licences, permits, approvals or leases. Knowledge of these requirements is essential at the scoping stage.

***EIA practitioners and experts:***

may act directly for the agencies involved or for the proponent as consultants retained for the EIA work, or they may function in an advisory or review capacity on behalf of scientific, NGO or professional bodies. Their involvement can be of particular value in providing specialist knowledge.

***Those people affected by the proposal:***

will have a major role in identifying concerns and issues and providing local knowledge and information. Their views should be taken into account in choosing between alternatives, in deciding on the importance of issues, and in identifying mitigating measures, compensation provisions and management plans. Affected communities may need help in understanding the proposal, its alternatives, and their likely effects, and in organising and articulating their concerns to those involved in the EIA process.

***The wider community:***

will also provide information and views that are relevant to scoping. This grouping includes those indirectly affected by the proposal, and local,



national and sometimes international NGOs and interest groups. Further information on undertaking a dialogue with stakeholders can be found in Topic 3 – *Public Involvement*.

By involving the public, scoping helps to build confidence in the EIA process. Often, the scoping process is the first major point of contact with the stakeholders who are affected by or interested in the proposal and the alternatives. It provides an important opportunity to inform them about the proposal and the EIA process, to understand their concerns and to set out the role and contribution of public involvement in decision-making. Experience indicates that where scoping responds to stakeholder and public inputs, even though it cannot always accommodate them, there is likely to be increased acceptance of the EIA and decision making processes.

---

**Discuss ways in which the identification and consideration of alternatives can be undertaken.**

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8

The consideration of alternatives to a proposal is a requirement of many EIA systems. It lies at the heart of the EIA process and methodology. During the scoping process, alternatives to a proposal can be generated or refined, either directly or by reference to the key issues identified. A comparison of alternatives will help to determine the best method of achieving project objectives while minimising environmental impacts or, more creatively, indicate the most environmentally friendly or best practicable environmental option.

Often, however, the consideration of alternatives is a superficial rather than a meaningful exercise. This is particularly true of private sector proposals, where the requirement to analyse alternatives is less than for comparable public sector proposals. It is also true of all proposals that are submitted to EIA when planning is nearly complete and the components and location are fixed already. This practice is becoming less and less acceptable as EIA matures and as sustainability issues and cumulative effects take on greater importance.

The consideration of alternatives is likely to be most useful when the EIA is undertaken early in the project cycle. Depending on timing, the type and range of alternatives open to consideration might include:

- demand alternatives (e.g. using energy more efficiently rather than building more generating capacity);
- input or supply alternatives (e.g. where a mix of energy sources permits);
- activity alternatives (e.g. providing public transport rather than increasing road capacity);

- location alternatives, either for the entire proposal or for components (e.g. the location of a dam and/or irrigation channels);
- process alternatives (e.g. use of waste-minimising or energy-efficient technology); and
- scheduling alternatives (e.g. for airport and transport operations, reservoir drawdown).

The World Bank recommends a tiered approach to the analysis of alternatives, which broadly corresponds to the headings above. It is designed to bring environmental considerations into all stages of development planning. This approach, ideally, begins with strategic environmental assessment (SEA) to analyse broad alternatives within a sector (such as power) or for a region (see Topic 14 – *Strategic Environmental Assessment*). When this framework is not in place, as is frequently the case, the key alternatives are examined as part of a project-specific EIA. An application of the tiered approach in this context is illustrated in Box 2.

In many cases, a fully tiered approach may not be possible. Certain alternatives will have been foreclosed by earlier stages of decision-making. However, some alternatives may remain open and a preliminary scan can help to identify them. Normally, a retroactive analysis of alternatives is not considered to be good practice unless circumstances warrant; for example a proposal may be well advanced but have a potentially significant impact on the environment or involve the relocation of large numbers of people (see Box 2).

The development of feasible alternatives, to meet the overall objectives of the proposal calls for certain types of information and knowledge. During this process, for example, reference may be made to: available technology, policy objectives, social attitudes, environmental and site constraints and project economics (see Box 3). It is important to make sure that the alternatives chosen for comparison with a proposal can be implemented cost-effectively. Stakeholder input can be helpful in the generation and analysis of viable alternatives, but this needs to be used selectively. For example, the affected communities would have a minimal role in the review of demand and supply-side alternatives to the Nam Theun II project (as described in Box 2) but a primary one in assessing the environmental and social suitability of location alternatives.

