## EIA Laws:

EIA process:

* Timing
* Components of the EIA process:

The EIA process is made up of 3 sequential elements:

1. Identification:

This involve the initial work of characterizing the proposed project and its alternatives, characterizing the existing environment, and developing a reasonable scope for the study.

1. Prediction

During this phase the potential impacts selected for study are analyzed and quantified for each of the alternatives.

1. Evaluation

This is the culmination of the EIA based on the previsions two steps, which predicted impacts are summed and compared for ttic alternatives considered.

* Applicability

For all projects subject to the requirements of these regulation the projet proponents shall conduct an initial assessment of the project, following the checklist format provided in appendix B. The initial assessment dos not require an im-depth consideration of alternatives to the proposed actions.

However, potential mitigation measures shall be addressed.

If it is found that any of the project, either individually or cumulatively may cause a significant impact on the environment then a more comprehensive EIA-shall be undertaken as set forth in part 5 of these regulations.

All phase of projets planning and operation shall be considered in the initial assessment of the projet.

* Purposes:

The initial assessment functions dually to evaluate routine, projects or projets for which it is uncertain whether there is potential for significant impacts and as initial screening and scoping process for major projets.

1. Identify environmental impacts .
2. Enable the project proponent to modify a projet mitigating potentially significant impacts befors an EIA is conducted.
3. Facilitate environmemtal assessment early in the design pf project.
4. Eliminate unnecessary EIA statements.
* Contents:

An initial assessment shall contain in brief form:

1. A description of project including the location of the project.
2. An identification of environmental impact by use of checklist provided in appendix B.
3. A discussion of ways to mitigate the significant impacts identified if any.
4. An examination of whether the project is compatible with zoning requirements or plans if any.
5. A determination by the project proponent
6. as to whether the project was found to ho have no significant impacts.
7. Was found to have potentially significant impacts that will be mitigated to the point of insignificant.
8. Was found to have potentially significant impacts requiring a more in-depth EIA.
9. The name of the person or persons who prepared or participate in the initial assessment.
* EIA procedures and public involvement:

When the project proponent determines an EIA statement with the required for a project it shall follow the procedures contained in this section.

* Upon determine that an EIA swill be required for a project, the project proponent sfhall send a notice that an EIA is being conducted to all public agencies responsible for resources affected by the project and/or having jurisdiction by law with respect to the project or to any person or organization that may the project be concerned with the impacts of the project this notice shall request comments on the proposed scope for the EIA.
* The scope of the ETA will be developed by the project proponent based on information gathered in the initial assessment comments readied and professional judgement.
* The project proponent shall prepare a draft ETA statement. The contents of the draft ETA are specified in part 6 of the regulation.
* After completing the draft ETA statement copies shall be provided to the secretary, public agencies having jurisdiction by law with respect to the project and persons having special interest or expertise with respect to any environmental impact involved and any others notified
* The secretary shall evaluate the draft ETA statement considering format content and objectivity and provide comments to the projet proponent .
* The projet proponent shall provide at least a 30 day period for public agencies and the general public to review comment on a draft ETA statement. The project proponent shall grand or reasonable extension of the comment period if the request is justified and receive before the close of the comment period.
* Project Approval.

When an EIA Statement has been prepared for a project, agencies having authority for its funding or approval shall not approve the project as proposed if the agency or agencies finds any practicable alternative or practicable mitigation measures, within its powers or the powers of the project proponent, that would substantially lessen any significant impact the project would have on the environment to an acceptable level. As used in this section, the term "acceptable level" means that:

     (a)  All significant environmental effects that can feasibly be avoided have been eliminated or substantially lessened.

     (b)  The agencies have found that any remaining, unavoidable significant impacts are acceptable considering the balance of the benefits of a proposed project against its unavoidable environmental risks.

     (c)  Where the decision of the agency allows the occurrence of significant impacts which are identified in the final EIA Statement but are not mitigated to a level of insignificance, the agency must state in writing the reasons to support its action based on the final EIA Statement and/or other information in the record. The statement of these reasons must be included in the record of the project approval.

     (d)  Final project approval shall not occur until approval of the EIA statement by the Secretary.

* Content of environmental impact statement
* Environmental Impact Assessment Statements shall contain the information outlined in this part. The recommended format for EIA Statements is as follows:
* Summary.

Each statement shall contain a brief summary of the proposed action and its consequences in language sufficiently simple that the issues can be understood by the average person. The summary shall stress the major conclusions, areas of controversy, the issues to be resolved, the choice among alternatives, and how to mitigate the significant impacts.

* Description, Purpose, and Need for the Project.

