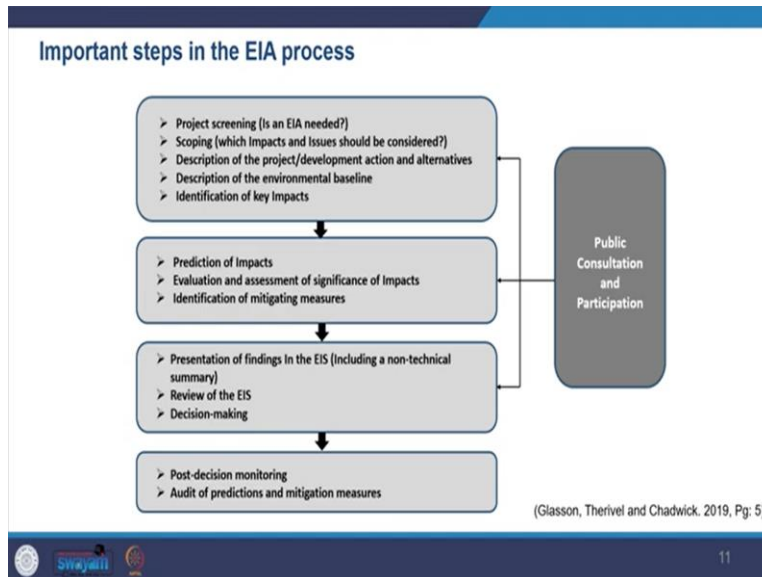


Environmental Impact Assessment
Professor Harshit Sosan Lakra
Department of Architecture and Planning
Indian Institute of Technology, Roorkee
Lecture 29

EIA Process – Participation, Presentation and Review

Welcome to the course- Environmental Impact Assessments. So, as we are going on seeing the EIA process.

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So, we have already seen the first box, where it is a preparatory and initial study stage. And then, we have also looked at the second box where we talk about the prediction of impacts, evaluation, and assessments of the significance of impacts, like how to see the significance of impacts. And then we also looked into the identification of mitigation measures. And today, we are going to look at the right-hand side box, where you see public consultation and participation, as well as the third box where we look at the review of the EIA, and then the decision-making process. So, we will look at that, today.

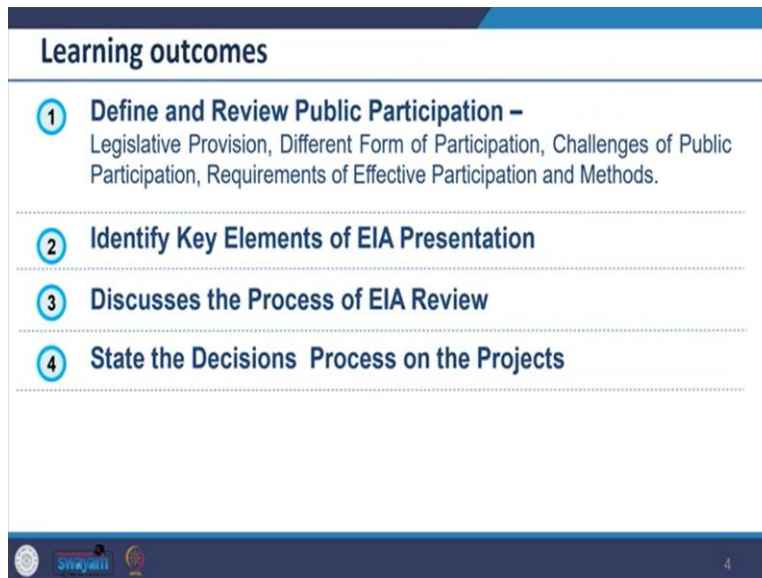
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Coverage	
1	Conceptual understanding of Public Participation – Legislative Provision, Different Form of Participation, Challenges of Public Participation, Requirements of Effective Participation and Methods.
2	EIA Presentation
3	Review of EIA
4	Decisions on Projects

So, accordingly, our coverage would include that, we will look at the conceptual understanding of public participation, we will look at the what are the legislative provisions for this, and different forms of participation. What are the different types of participation, the challenges of public participation, and what kind of problems do we face? And then the requirements of effective participation and methods, what are the methods we will look into that.