The range of alternatives selected for analysis routinely includes the 'no action' alternative. The relative impact of each alternative is compared against the baseline environment (with versus without project) to select a preferred alternative, including taking no action (which may not correspond exactly to maintaining baseline conditions because changes result from other actions).

In many EIA studies, the preferred alternative will be the most closely examined, and may be the only alternative to be considered in detail. However, it is not uncommon for several alternatives to be investigated at the same level of detail during the impact analysis and evaluation phases, prior to selecting from among them.

**Box 2: Tiered approach to analysis of alternatives (Laos)**

The 600 MW Nam Theun II Hydroelectric Dam is intended to strengthen the revenue and economic base of the People's Democratic Republic of Laos by exporting power to Thailand. When submitted to the World Bank, the dam height, location and reservoir surface area had been established already. The Bank asked the proponents to return to the objectives and conduct an alternatives analysis against them, in effect a re-scoping process.

The following aspects were considered:

- evaluation of the potential for demand side management (DSM)
- identification and screening of alternative energy sources to hydropower
- evaluation of realistic alternative energy sources
- comparative assessment of alternatives
- identification of hydroelectric alternatives
- evaluation of hydroelectric alternatives
- comparative assessment of hydroelectric alternatives
- comparison of conceptual and design alternatives for the proposed project

The results were used in national power sector planning by the Lao PDR; in planning by development finance institutions for their activities in the region and the power sector; for planning by private investors; in identifying stakeholder concerns; and as an input to preparation and environmental assessment of Nam Theun II project components.

*Source: World Bank (1996)*

**Box 3: Siting alternatives in an EIA for a hydropower project (Pakistan)**

The Ghazi-Barotha Hydropower Project is a major run-of-river power project designed to meet the acute power shortage in Pakistan. The main project elements include a barrage located on the Indus River, a power channel (designed to divert water from the barrage) and a power complex. Alternative locations for these elements were evaluated based on technical, economic, environmental and social constraints by an interdisciplinary project team and reviewed by an external environmental and resettlement panel.

Initial assessment of five barrage sites identified by the project consultants resulted in two options being selected for detailed evaluation. The preferred option has less

storage capacity than the main alternative, but was preferable in terms of environmental impact.

The most economical alignment for the power channel would have necessitated resettlement of an estimated 40,000 people. Moving the alignment to less densely populated areas, although technically more complex and financially less attractive, reduced the resettlement requirement to approximately 900 people. Additional modifications further reduced the impact on archaeological sites and graveyards.

Five power complex sites were initially studied, and three remained for detailed evaluation. Topographical factors determined the preferred option, as the environmental implications were broadly similar in each case. Sub-elements of the power complex, such as access roads, head pond capacity and embankments, were chosen based on environmental and technical considerations.

Finally, four alternative alignments were evaluated for the 500 kV transmission line connections to the main grid station. The selected routes had minimal environmental and socio-cultural impacts. Detailed design focused on choosing alignment and tower locations with minimal impacts on dwellings, agricultural land and archaeological sites.

*Source: World Bank (1996)*

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**Ask the group to identify the types of information that could be required by Terms of Reference for an EIA.**

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In concluding the scoping process, the preparation of Terms of Reference (ToR) for an EIA is an important task. Alternatively, or as a supplement to ToR, a formal scoping report may be issued (especially useful if the issues and/or process are controversial). In some EIA systems, the proponent prepares a more informal document to summarise the conclusions of scoping and the approach to be taken by an EIA study. The test for Terms of Reference (or its equivalent) lies in its usefulness to and robustness in successive stages of the EIA process.

A number of international agencies have issued sample or framework Terms of Reference, including the World Bank (see Handout 5 - 1) and the OECD Development Assistance Committee (see Handout 5 - 2 ). These and other generic documents outline the types of information to be included in a ToR or equivalent document. When reviewing these, it is important to remember that Terms of Reference provide guidance and direction to the proponent. The document should be comprehensive yet as concise as possible. Many of the components listed below will occupy a paragraph or less.



