

# Environmental Assessment Reform

The background of the slide features a light blue sky above a green landscape. A prominent blue wave-like shape curves across the middle of the image, separating the sky from the ground. The green landscape is composed of several layers of varying shades of green, creating a sense of depth and texture.

# International Obligations



## Association Agreement Agenda

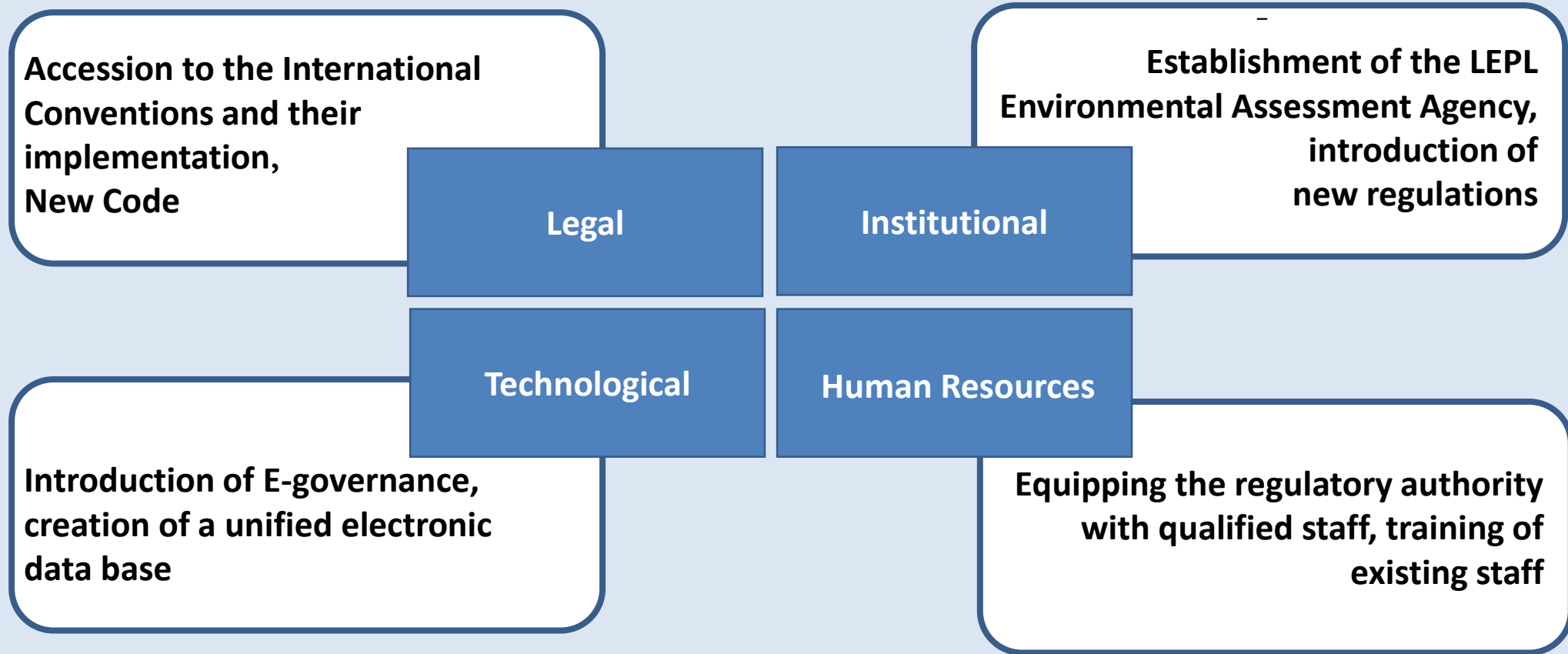
- Directive 2011/92/EC on the Assessment of the effects of certain public and private projects on the environment;
- Directive 2003/4/EC on public access to environmental information;
- Directive 2003/35/EC providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment;
- Directive 2001/42/EC on the Strategic environmental assessment of the effects of certain public and private projects.

