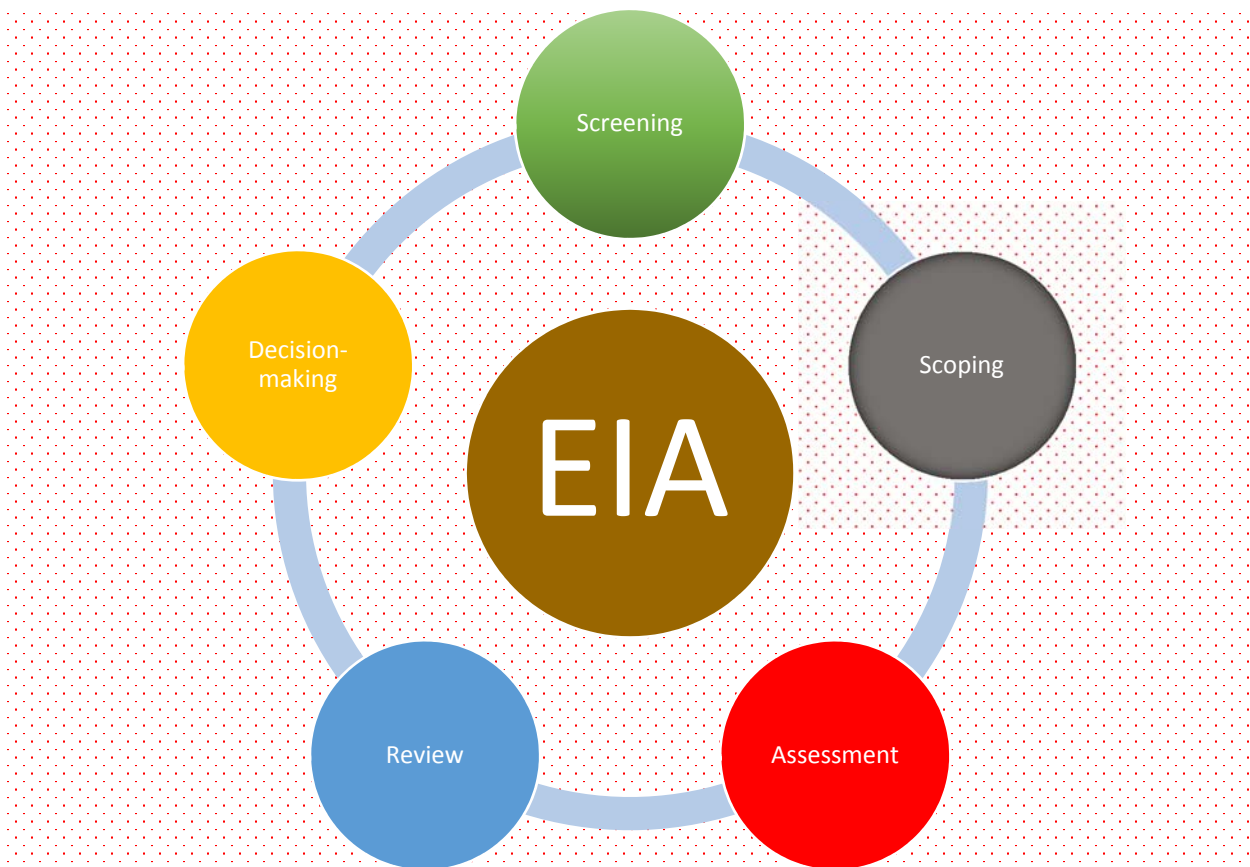




Guidance Note NIMOS Environmental Assessment Process



Paramaribo, August 2017

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Introduction

This guidance note briefly explains the steps in the Environmental Impact Assessment (EIA) process that a project proponent must undertake to get approval to execute an environment related project.

The Environmental Assessment Guidelines carefully explain the procedures as how they should be carried out if the Environmental Framework Law and the Environmental Regulations were in place. This guidance note however, only shows the various steps in the EIA process which are currently implemented.

This guidance note does not replace the Environmental Assessment Guidelines as used in Suriname. For details on the implementation of the process, these guidelines still have to be used.