5-1



5-2

Terms of Reference for a full EIA can refer to some or all of the following items:



9

- purpose and application of the Terms of Reference;
- statement of need for and objectives of the proposal;
- project background and description;
- study area or impact zone(s) (e.g. the affected environment and community);
- applicable policy and institutional considerations;
- EIA requirements and decision-making particulars;
- provisions for public involvement;
- alternatives to be examined;
- the impacts and issues to be studied;
- the studies to be carried out (e.g. approach, time & space boundaries);
- the requirements for mitigation and monitoring;
- the information and data to be included in the EIA report;
- the timeframe for completion of the EIA process; and
- the means for making changes to the ToR if necessary.

The Terms of Reference can also contain various matters relating to EIA project management. Alternatively, these may be contained in a separate brief or specification drawn up by the proponent for the study team. The following particulars might be included:

- the proposed study schedule;
- the resources and estimated budget for the study;
- the activities and responsibilities of the study team;
- the expected outputs or deliverables from the study team; and
- the basis on which variations to the working brief will be negotiated.

Topic 12 – *EIA project management* gives more detail on the management of projects, including the building of a team, budgeting and reporting.

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**Include a training activity to reinforce the topic (if desired).**

**Conclude by summarising the presentation, emphasising those key aspects of the topic that apply locally.**

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## Reference list

The following references have been quoted directly, adapted or used as a primary source for major parts of this topic.

Canada, Federal Environmental Assessment Review Office (1987) *Determining the Scope of Environmental Impact Assessments*. FEARO Regional Office, Vancouver.

Canter L and Clark R (1997) Scoping in the EIA Process in the United States in *Report of the EIA Process Strengthening Workshop*. (pp. 31-47). Environment Protection Agency, Canberra.

New Zealand, Ministry for the Environment (1992) *Scoping of Environmental Effects*. Ministry for the Environment, Wellington.

OECD/DAC (1994) *Towards Coherence in Environmental Assessment. Results of the Project on Coherence of Environmental Assessment for International Bilateral Aid*. Vol. 2. Canadian International Development Agency, Ottawa.

Sadler B (1997) EIA Process Strengthening – Perspectives and Priorities in *Report of the EIA Process Strengthening Workshop*. (pp. 1-29). Environment Protection Agency, Canberra.

US Council on Environmental Quality (1981) *Memorandum: Scoping Guidance*. Council on Environmental Quality, Washington. D.C.

World Bank (1996) *Analysis of Alternatives in Environmental Assessment. Environmental Assessment Sourcebook Update No. 17*. Environment Department World Bank, Washington. D.C.

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## Further reading

European Commission (1995) *Scoping in Environmental Impact Assessment – A Practical Guide*. Directorate General for Environment, Nuclear Safety and Civil Protection, Brussels.

European Commission (1996) *Environmental Impact Assessment. Guidance on Scoping*. Directorate General for Environment, Nuclear Safety and Civil Protection, Brussels.

Jones C (1999) Screening, Scoping and Consideration of Alternatives in Petts J (ed) *Handbook of Environmental Impact Assessment*. (Vol. 1, pp. 201-228). Blackwell Science Ltd, Oxford, UK.

## References and further reading

Netherlands, Commission for Environmental Impact Assessment (1994) *EIA Methodology: Scoping of Alternatives – A Study Based on Ten Representative Cases*. Commission for Environmental Impact Assessment, Utrecht.

Sadler B (1996) *Environmental Assessment in a Changing World*. Final Report of the International Study of the Effectiveness of Environmental Assessment. Canadian Environmental Assessment Agency and International Association for Impact Assessment, Ottawa.

Scott Wilson Ltd. (1996) *Environmental Impact Assessment: Issues, Trends and Practice*. Environment and Economics Unit, UNEP, Nairobi.

World Bank (1995) *Environmental Assessment Challenges and Good Practice*. Paper No. 018. Environment Division, Washington D.C.

World Bank (1991) *Environmental Assessment Sourcebook*. Volume 1. World Bank Technical Paper No. 139, Washington, D.C.