This shall include a statement of the objectives sought by the proposed project, a general description of the project's technical, economic, and environmental characteristics, considering the principal engineering proposals and supporting utilities, and the precise location and boundaries of the proposed project shown on a detailed, preferrably topographic, map.

The description of the project should not supply extensive detail beyond that needed for evaluation and review of the environmental impacts, but shall include all portions and phases of the project.

* Description of the Environmental Setting.

The EIA Statement shall include a description of the environment in the vicinity of the project, as it exists before the commencement of the project, from both a local and regional perspective. Special emphasis shall be placed on environmental resources to the region, including historical sites and endangered species.

Specific reference to related projects in the region, both public and private, both existent and planned, shall also be included, for purposes of examining the possible cumulative impacts of such projects.

The EIA Statement shall discuss any inconsistencies between the proposed project and applicable general plans and regional plans.

Environmental Consecuences of Alternatives Including the Proposed Project.

The EIA Statement shall present the environmental impacts of the proposal and the alternatives in comparative form, thereby defining the issues and providing a clear basis for choice among options by the reviewers. The section shall:

     (a)  Rigorously explore and objectively evaluate all reasonable alternatives, including the alternative of no action;

     (b)  Describe each alternative in detail so that the reviewers can evaluate their comparative merits;

     (c)  Identify the project proponent's preferred alternative or alternatives;

     (d)  Include appropriate mitigation measures to minimize the significant environmental impacts;

      (e)  Identify any significant environmental impacts that cannot be avoided;

   (f)  Describe the relationship between short-term uses of the environment and the maintenance and enhancement of long-term productivity; and

     (g)  Identify any irreversible or irretrievable commitments of resources from the proposed project.

          All phases of the proposed project shall be considered when evaluating its impact on the environment, including, but not limited to, planning, acquisition, development, and operation. The discussion shall include direct and indirect significant impacts of the proposed project on the environment, including relevant specifics of the areas the resources involved, physical changes, alterations to ecological systems and changes induced in population, the human uses of the land, and other aspects of the resource base including, but not limited to, scenic quality and public utilities (power, water, sewer, roads, etc.).

* Organizations and Persons Consulted.

The EIA Statement shall contain a list of names of the persons who organized and prepared the report, their qualifications, and a listing of organizations and persons who were consulted.

* Standards of Adequacy of the EIA Statement.

The EIA Statement shall be prepared with a degree of analysis sufficient to enable the project proponent to make a decision which takes account of environmental consequences. An evaluation of the environmental affects of a proposed project and its alternatives need not be exhaustive, but its sufficiency is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIA Statement inadequate; the key element is full disclosure of all available information.

The Secretary shall determine whether the EIA Statement is sufficient to support a decision to approve release of funds or authorization of the proposed project. In the event that the statement is not sufficient or is not objective in its analysis, the Secretary shall notify the; project proponent within 30 days after the project proponent files the final EIA.Statement. The notification shall set forth the specific.nature of the objection.

 **APPENDIX A**

**EXAMPLES OF SIGNIFICANT IMPACTS**

A project will normally have a significant impact on the environment if it will:

     1.  Conflict with adopted plans and established uses of the community where it is to be located.

     2.  Have a substantial, demonstrable negative aesthetic effect.

     3.  Substantially affect a rare or endangered species of animal or plant or the habitat of such species.

     4.  Interfere substantially with the movement of any resident or migratory fish or wildlife species.

     5.  Substantially diminish habitat for fish, wildlife, or plants.

     6.  Breach standards relating to solid waste or litter control.

     7.  Substantially degrade water quality.

     8.  Contaminate a public water supply.

     9.  Substantially degrade or deplete ground water resources.

     10.  Interfere substantially with ground water recharge.

     11.  Extend a sewer line with capacity to serve new development.

     12.  Encourage activities which result in the use of large amounts of fuel, water, or energy.

     13.  Use fuel, water, or energy in a wasteful manner.

     14.  Disrupt or adversely affect an archaeological site or a property of historic or cultural significance.

     15.  Induce substantial growth or concentration of population.

     16.  Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system.

     17.  Displace a large number of people.

     18.  Increase substantially the ambient noise levels for adjoining areas.

     19.  Cause substantial flooding, erosion or siltation.

     20.  Expose people or structures to major geological hazards.

     21.  Create a potential public health hazard or involve the use, production or disposal of materials which pose a hazard to people or animal or plant populations in the areas affected.

     22.  Violate any ambient air quality standard, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations.

     23.  Convert prime agricultural land to non-agricultural use or impair the agricultural productivity of prime agricultural land.