Explanatory wordlist

Baseline: the current state of the environment

Consultant: the person/organization that implements the EIA on behalf of the project proponent

Days: working days, excluding Saturdays, Sundays and holidays

Calendar days: all days of the week, including Saturdays, Sundays and holidays

Environment: the relationship between the living and non-living surroundings of human beings, including social aspects

Environmental Impact Assessment (EIA): an assessment to predict the potential impacts of a proposed project on the natural and social environment and the associated activities, to anticipate and if necessary to mitigate or avoid

Environmental Impact Statement (EIS): the result of the Environmental Impact Assessment

Environmental Management and Monitoring Plan (EMMP): a plan that specifies mitigation measures to prevent, minimize, neutralize or compensate damage or loss. This plan is part of the Environmental Impact Statement but it can also be a separate study, e.g. in the case of a limited EIA

Project proponent: the person or entity proposing and submitting the project

Permitting Agency: any government body or institution which by law is authorized to issue a permit to undertake development project or activities

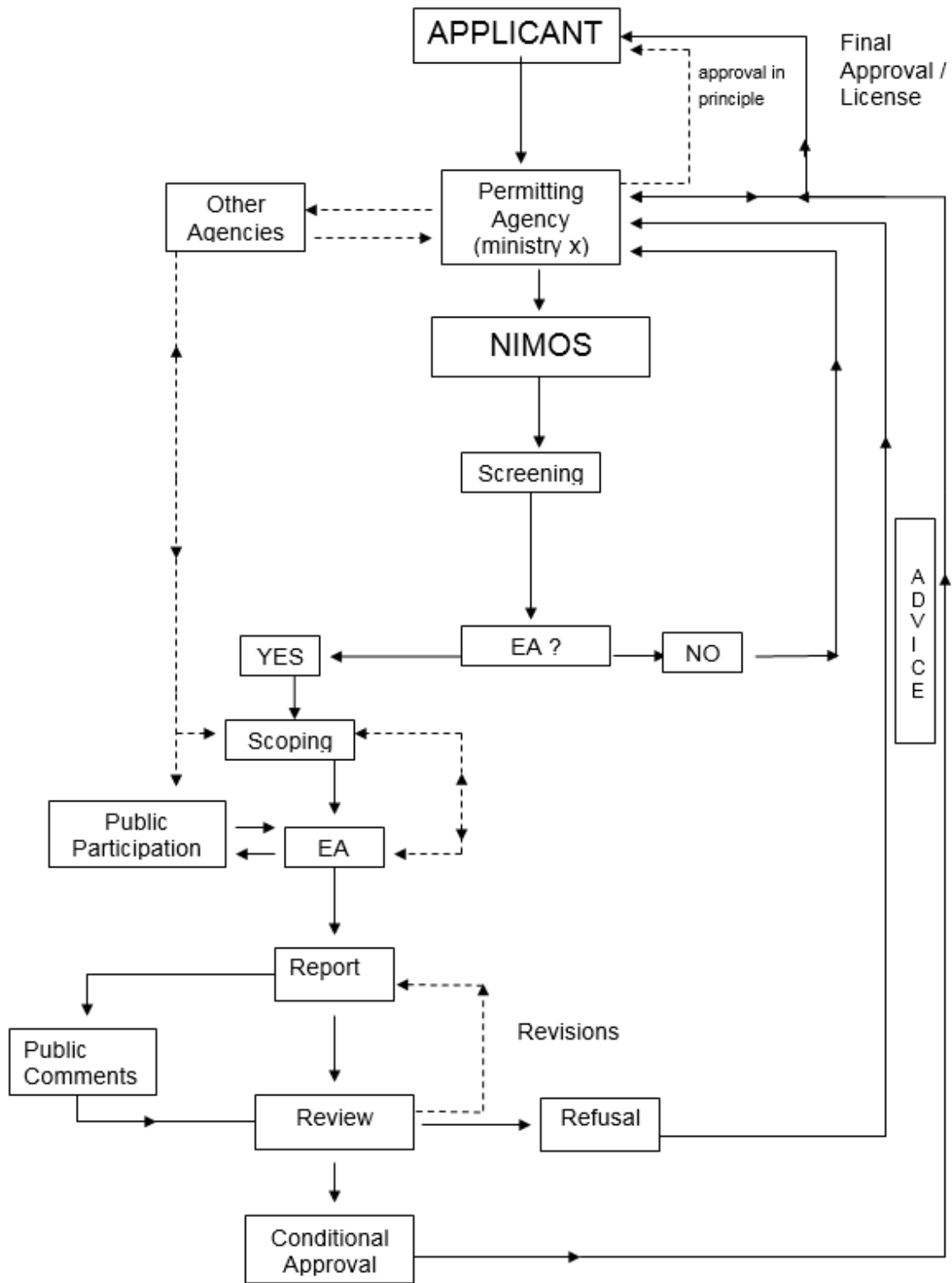
The different stages (phases) in the EIA process