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## Training activities

*Training activities will be more instructive if they are framed around a local proposal. Consider inviting prospective course participants to make a presentation if they have expertise in this area of EIA.*

### Discussion themes

- 5-1 'The scoping phase should result in a conclusive list of matters which will be addressed in the EIA study; issues suggested at later stages should not be considered.' Is this view tenable?
- 5-2 Why is it important to define the purpose and objectives of a proposal, and the alternatives to be considered? Do these reasons apply equally to private and public sector proposals? What about proposals like mining where the location of the ore body is fixed?
- 5-3 'Sectoral guidelines can obviate the need for scoping.' Discuss and explore how scoping practices might supplement such general guidelines in a particular case.
- 5-4 Discuss the difference between primary and secondary impacts, in relation to a dam, a tourism facility, a major highway, a nuclear power station or a paper mill.
- 5-5 How much information should the proponent assemble before scoping commences? Can the proponent collect too much information too early, and if so, what are the likely consequences?
- 5-6 Who should make decisions on the relative significance of issues? What factors will influence such decisions during scoping?
- 5-7 What sources of data should be investigated prior to scoping? Why is it necessary to identify data gaps, and to collect data in such areas? How can different data needs affect the time and cost of EIA studies?

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### Speaker theme

- Invite a project manager for a development company or a competent authority to talk about experiences with scoping for an EIA reviewing the following questions. What procedure was followed? Which steps were taken? Did the list of key issues identified through scoping need to be extended during the later stages of the study? Were local communities involved? How useful was their input compared to the assistance of EIA experts? What changes were made to the initial proposal as a result of the issues generated during the scoping phase? What further changes were made, for example during later in-depth investigation of those issues?
-



## Group Activity 5–1: Scoping

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**Title:** Scoping a proposed development

**Aim:** To develop an appreciation of the scoping process by undertaking scoping for a local project (preferably real, but if not hypothetical)

**Group size:** Four to six people

**Duration:** Half day to whole day (as required)

**Resources required:**

- A case study description of a (real or hypothetical) proposal, with some details of its setting.
- Notes on scoping provided to the course participants, together with some form of checklist or sectoral guidelines.

**Description of activity:**

Each member of the small group will take a role as the representative of the proponent, the EIA administering body, the competent authority, the affected local community, and a regional NGO that has a direct interest in the proposal. As necessary, add representatives for other responsible government agencies, environmental NGOs, etc.

Using the case study provided:

- each member of the group should separately consider, from the perspective of their role, the range of alternatives that might be considered (consult the typology of options in the notes – demand, activity, location, process etc. – and refer to Handout 5–1);
  - discuss the range of alternatives generated, and agree which ones should be taken forward for further study;
  - each member should make a list of the likely impacts of the proposal; compare the lists and reach consensus on the key issues;
  - select three of the key issues, and detail the study programme necessary to adequately address each issue; and
  - prepare Terms of Reference for the EIA study (refer to Handout 5–2), covering the agreed alternatives and the three selected issues.
-

## Group Activity 5–2: Scoping

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**Title:** Initiating the scoping process

**Aim:** To understand the information needs at the beginning of the scoping process

**Group size:** Three or four people

**Duration:** Half-day in total comprising one hour's preparation, and a further one hour during which each group can make their presentation (10 to 15 minutes per group). Conclude with a general discussion of the merits of each presentation.

**Resources required:**

- Brief case study description of a proposal, the setting and the nature of the surrounding communities.

**Description of activity:**

Participants are required to develop a presentation to a meeting of local residents (the rest of the group), at which the proposal is to be unveiled, and the scoping process commenced. The presentation should be planned to cover:

- the purpose of the meeting;
  - the objectives of the proposal;
  - the requirements of the EIA and scoping processes;
  - the likely impacts of the proposal and how they will be managed;
  - how the community can become involved in the scoping process;
  - what other opportunities will be provided for the community to voice their concerns;
  - how the proponent proposes to conduct the EIA, including the studies to be undertaken; and
  - the timetable proposed for the completion of the EIA and the decision-making process.
-



1

## Flowchart of the EIA process

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2

### Scoping:

- early step – begins once screening completed
  - open, interactive process — involves the public
  - lays the foundation of an EIA – by identifying
    - boundaries of the EIA study
    - the information necessary for decision-making
    - key issues and significant impacts to be considered
- 



3

### Key objectives of scoping

- inform and identify stakeholders
  - find out their concerns
  - consider feasible and practical alternatives
  - identify the main issues and impacts to be studied
  - define the boundaries of the EIA study
  - agree on means of public involvement
  - establish the Terms of Reference
- 