Then we will look into your presentation like how what things one needs to take care of, and what is important about this presentation. And then we look at how one reviews the EIA report or the assessment which has been done and then what is the how is the decision-making process of any project, whether it will be approved or not. So, that would be our coverage.

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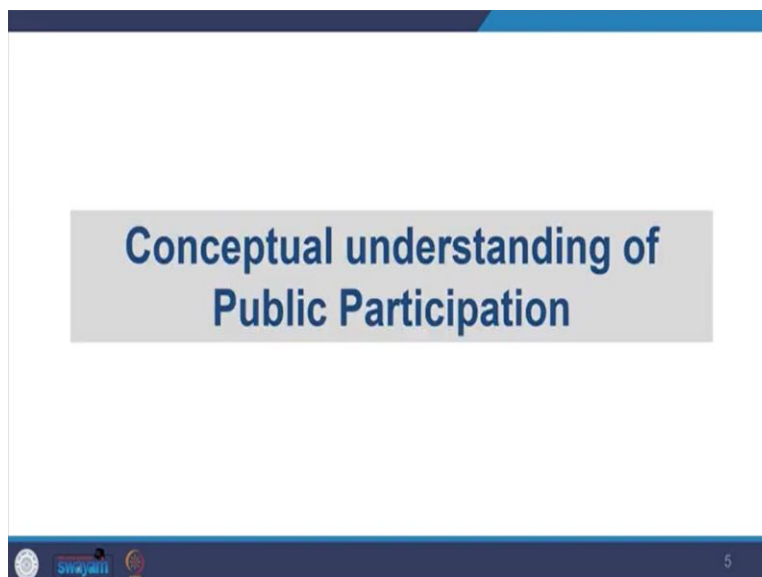
Learning outcomes

- 1 Define and Review Public Participation –**
Legislative Provision, Different Form of Participation, Challenges of Public Participation, Requirements of Effective Participation and Methods.
- 2 Identify Key Elements of EIA Presentation**
- 3 Discusses the Process of EIA Review**
- 4 State the Decisions Process on the Projects**

swayam 4

And accordingly, the learning outcomes expected are that you should be able to define and review public participation, you should be able to understand what kind of public participation is happening, what is public participation by meaning itself, and on what level we can achieve in any context. Then you should be able to identify key elements via your presentation, and then you should be able to discuss the process of the review how the EIA review is undertaken, and then you should be able to discuss the state of the decision-making process on any project in the context of EIA.

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**Conceptual understanding of
Public Participation**

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So, looking at the conceptual understanding of public participation, if you are the team working on preparing the EIA report, then your main purpose is to provide information about the environmental impacts of the proposed activity, and what is going to happen. And you are going to provide this information to the developers, the one who is proposed the one who is proposing the project. And then you will be also providing this

information to the public about the people involved or who will be affected by this particular project. So, positively or negatively, they would be affected by this. So, they need to know and your job is to communicate with them.

And then the legal consultants and all the consultants who will be involved. So, your task would be to communicate with them. And also, with the decision makers, like the officials who would be really reviewing it and making the final decisions their job would be to communicate with them, so that, they can make a better decision based on what you have studied and how you are communicating it to the all these range of people. And you do this so that, the quality of assessment has improved. So, why do we communicate and communicate to a wide range of people because we want the information to be complete, we want the information to be useful.