The EIA process can be divided in 5 phases, namely:

1. Screening phase
2. Scoping phase
3. Assessment phase
4. Review phase
5. Decision-making phase

Figure 1 provides a schematic overview of the different phases in the EIA process.

Fig 1: EA Flowdiagram



What is Screening in the EIA process?

Screening is the phase in the EIA process, in which NIMOS decides whether an Environmental Impact Assessment is needed or not. If yes, NIMOS will indicate the nature and extent of the analysis.

NIMOS acknowledges three categories of EIA:

- *Category A*: an EIA is mandatory
- *Category B*, either:
 - An EIA is required (Category B, path 3);
 - Another environmental document is needed (e.g. Environmental Management Plan) (Category B, path 2);
 - No EIA is needed, but some environmental information is required before a decision can be taken (Category B, path 1).
- *Category C*: No EIA is required, but the project proponent will have to keep with the minimal guidelines.

These categories are based on the scope of the activity, while the state of the environment in which the activity is planned, is of importance for the subdivision of Category B.

The screening process includes the following steps:

- The project proponent submits an application for a permit to the permitting agency.
- The permitting agency forwards the project information to NIMOS for an advice. The project information must at least contain the following information:
 - Name, address, phone number, e-mail-address and contact person of the project proponent;
 - location, site characteristics, design, scope and duration of the project;
 - a non-technical explanation of the project, including the purpose;
 - demonstrate the need and justification;
 - detailed site plan, including a map;
 - possible impacts on the environment;
 - upon request other information.

If the information in the permit application is not complete or if a permit application is not applicable, the information can be sent to NIMOS by the project proponent

- **Within 14 days** after receiving the project information, NIMOS should inform the project proponent and the permitting agency of the screening decision in writing:
 - Is it a Category-C project, the EIA process stops/ends here.
 - In the case a Category-B project does not require an EIA, NIMOS will notify the project proponent and will advise them further.

What is Scoping in the MEA process?

In this phase the Terms of Reference (ToR), sometimes also called Scoping report, for the EIA-study has to be prepared. The EIA-study should be conducted according to the ToR. In collaboration with the consultant, who will conduct the EIA-study, the project proponent will prepare the ToR.

In case the project proponent has to conduct stakeholder meetings related to the ToR, these meetings should be held **before or within 10 days** after submitting the ToR. This because comments and advise from NIMOS will only follow after the stakeholder meetings.

In the ToR, which is prepared by the project proponent, the relevant and valid results of the public consultations should be included in the ToR. (In case consultations are required). This ToR should be send to NIMOS. **Within 14 days** after submission of the ToR, NIMOS will inform the project proponent of its decision. If the ToR does not meet the requirements it will be returned for additions, in which case it will take NIMOS, after resubmission, up to **7 days** before the final decision. If necessary, NIMOS will forward (if approved), to, the project proponent the specific guidelines for the contents of the EIA-study.

What is the assessment phase in the EIA process?