     24.  Interfere with emergency response plans.

**APPENDIX B**

**INITIAL ASSESSMENT ENVIRONMENTAL CHECKLIST**

Environmental Impacts                                     YES  MAYBE  NO

1.   EARTH.  Will the proposed project result in:

a.  Destruction, covering or.modification of any unique geologic or physical features?

b.  Creation of steep slopes or other unstable earth conditions?

c.  Any potential for increased wind or water erosion of soils, either on or off the site?

d.  Changes in the channel of a stream,or the bed of the ocean, lagoon?

e.  Exposure of people or property to geological hazards such as landslides, ground failure, or similar hazards?

2.  AIR.  Will the proposed project result in:

a.  Substantial air emissions or deterioration of existing air quality?

b.  Creation of objectionable odors?

3.  WATER.  Will the proposed project result in:

a.  Changes in currents, or the course or direction of water movements, in either marine or fresh waters?

b.  Changes in absorption rates, drainage patterns, or the amount of surface runoff?

c.  Alterations to the course or flow of flood waters?

d.  Discharge into surface waters or any alteration of surface water quality including but not limited to temperature, dissolved oxygen, bacteria, or turbidity?

e.  Contamination of ground waters or wells, either from salt water intrusion or surface activities?

f.  Change in the quantity of ground waters, either through direct additions or withdrawal, or through interception of an aquifer by cuts or excavations?

g.  Substantial reduction in the amount or quality of water otherwise available for public water. supplies?

h.  Exposure of people or property to water related hazards such as flooding or tidal waves?

4.  PLANT LIFE.  Will the proposed project result in:

a.  Destruction of any upland or mangrove forest communities?

b.  Destruction of other important plant communities, such as sea grasses or plants having potential commercial value?

c.  Reduction of the numbers of any unique, rare or endangered plant species?

d.  Introduction of new species of i plants into an area or result in a I

barrier to the normal replenishment of existing species?

e.  Reduction in acreage of any agriculture crop?

5.  ANIMAL LIFE.  Will proposed project result in:

a.  Destruction of any coral reef areas?

b.  Reduction of the numbers of any unique,rare, or endangered animal species?

c.  Introduction of new animal species  into an area, or result in a barrier to the migration or movement of animals?

d.  Substantial deterioration of fish or wildlife habitat?

6.   NOISE.  Will the proposed project result in:

a.  Increase in existing noise levels or exposure of people to severe noise levels?

7.  LAND USE.  Will the proposed project result in:

a.  Substantial alternation of the present or planned land use of an area?

8.  NATURAL RESOURCES.  Will the proposed project result in:

a.  A noticeable increase in the rate of use of any natural resources?.

b.  Substantial depletion of any nonrenewable natural resources?

9.  RISK OF UPSET.  Will the proposed project result in:

a.  A risk of an explosion or the release of hazardous substances including but not limited to oil, pesticides, chemicals or radiation, in the event i of an accident or upset conditions?

b.  Possible interference with an emergency response plan?

10.   POPULATION.  Will the proposed project result in:

a.  Relocation or altered, distribution, density, or growth rate of the human population of an area?

11.   HOUSING.  Will the proposed project result in:

a.  Changes in existing housing or create a i demand for additional housing?

12.   TRANSPORTATION.  Will the proposed project result in:

a.  Generation of substantial additional vehicular movement?

b.  Substantial impact on roads and existing transportation system?

c.  Alteration to present patterns of I movement of people and/or goods?

13.   PUBLIC SERVICES.  Will the proposed project effect or result in the need for new or altered services in the following areas:

a.  Police or fire protection?

b.  Schools?

c.  Parks or other recreational facilities?

d.  Hospital?

e.  Other government services?

14.   UTILITIES.  Will the proposed project result in ! the need for new systems, or substantial changes in the following:

a.  Power?

b.  Communications?

c.  Water?

d.  Sewage Disposal?

e.  Solid water disposal?

15.   HUMAN HEALTH.  Will the proposed project result in:

a.  Creation of any health hazard or potential health hazard?

b.  Improvement of human health?

16.   AESTHETICS.  Will the proposed result in:

a.  Obstruction of any scenic vista?

17.   RECREATION.  Will the proposed project result in:

a.  Changes in the quality or amount of existing recreational opportunities?

18.   CULTURAL RESOURCES.  Will the proposed project result in:

a.  Alteration or destruction of archaeological sites?

b.  Adverse physical or aesthetic effects to a historic site?

c.  Potential to cause a physical change which would affect unique cultural values?

d.  Restriction of existing religious or sacred uses within the affected area?

19.   Others (please specify)