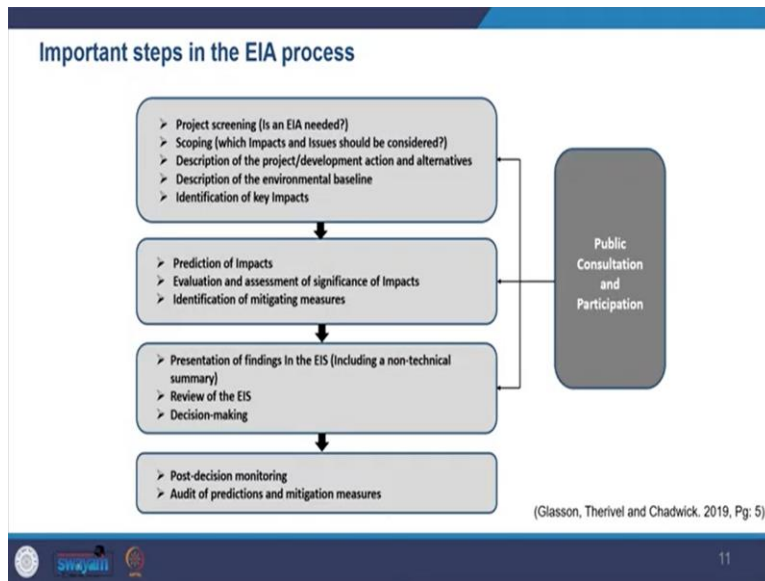
And how it becomes complete and useful because when you communicate and you get feedback from the brains of people, then it ensures that, you have taken care of various groups, you have taken inputs and they had a role to play in the decision-making process. So, it is bringing different people on board. And then, it also brings in a lot of aspects which you might miss up or the positive aspects it is communicated to the larger group.

So, if you are the public person, if you are not the EIA team person but the public, you are the person getting affected by the project you would like to know about the project, its environmental impact, and what if efforts are made to reduce it and how any adverse impacts on you has been taken care of.

So, think about how important the EIA information would be for you and how important it will be for you to be constructively involved. So, if you are getting impacted by it, you must know about it. So, think about how simplified it has to be and how it should be, it needs to address your problems or your concerns, and which, all need to be taken care of. Further, you also need to see how you present information and how that, information will be used by different players and participants.

So, you need to be very careful about this. So, how do you present the information on how different groups of player participants are going to use that, information and how the final decision is taken? So, there will be a lot of dependency on how you present the information. So, it can be decisive in terms of what decision is taken here. So, how well the suggestions and inputs are incorporated into the final decisions, are essential components in the EIA process. So, any negativity any non-engagements might lead to negative decisions in favor of it against the project.

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As you can see, in the diagram, consultation and participation can be useful at most stages of the EIA process. When you are shaping the scope of any EIA local people will be able to tell possible areas to look into. So, they will be very helpful to you to identify what are the concerns and what areas it might affect which you might not be able to find from your desktop study or very limited exposure to the site. Further, you would also need to engage and participate when you are providing site-specific information. People will be able to provide a lot of knowledge, local knowledge, and how the site behaves so that, all information you will get from people.

And then, in the other stage also, when you are working on the alternatives when you are looking at what is the possible location, what is the possible design, what is the possible source, and all these things as well, people will tell you about the alternatives, which is feasible for all the parties involved. So, when you are evaluating the significance of the likely impacts, also you can have participation and it can add value to it. As you see it is from the people you would know what they value more and will affect them more.

Further, when you are working out the mitigation measures, time also participation are meaningful because the local community can tell you about the possible feasible and acceptable measures for mitigating the impact. So, they are the ones who are going to let you know what is acceptable and feasible for that, particular context.

And further, we see that participation ensures sensible and meaningful objectives and also the completeness of the work. So, when the participation happens, it ensures that, whatever you have done, it makes sense and it is meaningful, it addresses the objectives, it is complete, complete work, and it looks into all the important aspects.

Further, it helps you in monitoring any conditions of the development agreement. So, when your execution is going construction is going or it is in the functional state, then it helps you to monitor when people are involved in that. And then all the information is there, right the people have the right to know about it, and there should be transparency in the process. So, it also makes the entire process very economical.

So, if public participation, it might take you a little time and then little cost, but it is said to be very economical in the long run. It proceeds without any objection and delays because if people are on board with you, then there are fewer delays like fewer objections likely to happen.

So, there have been positive trends in engaging people, but public consultation varies a lot from country to country and from developer to developer. So, even though there is a positive trend, you might be seeing that more and more people are aware and they are participating, they follow what is happening, and then they do it. It is happening on paper, but still, it varies from country to country, to what extent it is happening there is a lot of variation in that.