## Conventions

- Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (**Aarhus Convention**)
- Convention on Environmental Impact Assessment in a Transboundary Context (**Espoo Convention**) and Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context (**Kiev Protocol**)



# Reform Directions



# Main aspects of a legal reform

## The following will be abolished:

- **Environmental impact permit**  
Investor's responsibility to ensure public involvement
- **Connection to a construction permit**  
Inefficient procedure and timelines for public involvement at a decision-making stage

## The following will be introduced:

- **The decision on environmental assessment**  
Two and three-level regulation, implying public involvement at all stages of implementation
- **Strategic environmental assessment (SEA);**  
Compliance of strategic planning decision with environmental requirements
- **Transboundary procedures**  
Tool for meeting the international environmental obligations



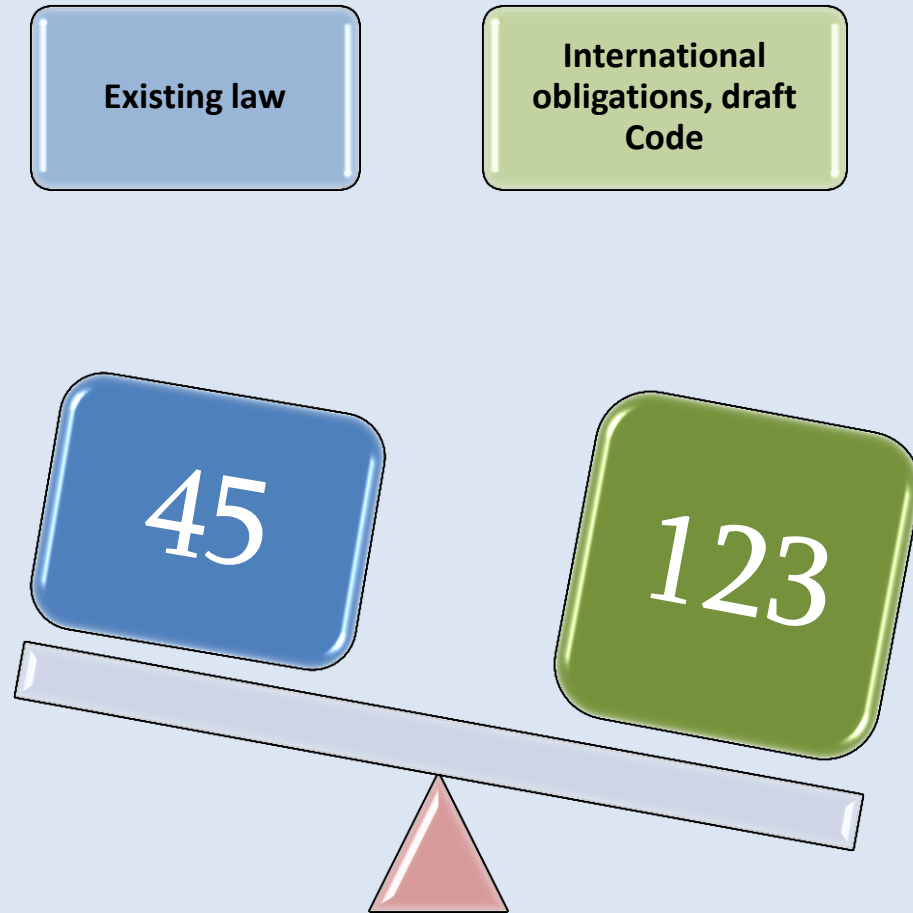
- ✓ Participation in public review of an Environmental Impact Assessment (IEA);
- ✓ Preparing conclusions of an ecological expertise, issuing a permit;
- ✓ Ecological audit;
- ✓ Relief from EIA;
- ✓ Defining reasonable timeframe.

## A new Code Increased functions



- ✓ Screening;
- ✓ Developing a scoping report;
- ✓ Reviewing an EIA report, decision making;
- ✓ Additional procedures ensuring publicity of a process;
- ✓ Examination of an activity site;
- ✓ Arranging for public reviews;
- ✓ Ecological audit;
- ✓ Review of a mining processing scheme;
- ✓ Relief from IEA;
- ✓ Strategic environmental assessment (SEA);
- ✓ Ensuring implementation of transboundary procedures.

## Increase of a number of activities subject to regulations



### Among others:

- Extraction of minerals in open cast mining;
- Poultry and/or swine farming;
- Arranging melioration systems and their operation;
- Arranging fish farms;
- Mineral extraction from sea or river;
- Brewing and malting;
- Confectionary industry;
- Arranging abattoirs and their operation;
- Urban development projects, including arranging trade centers and car parks;
- Construction of sewer system canals against flood and inundation;
- Carrying out coastal works against erosion;
- Arranging ski and rope ways;
- Placing scrap metal, among them car scrap.