4

### Guiding principles for the conduct of scoping

- scoping is a process not an activity or event
  - design the scoping process for each proposal
  - start early, as soon as information permits
  - prepare information package on what is expected
  - specify the role of the public in decision-making
  - approach should be systematic; implementation should be flexible
  - document the results to guide preparation of EIA
  - respond to new information and issues as necessary
- 



5

### The conduct of scoping

- identify range of concerns
  - evaluate them to determine key issues
  - categorize the impacts that require study
  - establish a strategy for addressing them
-



6

### Steps in the scoping process

- prepare an outline scope
- develop the outline through informal consultation
- make the outline available
- compile the range of concerns (long list)
- evaluate these to establish key issues (short list)
- organise these into impact categories (study list)
- amend the outline to incorporate the above information
- develop Terms of Reference
- monitor progress against them, revising as necessary



7

### Who should be involved in scoping?

- the proponent
- the competent authority
- the EIA administering body
- other responsible agencies
- EIA practitioners and experts
- key stakeholders i.e. those affected by the proposal
- the wider community



8

### Consideration of alternatives

- demand alternatives
- supply or input alternatives
- activity alternatives
- location alternatives
- process alternatives
- scheduling alternatives



9

### Outline Terms of Reference:

- objectives and background to the proposal
- study area and boundaries
- alternatives to be examined
- opportunities for public involvement
- impacts and issues to be studied
- the approach to be taken
- requirements for mitigation and monitoring
- information and data to be included in the EIA report
- timetable and requirements for completion of the EIA process

## Framework Terms of Reference for environmental assessment of development assistance projects

TOPICS TO BE ADDRESSED	BASIC REQUIREMENTS	PROCEDURAL CONSIDERATIONS	OPERATIONAL CONSIDERATIONS	PROJECT STAGES
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## A FRAMEWORK TERMS OF REFERENCE FOR ENVIRONMENTAL ASSESSMENT OF DEVELOPMENT ASSISTANCE PROJECTS

(From OECD/DAC, (1994) *Towards Coherence in Environmental Assessment — Results of the Project on Coherence of Environmental Assessment for International Bi-lateral Aid. Canada*)

TOPICS TO BE ADDRESSED	BASIC REQUIREMENTS	PROCEDURAL CONSIDERATIONS	OPERATIONAL CONSIDERATIONS	PROJECT STAGES
<b>A. INTRODUCTION</b>				
1. BACKGROUND	<i>Introduce the project and the most critical environmental issues involved.</i>	Briefly review the events leading up to the conduct of the assessment.	List the main participants in the assessment process.	Concept (i) Pre-feasibility (s) Feasibility (s)
<b>B. CONTEXT</b>				
2. THE PROBLEM	<i>Summarise the basic developmental issue or problem being addressed by the proposed activity, i.e., pollution, flooding, drought, erosion, energy shortage, poor health, depressed economy, etc.</i>	Characterise the issue or problem in its broader national context, i.e., historical perspective, root causes, implications for development, and prior attempts at resolution.	As they become available, use results from the environmental assessment to refine the problem statement.	Concept (i) Pre-feasibility (s) Feasibility (s)
3. PROPOSED SOLUTION	<i>Summarise the way in which the proposed activity is expected to resolve the issue, or solve or alleviate the problem, with the emphasis on sustainability.</i>	Describe the critical requirements for the proposed activity to be successful in the long-term, and identify the major risks and benefits involved.	Identify the technical or operational aspects of the project that are most problematic in terms of achieving sustainability.	Concept (i) Pre-feasibility (s) Feasibility (s)
4. CO-OPERATION AMONG JURISDICTIONS	<i>Summarise the agreement or arrangements between the donor(s) and the recipient country under which the environmental assessment is being conducted.</i>	Describe the sharing of roles and responsibilities, emphasising the lead role to be played by the recipient country in the conduct of the assessment.	Provide a brief overview of other relevant past cooperative efforts between the donor and the recipient country, including strategies for capacity development.	Concept (i) Pre-feasibility (s) Feasibility (s)
5. OBJECTIVES OF THE ASSESSMENT	<i>State clearly the objectives of the assessment and the relationship of the results to project planning, design, implementation and follow-up.</i>	For donor and recipient country, highlight critical points in the decision making process linking environmental assessment and project execution.	Note those aspects and outcomes of the project which are considered most likely to be affected by the results of the assessment.	Pre-feasibility (s) Feasibility (s)
<b>C. INSTITUTIONAL SETTING</b>				
6. LEGAL/POLICY BASE	<i>Summarise the legal, policy and procedural bases for environmental assessments in the recipient country and the donor agency.</i>	Identify potential areas of conflict or disagreement and describe how these have been, or can be, overcome.	Ensure agreement on sensitive issues, such as pollution standards, criteria for impact evaluation, relocation and compensation.	Concept (i) Pre-feasibility (s) Feasibility (s)