So, it is seen that some do it as a requirement that, because they have to do it, they do it and some of the proponents undertake extensive engagements to get a better understanding of the people and the context. So, it has been varying from project to project as well as from country to country context to context.

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So, we see that public participation has been emphasized across the world. And you may also recollect the timeline we saw. So, we talked about principles, like we talked about the Rio Declaration in that, particularly principle 10 talks about participation. And then you see the Aarhus Convention, which again emphasizes public participation. So, looking at principle 10 of the 1992 Rio Declaration, it emerged from the UN Conference on Environment and Development, the Earth Summit, which we have seen, so it has three pivotal principles that, inform the formulation of participation policy and regulations.

So, they have come up with three principles for participation, policy, and regulation. If you see these principles are one, one needs to give access to information, then access to participation, and access to justice. So, you see these principles here, access to information access to participation, and access to justice.

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EIA legislation in India enacted in 1994

MINISTRY OF ENVIRONMENT AND FORESTS

ENVIRONMENT IMPACT ASSESSMENT NOTIFICATION S.O.60(E), dated 27/01/1994

(incorporating amendments vide S.O. 356(E) dated 4/5/1994, S.O. 318(E) dated 10/4/1997, S.O. 319 dated 10/4/1997, S.O. 73(E) dated 27/1/2000, S.O. 1119(E) dated 13/12/2000, S.O. 737(E) dated 1/8/2001, S.O. 1148(E) dated 21/11/2001, S.O. 632(E) dated 13/06/2002)

- Major amendment to EIA Notification 1997 introduced Public Hearing as a part of assessment procedure for ensuring participation of local people and stakeholders in various proposed development activities

1) S.O. 60 (E)- Whereas a notification under clause (a) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 inviting objections from the public within sixty days from the date of publication of the said notification, against the intention of the Central Government to impose restrictions and prohibitions on the expansion and modernization of any activity or new projects being undertaken in any part of India unless environmental clearance has been accorded by the Central Government or the State Government in accordance with the procedure specified in that notification was published as SO No. 80(E) dated 28th January, 1993.

Source: moef, 2022

So, looking at India, India's national EIA legislation was enacted in 1994. By the regulation passed in the Environmental Protection Act of 1986, which we have already studied. So, if you see that, further, in it was amended several times before we had major changes in 1997. In that, it made public hearings mandatory. So, we have a public hearing, which is mandatory in our case in the Indian context.

This major amendment to EIA notification 1997 introduced a public hearing, so you had a public hearing, as part of the assessment procedure. So, a public hearing is part of a process for ensuring the participation of local people and all the stakeholders in various proposed development activities. So, it is mandatory, you may take care that, it is mandatory, and this particular notification meets public hearing mandatory.

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Public Consultation in EIA Notification 2006

III. Stage (3) - Public Consultation

(i) "Public Consultation" refers to the process by which the concerns of local affected persons and others who have plausible stake in the environmental impacts of the project or activity are ascertained with a view to taking into account all the material concerns in the project or activity design as appropriate. All Category 'A' and Category B1 projects or activities shall undertake Public Consultation, except the following:-

- (a) modernization of irrigation projects (item 1(c) (ii) of the Schedule).
- (b) all projects or activities located within industrial estates or parks (item 7(c) of the Schedule) approved by the concerned authorities, and which are not disallowed in such approvals.
- (c) expansion of Roads and Highways (item 7 (f) of the Schedule) which do not involve any further acquisition of land.
- (cc) maintenance dredging provided the dredged material shall be disposed within port limits.;
- (d) All Building or Construction projects or Area Development projects (which do not contain any category 'A' projects and activities) and Townships (item 8(a) and 8(b) in the Schedule to the notification)."
- e) all Category 'B2' projects and activities.
- f) all projects or activities concerning national defence and security or involving other strategic considerations as determined by the Central Government.