## Reflecting widening of a scope of regulation on the administration process

Functions	Existing rules	New regulations
Screening;	No regulation	Up to 300
Developing a scoping report;	No regulation	More than 100
Reviewing an EIA report, decision making;	Up to 70	More than 100
Additional procedures ensuring publicity of a process;	No regulation	More than 200
Examination of an activity site;	Up to 70	More than 100
Arranging for public reviews;	No regulation	More than 200
Ecological audit;	New regulation	More than 100
Review of a mining processing scheme;	No regulation	More than 50
Relief from EIA;	Up to 5	Up to 5
Strategic environmental assessment (SEA);	No regulation	More than 50
Ensuring implementation of transboundary procedures	No regulation	Several
<b>Tentative sum amount of transactions</b>	<b>Up to 150</b>	<b>Up to 1200</b>

## Why a LEPL?

- **Independent regulatory authority** – distinguishing between the issues of methodology and policy, independence of human resources and financial policies;
- **Flexible and efficient administration** – optimising business processes, effective tool for distributing tasks and decision making;
- **Paid service/self-funding** - introducing paid services, significant reduction of budget expenditures;
- **The Ministry – controlling authority** – control of activities, quality decisions





# Existing process

**The Ministry**  
Environmental Impact Permit  
Department



Decision