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**Framework Terms of Reference for environmental assessment of development assistance projects**


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**Key** s – if stage occurs concurrently with assessment  
r – influenced by results of assessment

i – information sources for the assessr

7. INSTITUTIONAL CAPACITY	<i>Summarise and provide an appraisal of the strengths and limitations of the recipient country in the various fields of environmental protection and management.</i>	Assess capacity and past experience of institutions in managing domestic and foreign assistance projects; identify capacity building needs (including training).	Focus on key aspects, including the number and competency of staff, size of operational budgets and availability of appropriate technology and equipment.	Concept (i) Pre-feasibility (s) Feasibility (s)
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**D. ALTERNATIVES**


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**8. ALTERNATIVES TO THE PROJECT**

(a) Policy Interventions	<i>Assess the potential for achieving the basic developmental objective by interventions at the policy level.</i>	Evaluate options such as using economic instruments, controlling supply and demand, and encouraging reuse/ recycling.	Identify key potential constraints, such as lack of expertise, and inefficient administrative systems.	Concept (i) Pre-feasibility (s) Feasibility (s)
(b) Other Projects	<i>Assess the potential for achieving the basic developmental objective by implementing other projects which are substantively different than the one proposed.</i>	Assess reasonable options, such as alternative sources (for energy projects), alternative modes (for transportation projects) and alternative practices (for agricultural projects).	Identify key constraints, such as the inadequacies of existing infrastructure, time limitations and a lack of financial resources.	Concept (i) Pre-feasibility (s) Feasibility (s)

**9. ALTERNATIVES WITHIN THE PROJECT**

<i>Evaluate potential alternatives for key aspects of the proposed project, i.e., options for siting, waste management, energy conservation and pollution control technologies.</i>	Assess the potential to implement such alternatives, depending upon the specifics of the project and the design options available.	Identify the most reasonable alternatives and incorporate them into the detailed analysis of environmental impacts.	Prefeasibility (s) Feasibility (s)
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**E. INSTITUTIONAL AND PUBLIC INVOLVEMENT**


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10. INSTITUTIONAL COOPERATION	<i>Show clearly how the proposed project conforms with the overall development strategy and priorities of the recipient country.</i>	Describe the manner and extent to which other government institutions in the recipient country were consulted or participated in the assessment.	Describe the procedures us to gain access to informati held by other agencies, and what extent they were successful.	Pre-feasibility (s) Feasibility (s)
11. PUBLIC INVOLVEMENT	<i>Show how affected groups and NGOs in the recipient country, and interested publics in the donor country, were given the opportunity to participate in the assessment process.</i>	Explain the manner in which information was distributed to, and received from, members of the public, and how that information was used in project planning.	Describe efforts at public scoping, and explain how t results were used to focus i assessment on critical issue particularly in regard to collection and interpretatio data.	Pre-feasibility (s) Feasibility (s)