Link : <http://www.environmenteb.gov.in/pdf/EIA%20Notification,%202006.pdf>

And if you look at EIA Notification 2006, it defines public consultation. So, we do not use the term public participation, but we use the term public consultation and then we will also familiarize ourselves with those

terms. So, what does public consultation mean here public consultation refers to the process by which concerns whatever the concerns of the local people, what local affected people, so who are affected by the project. So, you take the concerns, of those who have a significant stake in the environment. So, the impact of the project or because of the certain activity. So, you take care of the concerns and view in in the proposals.

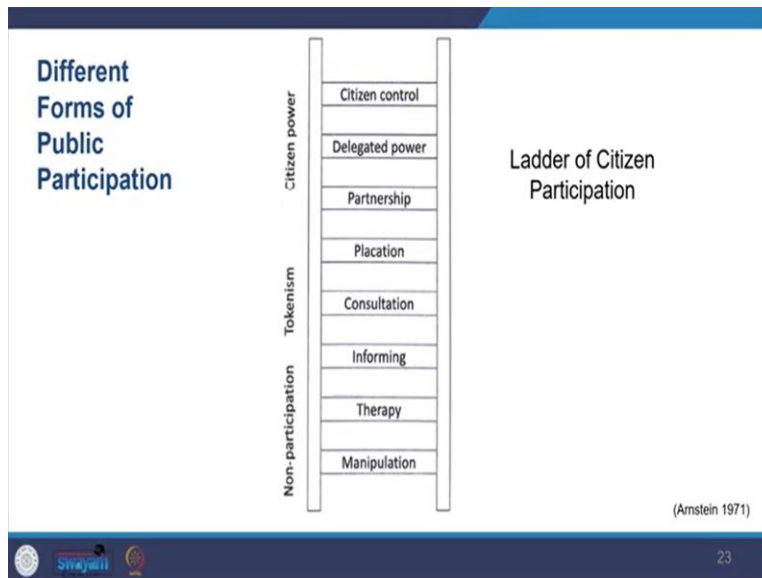
So, you take care of it, how you take care, and the environmental impact assessment. So, that, is what is called consultation where you take care of the concerns and what kind of views they have. According to EIA notification 2006, all Category A and Category B when projects or activities shall undertake public consultation, so it is mandatory for Category A and B to take. EIA notification 2006 also provides an exception list like what are the projects that will not need public consultation in the EIA process.

So, you can see, the definition here public consultation, you can also I have given you the link to download this notification, and then you also have the exception list. Now, we will move forward we will look into different forms of participation. So, we will look at like, what are the advantages and disadvantages of public participation. And look here that, we are using the term public participation. We can also find a reader in this regard, which is given by ADB, which sets a guide for how your participation has to take place.

So, looking at what is public participation, public participation, sometimes interchangeably used but public consultation is a stage of EIA, where the prime function, the main function is to gather the public's views and ideas. So, how do you take their heart you have to take their views and ideas about things, and their ideas are taken so that, the project can be tailor-made or adapted to accommodate their requirements and have minimum public opposition.

So, you do not want opposition from people to delay your project. So, you take their inputs and views so that, they do not object to the latter and at the same time increase its chances of approval. So, more and more people agree with it, you have a smooth, charter, like fair chances of getting approval.