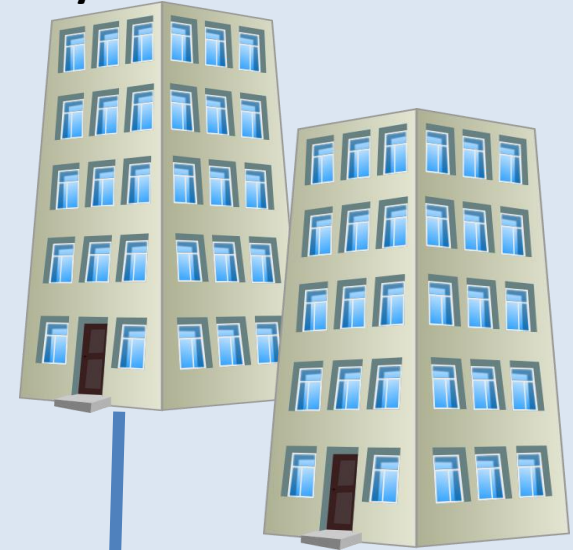


## LEPLs

1. National Forestry Agency
2. Agency of Protected Areas
3. National Environmental Agency

## The Ministry

1. Water
2. Air
3. Waste
4. Soil
5. Bio
6. Risks
7. Climate



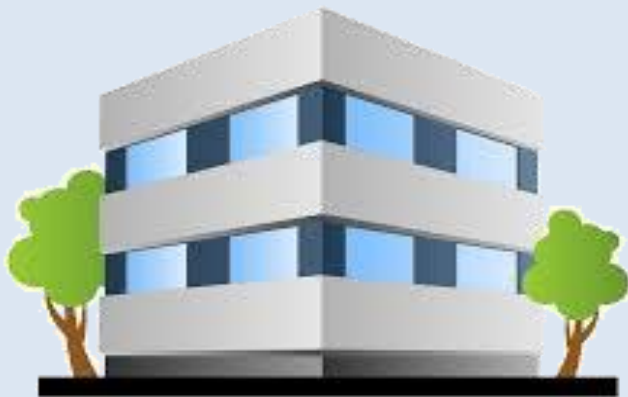
Replies

Processing



# Post-technological reform process

Agency



Decision

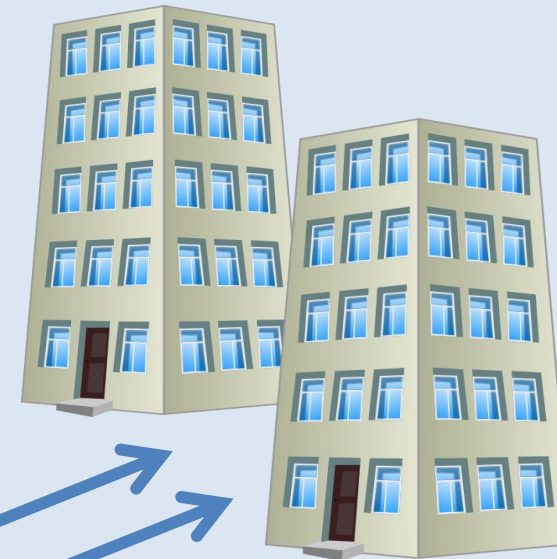


## LEPLs

1. National Forestry Agency
2. Agency of Protected Areas
3. National Environmental Agency

## The Ministry

1. Water
2. Air
3. Waste
4. Soil
5. Bio
6. Risks
7. Climate

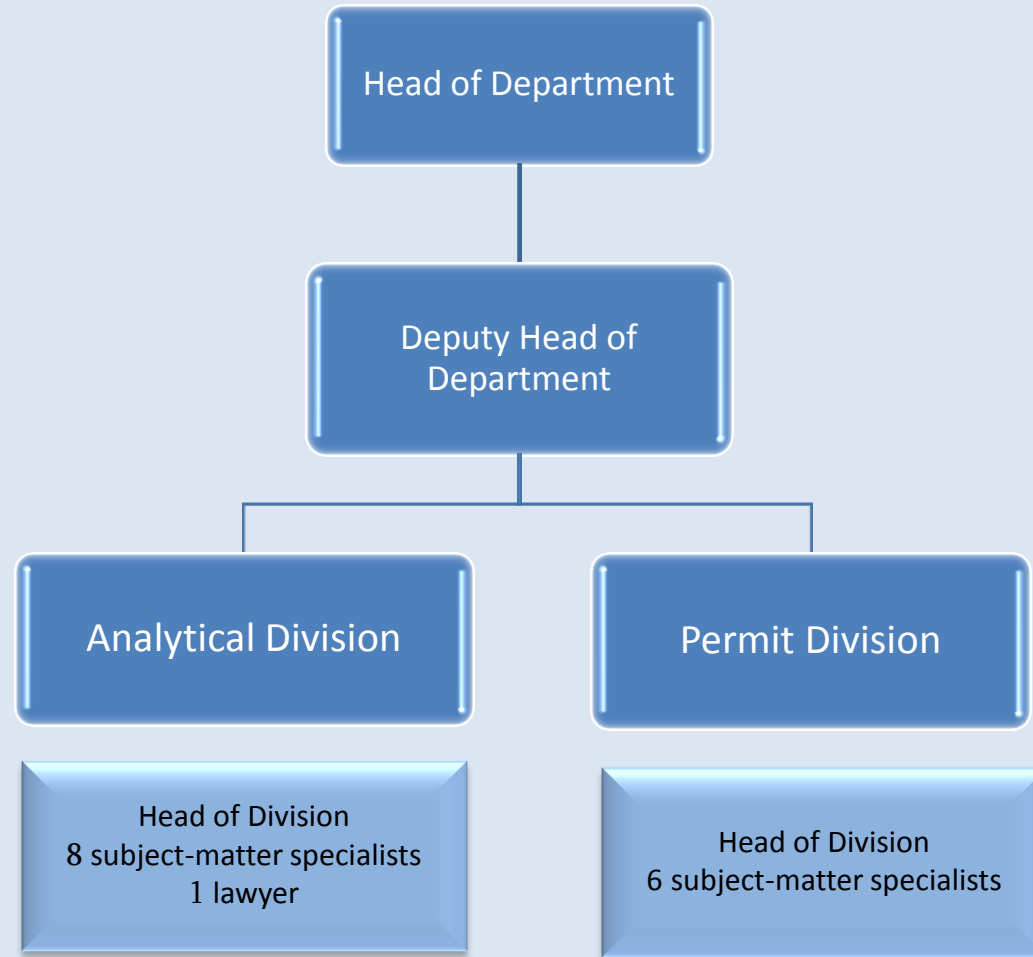


Data Base



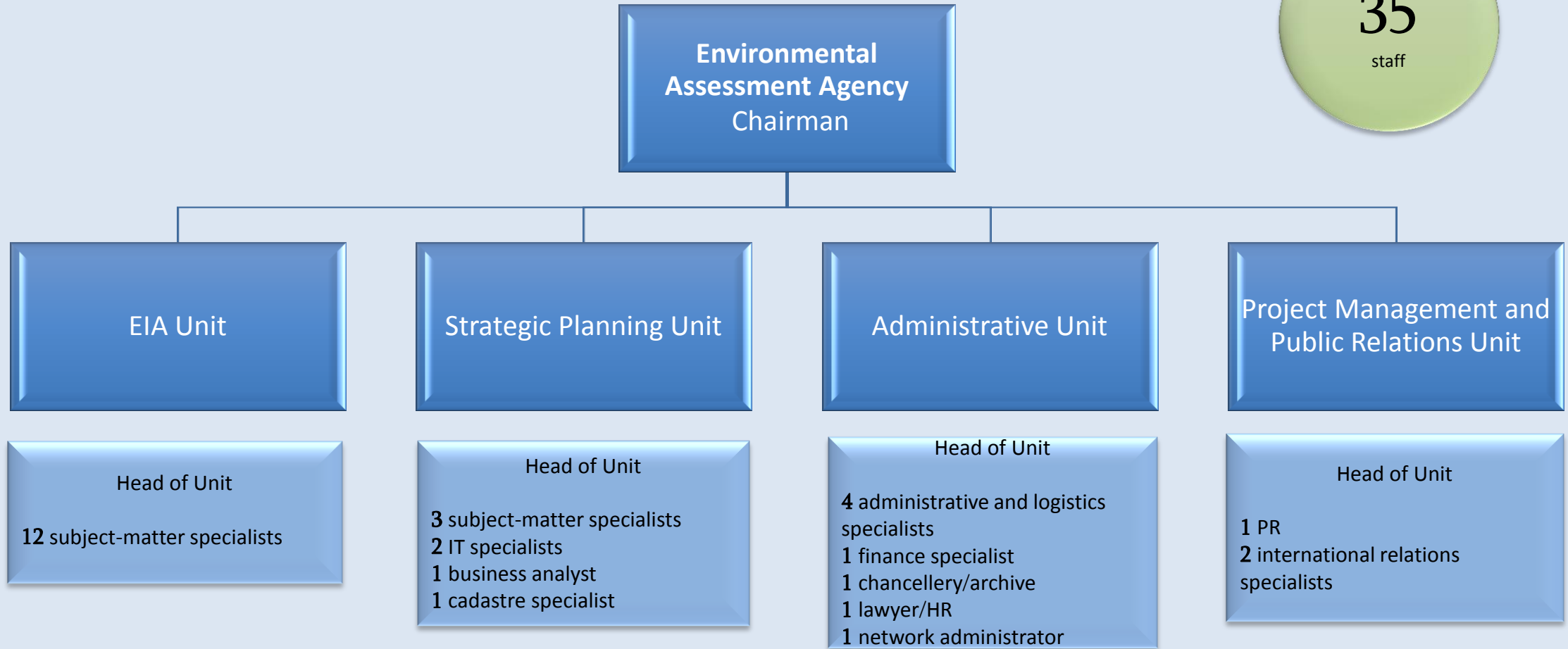
# Current Structure of the Environmental Impact Permit Department