**Key** s – if stage occurs concurrently with assessment  
r – influenced by results of assessment

i – information sources for the assessr

## Framework Terms of Reference for environmental assessment of development assistance projects

TOPICS TO BE ADDRESSED	BASIC REQUIREMENTS	PROCEDURAL CONSIDERATIONS	OPERATIONAL CONSIDERATIONS	PROJECT STAGES
<b>F. REQUIRED INFORMATION AND DATA</b>				
12. DESCRIPTION OF PROJECT	<i>Describe the project (design life, location, layout, size, capacity, activities) inputs (land, raw materials, energy) and outputs (products, by-products, emissions).</i>	Identify indirect impacts arising from induced changes in land use or ownership and from utilisation of local natural resources as raw material for the project.	Identify and quantify sources of impacts, i.e., emissions, effluents, waste products and noise, with particular emphasis on toxic materials.	Pre-feasibility (s) Feasibility (s)
13. DESCRIPTION OF ENVIRONMENT	<i>Identify study boundaries which can provide baseline data on relevant (as determined from scoping results) physical, ecological, economic, social, cultural and demographic conditions within those boundaries.</i>	Clearly show how information received from the general public through a scoping process was used to limit and focus baseline studies on the important issues.	Identify and quantify receptors of impacts, i.e., components of ecological systems at risk, vulnerable human groups (and sub-groups) and valued resources.	Pre-feasibility (s) Feasibility (s)
14. INFORMATION QUALITY	<i>Assess the quality of all information, identify data gaps, and summarise the limitations placed on the assessment from such deficiencies.</i>	Recommend measures to ensure that important data bases of reliable quality will be established and maintained for future projects.	Where appropriate and feasible, design the monitoring plan for the proposed project to fill the identified data gaps.	Pre-feasibility (s) Feasibility (s) Monitoring and Evaluation (r)
<b>G. ANALYSIS OF IMPACTS</b>				
15. POSITIVE IMPACTS	<i>Predict how the lives of the affected people will be improved and any enhancement of natural systems resulting from project implementation.</i>	Focus on values determined through scoping, i.e., traditional economy, improved health, better living conditions, conservation of local ecosystems.	Use quantitative analysis where possible; take account of past trends and experience with similar projects.	Pre-feasibility (s) Feasibility (s)
16. NEGATIVE IMPACTS				
(a) Natural Resources	<i>Predict any significant reduction in the quality of air, water and soil or loss of biodiversity.</i>	Emphasise threats to the integrity of ecosystems that could affect economic or social sustainability.	Use predictive qualitative models where possible, to avoid vague predictions.	Pre-feasibility (s) Feasibility (s) Design and Engineering (r)
(b) Human Resources	<i>Evaluate the risk of significant deterioration in the health or well-being of the affected people.</i>	Use the results of public consultation to focus the analysis on locally important concerns and issues.	Undertake an economic and social valuation of the predicted environmental impacts.	Pre-feasibility (s) Feasibility (s) Design and Engineering (r)
(c) Relocation and Compensation	<i>Evaluate plans for involuntary relocation and describe measures taken to minimise the number of relocations.</i>	Assess the success of previous relocation programmes and recommend changes in current plans accordingly.	Evaluate the fairness and equity of criteria for determining compensation, and identify required changes.	Pre-feasibility (s) Feasibility (s) Design and Engineering (r)
(d) Cumulative Impacts	<i>Evaluate the incremental contribution to the long-term degradation of local natural and social systems.</i>	Compare the severity of cumulative impacts with those from other previous development activities.	Review past trends and compare current quality indicators to estimated or perceived thresholds.	Pre-feasibility (s) Feasibility (s) Design and Engineering (r)

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**Framework Terms of Reference for environmental assessment of development assistance projects**


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(e) Trans-Boundary Impacts	<i>Evaluate the potential for neighbouring countries to be impacted and the potential effects on the global commons.</i>	Identify the most likely sources of extra-territorial impacts and describe how such impacts will be kept to a minimum.	Focus on any far-field effects of pollution, and impacts on species or ecosystems of global importance.	Pre-feasibility (s) Feasibility (s) Design and Engineering (r)
(f) Impact Significance	<i>Define the meaning of the term "significant" and assess the significance of the expected impacts.</i>	Where possible, determine thresholds that reflect local environmental and socio-economic values.	State the environmental quality standards to be applied in the assessment.	Pre-feasibility (s) Feasibility (s)

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**H. MITIGATION AND MONITORING**


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17. ENVIRONMENT MANAGEMENT PLAN	<i>Provide a detailed plan covering mitigation of predicted impacts, management of residual effects, relocation and compensation schemes, decommissioning, and training programmes.</i>	Allocate roles and responsibilities and show how the Management Plan is expected to influence project final design, operation and eventual decommissioning.	Present mitigation plans in sufficient detail that they can be incorporated into the criteria for project design, operation and shutdown.	Design and Engineering (r) Monitoring and Evaluation (r)
18. ENVIRONMENT MONITORING PLAN	<i>Provide a comprehensive and detailed plan covering the environmental and social variables to be monitored, the location and timing of sampling and the use to be made of monitoring data.</i>	Clearly state the institutions(s) responsible for the monitoring plan and how the resulting information will influence the operation of the project.	Provide sufficient guidance (and training where necessary) on sampling protocols and analytical standards to ensure the generation of reliable data.	Monitoring and Evaluation (r)