In the assessment phase the EIA-study is to be carried out by a qualified consultant or consultancy firm by order of the project proponent. The EIA-study is basically an independent study. If the project proponent decides to carry out the study by his company personnel, than a quality control should be performed by an independent EIA-consultant before it is submitted to NIMOS. The EIA should be done according to the ToR compiled during the scoping phase and approved by NIMOS. Research is being conducted on the current state of the environment (baseline) and the impacts of the activities on the baseline. Depending on the complexity of the study the research may last up to a period of a year. Regarding the baseline data, NIMOS has no objection if use is made of existing data, provided that the most recent dataset is not older than 5 years.

An Environmental Management and Monitoring Plan is an important part of the Study. This plan particularly depicts how the mitigation measures will be implemented during the project phase.

Upon completion of the Environmental Impact Statement the project proponent has to submit the following documents to NIMOS:

- A non-technical summary of the EIS (Dutch and English)
- 3 Hard Copies of the EIS (Dutch or English)
- 1 Digital Version of the EIS (Dutch or English)

For certain projects, for example in areas of indigenous and tribal people, it may be necessary to publish the EIS in the local language.

The qualifications of the EIA Consultancy-team should be as follows.

Category A and B-path 3 projects:

- The project leader has conducted at least 5 EIA's
- At least 5 years of experience for the team members in the relevant disciplines of the EIA
- At least a MSc degree for the project leader and BSc degree for the team members

Category B-path 2 projects:

- The project leader was a member of the project-team in at least 4 EIA projects
- At least 3 years of experience for the team members in the relevant disciplines of the EIA
- At least a BSc degree for the project leader and team members

It is permitted for the Consultancy-team to allow individuals with relevant knowledge (e.g. traditional knowledge) to participate in the team, provided these individuals are under supervision of the project leader or a qualified team member in charge of the research for that discipline.

What is the review phase in the EIA process?

During the review process the submitted Environmental Impact Statement (EIS) is reviewed by NIMOS:

- NIMOS first verifies whether all the components for an Environmental Impact Statement according to the ToR are included. If not, the study will be returned for adjustments.¹

If all components are included, the project proponent, after indication by NIMOS, shall publish an announcement in at least one daily Newspaper circulating throughout Suriname, stating that an Environmental Impact Statement is available for the general public. The general parties have between 30 and 90 **calendar days**, depending on the complexity of the project and the public interest, to submit their comments in writing.

- NIMOS may decide that the project proponent must hold a Public Meeting on the subject to receive (gather) any verbal comments/remarks. This will be applicable for most projects.
- For complex projects, NIMOS will bring together a multidisciplinary team to assist in evaluating the study. All costs associated with this team will be borne by the project proponent. These costs will be communicated to the project proponent prior to the start of the review phase. For the review costs NIMOS has developed a procedure which is available on request.

¹ To prevent unnecessary production of hard copies the project proponent can choose to first send the digital version of the Draft EIS. If NIMOS indicates that all components are included the hard copies can be submitted.

- Between 30 or 90 days after submission (depending on the complexity of the project and public concern), NIMOS will review the EIS and will indicate if revisions are necessary.

During the review phase, the project proponent is responsible for the following:

- The Organizing of public meetings for affected groups. Here the results have to be presented in an understandable manner. The public meetings should be organized after the EIS has officially been submitted to NIMOS. The announcement for public meetings and availability of the EIS for public review should be done simultaneously and at least **14 calendar days** before the scheduled meetings.
- Distribution of copies of the NON-technical Summary to the affected groups, local government authorities, other relevant government authorities, NGO's and other interested parties.

If no revisions are needed, NIMOS will advise the permitting agency based on the submitted draft EIS.

In case additions are needed, the project proponent must submit a final EIS to NIMOS after having carry out these revisions. The following documents should be submitted the Final EIS:

- A non-technical summary of the EIS (Dutch and English)
- 2 Hard Copies of the EIS (Dutch or English)
- 1 Digital Version of the EIS (Dutch or English)

What is decision-making within the EIA process?

After the EIS is reviewed, NIMOS should send the environmental advice regarding approval or denial of the project to the permitting agency. Depending on the Public participation process this should be done within **60 to 120 days** after submitting of the Draft EIS.