19  
staff



# Environmental Assessment Agency Proposed Structure

35  
staff

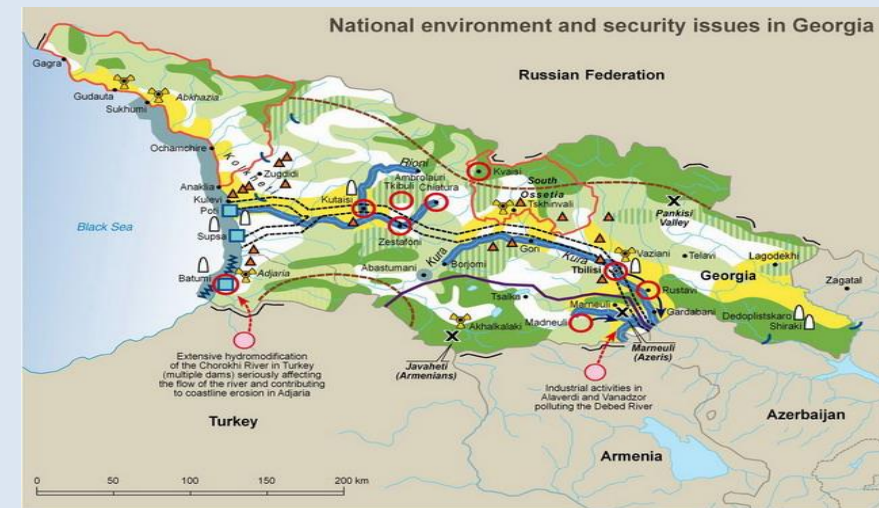
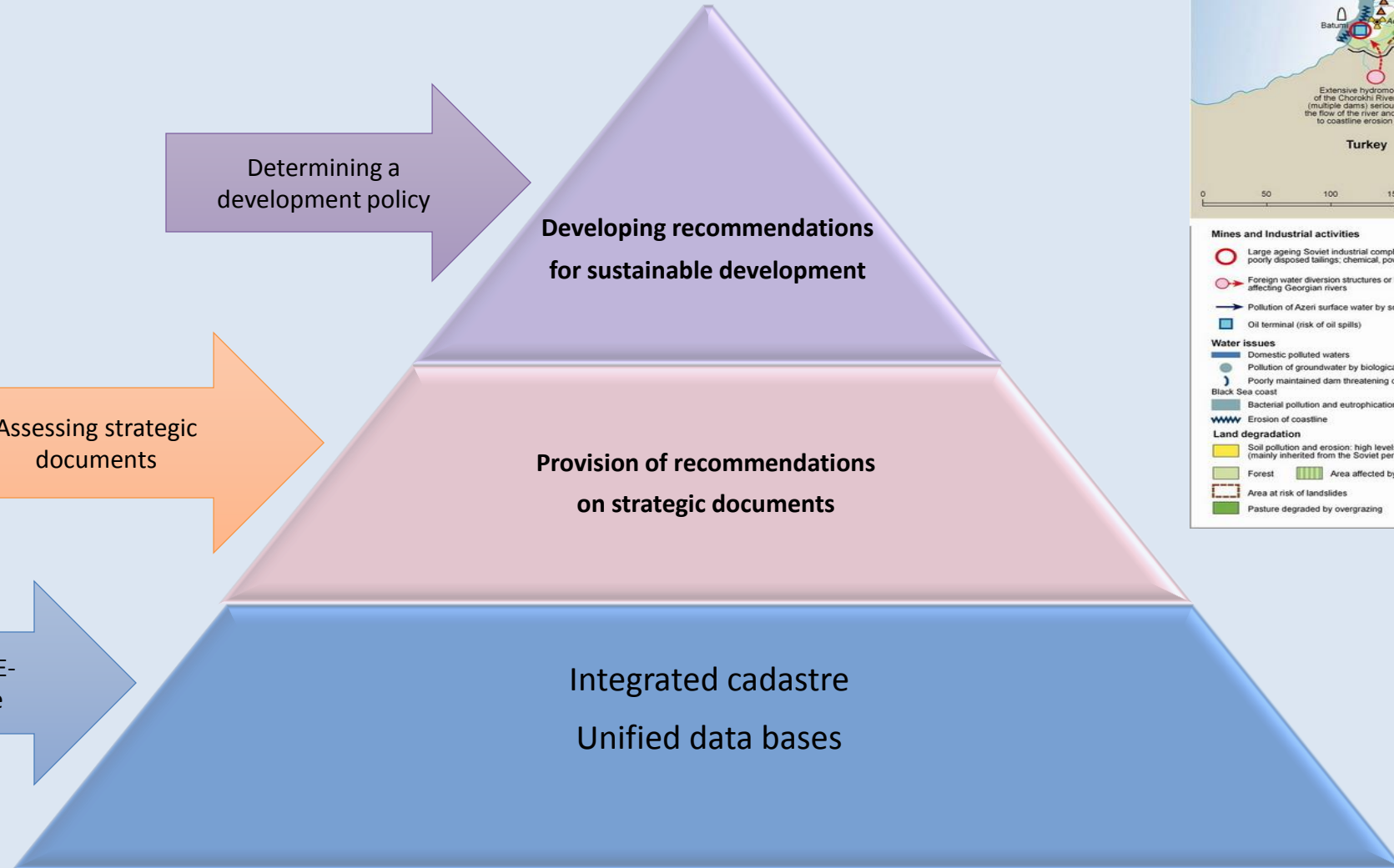


# Environmental Assessment Agency Functions

- Preparing a screening report;
- Preparing a scoping report;
- Reviewing EIA report, decision making;
- Examination of a site of activities;
- Arranging for public reviews;
- Carrying out ecological audit;
- Reviewing a mining processing scheme;
- Relieving from EIA;
- Ensuring implementation of transboundary procedures.