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**I. CONCLUSIONS AND RECOMMENDATIONS**


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19. PROJECT DECISIONS	<i>Indicate the extent to which the proposed project conforms with the general principles of sustainable development.</i>	Show how the project has been modified to make it more sustainable and explain the shortcomings that remain.	Compare the proposed project with reasonable alternatives, in terms of benefits and environmental impacts.	Feasibility (s)
20. TECHNICAL MATTERS	<i>Summarise the design and operational changes that are considered critical to improving the environmental acceptability of the project.</i>	Note any legal, policy, procedural or administrative impediments to achieving the required changes to the project.	Note any engineering constraints or risks to achieving the necessary technical changes.	Feasibility (s)
21. NON-TECHNICAL SUMMARY	<i>Summarise, in non-technical terms, the key findings and recommendations of the assessment, including the main economic benefits, significant environmental effects and proposed mitigation measures.</i>	Summarise any changes required to in-place management systems to ensure that the project is designed and operated in accordance with the recommendations of the environmental assessment.	Highlight the technical and procedural aspects of the assessment that pose the greatest risk to the successful completion and operation of the project, and the recommended strategies to circumvent these.	Feasibility (s)

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**Key**    **s** – if stage occurs concurrently with assessment  
           **r** – influenced by results of assessment

**i** – information sources for the assessr



## Sample Terms of Reference (ToR) for environmental assessment

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### Sample Terms of Reference (ToR) for Environmental Assessment

**Introduction:** state the purpose of the terms of reference.

**Background information:** briefly describe the need for, objectives of and major components of the proposal.

**Objectives:** summarise the scope of the EIA and timing in relation to project preparation, design, and approval.

**EIA requirements:** identify the regulations and guidelines governing the conduct of the EIA and/or specify the content of its report.

**Study area:** outline the time, space and jurisdictional boundaries of the study.

**Scope of work:** identify the tasks to be carried out, information deficiencies to be addressed, studies to be carried out, methodologies etc.

**Task 1. Description of the proposed project:** provide a brief description of the relevant parts of the project, using maps (at appropriate scale) where necessary.

**Task 2. Description of the environment:** assemble, evaluate and present baseline data on the relevant environmental characteristics of the study area. Include information on any changes anticipated before the project commences.

**Task 3. Legislative and regulatory considerations:** describe the pertinent regulations and standards governing environmental quality, health and safety, protection of sensitive areas, protection of endangered species, siting, land use control, etc.

**Task 4. Determination of the potential impacts of the proposed project:** distinguish between significant positive and negative impacts, direct and indirect impacts, and immediate and long-term impacts. Identify impacts that are unavoidable or irreversible. Wherever possible, describe impacts quantitatively, in terms of environmental costs and benefits.

**Task 5. Analysis of alternatives to the proposed project:** describe alternatives that were examined in the course of developing the proposed project and identify other alternatives which would achieve the same objective.

**Task 6. Development of management plan to mitigate negative impacts:** recommend feasible and cost-effective measures to prevent or reduce significant negative impacts to acceptable levels and describe the actions necessary to implement them.

**Task 7. Identification of institutional needs to implement environmental assessment recommendations:** review the authority and capability of institutions at local, provincial/regional, and national levels.

Recommend steps to strengthen or expand them so that the management and monitoring plans in the environmental assessment can be implemented.

**Sample Terms of Reference (ToR) for environmental assessment**

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**Task 8. Development of a monitoring plan:** prepare a detailed plan to monitor the implementation of mitigation measures and the impacts of the project during construction and operation.

**Task 9. Public/NGO participation and inter-agency co-ordination:** describe how the arrangements for obtaining the views of local NGOs and affected groups, and in keeping records of meetings and other activities, communications, and comments and their deposition.

**EIA report:** keep it concise and limited to significant environmental issues. The main text should focus on findings, conclusions and recommended actions, supported by summaries of the data collected and citations for any references used.

*Source: adapted from World Bank 1991*