The Environmental advice from NIMOS may include the following:

- ***Negative Advice.*** This will only happen if one or more of the impacts of the project are so adverse such that there is almost no mitigation possible on a level that is acceptable nationally and/or internationally.
- ***Advice to proceed with the project, with additional conditions.*** The impacts of the project can be mitigated, but NIMOS believes that additional measures should be applied for an environmentally friendly course/operation of the process. NIMOS may include these measures as conditions in the advice.
- ***Advice to proceed with the project, without additional conditions.*** The impacts can be mitigated and the methods are detailed and adequately described in the Environmental Impact Statement.

How important is Public Participation?

Public Participation is of great importance because on the one hand it gives the project proponent an idea of what takes place in the affected communities and among other stakeholders and on the other hand it is interesting for the public to know what a project comprehends and how it can have an impact on them.

Three moments are of great importance during the process of public participation:

- The *Scoping phase*: During this phase, the public can give their opinion and express their concern about what can be important for drafting the ToR.
- The *Assessment phase*: On social issues research will be done, in which contribution of local communities is important for the research team. Local communities can also supply important information on other research areas.
- The *Review phase*: It is important that the public is aware of the outcome of the Environmental Impact Statement, so they can also give their views on this.

How long can the Environmental Impact Assessment process take?

The duration of the process may vary:

- NIMOS can provide its screening decision within **14 days**.
- The project proponent/consultant will need time to draft the ToR. The Practice shows that at least **14 days** are **needed**
- NIMOS will review the ToR within **14 days** after submission. Exceptions are the cases where stakeholder meetings are necessary. These meetings should be held by the project proponent **before or within 10 days** after submission of the ToR. Comments or advice from NIMOS will only follow after these stakeholder meetings. If no final decision is taken (due to revisions needed) advice will be given **within 7 days** after the next submission.
- Execution of the analysis may take a year or longer. Limited availability of useful data and the importance of variability in seasons to adequately predict the impacts on the environment may be the reasons for the time needed.
- Depending on the extent of the Draft EIS, NIMOS will review it within **90 days** after submission. For the Final EIS, NIMOS will take **30 days**.

The process within NIMOS can have a maximum duration of **155 days** (from screening of the project to advice on the EIS). This does not include the time the project proponent and consultant needs to carry out scoping and the assessment phase nor the time needed to adjust the ToR and EIS.

Figure 2 shows a table with the time duration of the different steps in the EIA process.

Figure 2: Timeline for the EIA process

Phase	Time (workingdays)	Remarks
<u>Screening phase</u>		
Screening decision NIMOS	14	
<u>Scoping phase</u>		
NIMOS Review Scoping Report (ToR)	14	
Revisions by Project Proponent for the Scoping Report	n.a.	The allocated time is the responsibility of the project proponent
NIMOS decision Scoping Report	7	
<u>Assessment phase</u>		
Assessment and Compilation EIS	n.a.	Depending on the scope of the project. (responsibility project proponent)
<u>Review phase</u>		
Review Draft EIS	30-90	<ul style="list-style-type: none"> - Regular and Limited EIS are reviewed within 30 days - Complex EIS (e.g. mega-projects in tribal areas) can have a review period up to 90 days
Revisions Draft EIS	n.a.	Time depends on project proponent
Review Final EIS	30	<ul style="list-style-type: none"> - This can take up to 30 days - Firstly, a softcopy of the revised document (Final Draft EIS) can be sent to NIMOS - In case there are still uncertainties they will be discussed with the consultant/project proponent - After this the FINAL EIS (hardcopy and softcopy) can be sent to NIMOS - The advice for the Final EIS is compiled
<u>Decision-making</u>		
Advise Final EIS	n.a.	The advice for the Final EIS is sent to the relevant agency
<u>Total processing time within NIMOS for the different phases</u>		
Total processing time within NIMOS for the different phases	95-155	<ul style="list-style-type: none"> - Maximum of 95 days for regular projects - Maximum of 155 days for complex projects

What happens after approval of the Environmental Impact Statement?

After approval of the Environmental Impact Statement NIMOS will check periodically if the company/permit holder complies to what is indicated in the EMMP, which is a part of the Environmental Impact Statement.