# Functions of a Strategic Planning Unit



# Functions of an Administrative Unit

- Logistics
- Financial accounting
- State purchases
- Receiving/issuing documents
- Maintaining an archive
- Provision of legal basis
- HRM
- Network administration



# Functions of a Project Management and Public Relations Unit


- Cooperation with international organisations
- Donor fund raising
- Harmonisation with the European standards
- Managing international projects
- Public relations
- Informing public and stakeholders
- Ensuring publicity of processes





## Tentative breakdown of costs



Costs 	Department	Agency
Salaries and Remuneration	268 560	500 000
Salary top-ups	88 800	200 000
Remuneration to independent experts	50 000	300 000
Travel and publicity costs (fuel, remuneration of experts, per diems, accommodation)	20 000	150 000
Administrative and incidental costs (office running)	50 000	120 000
<b>Sum Total</b>	<b>487 360</b>	<b>1 270 000</b>

# Calculating a service fee

100 points assessment system of a project volume,  
where 100 = an average statistical maximum amount (capacity, length etc.) = 50 000 GEL



$$\text{calculation unit} = \frac{\text{average statistical maximum amount}}{100} = 500 \text{ ₾}$$

$$\text{Total Service Fee} = \text{number of calculation units} \times 500 \text{ ₾}$$

**i** No less than 2000 ₾

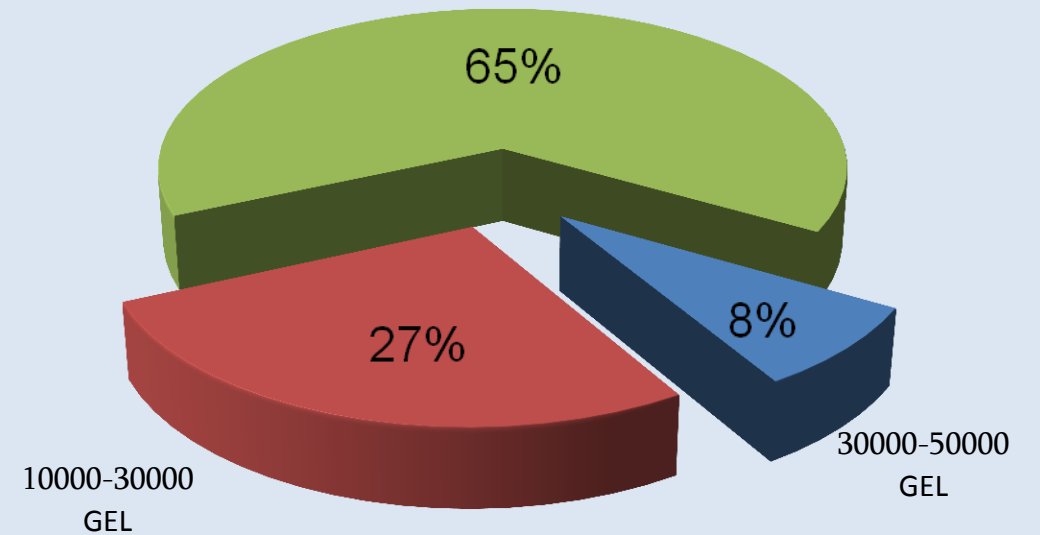
The fee for each stage will be 50% of total service fee

# Expected revenues

## Example

Activity	Measure unit	Calculation unit	Project volume	Project cost
Asphalt production	t/y	2500	25 000 t/y	5 000 GEL
Cement production	t/y	3000	40 320 t/y	6 720 GEL
Arranging Hydro Power Plant (HPP)	MW	2	50 MW	25 000 GEL
Motor road construction	Km	1	26 km	13 000 GEL
Construction of gas main	M	1	25 km	12 500 GEL
Metallurgy production	t/y	1000	30 000 t/y	15 000 GEL
Placing oil product storage sites	m3	1000	22 600 m3	11 300 GEL
Bridge construction	m	10	63 m	3 150 GEL
Waste recovery	t/y	200	840 t/y	2 100 GEL

Specific share of revenues as per the last 100 permits  
2000-10000 GEL



**Total**  
**1.367.501**  
**GEL**

In harmony with nature!



Ministry of Environment and  
Natural Resources Protection  
of Georgia