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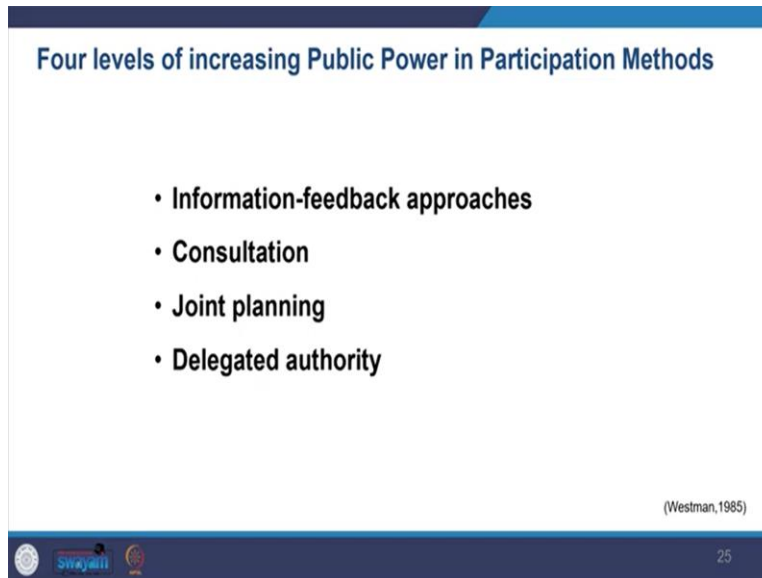
So, now looking at the different forms of public participation, we look at the Amstein ladder of citizen participation, many of you must be aware of this concept by Amstein, about how citizen participation, what kind of forms are there. So, through her concept, she identifies 8 rungs on a ladder of citizen participation, ranging from non-participation through tokenism to citizen power. So, if you see the ladder here, you will see the bottom was ladder is where the proponents of the project, it is more of a manipulation, you are not informing anything, you are not taking their views in perspective, and so on.

Then, there is another level, which is like therapy, where you just take it for the namesake or the informing level, you just inform people in consultation, and you take their input. And then you have very good for, you take their inputs. And then you have another level where you have a partnership, where you share the benefits, you share the problems and you have an agreement.

And then another level you see is the delegated power, where they also have equal power, the power is not just with the person who is proposing the project, but also the people who also have power. And then they can negotiate and discuss with you and then come to an agreement where they are not powerless, but they have a certain level of power.

And the extreme side is that it is completely under citizen control. So, here you see how different this ladder of citizen participation is. So, now you can think of public consultation. So, you think, where it would lie on here. So, whether, you are informing whether you are taking the views, whether they can negotiate with you, whether they are part of the decision making or not, or they are just being asked for information. So, you need to reflect when you look at different processes and different public participation contexts.

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Four levels of increasing Public Power in Participation Methods

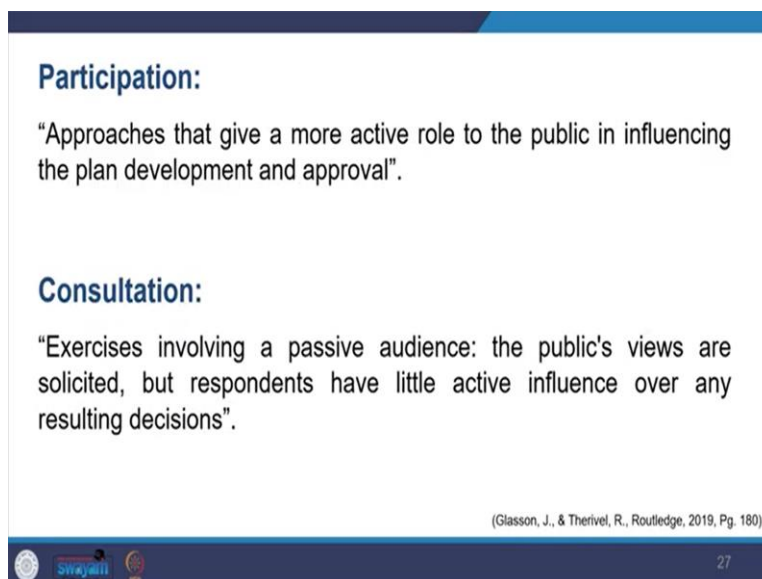
- Information-feedback approaches
- Consultation
- Joint planning
- Delegated authority

(Westman, 1985)

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So, there is another similar concept given by West men who identifies four levels of increasing public power in participation methods. So, it is like information feedback approaches, where you just give information and you take feedback, so that, is one approach. Another is you really consult them you take their input, and this third level, which is joint planning, so you plan together you come and then it is everything is done together. And then the other is delegated authority, where everyone has the power to take care of so you give power to the other as to the public as well.

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Participation:

"Approaches that give a more active role to the public in influencing the plan development and approval".

Consultation:

"Exercises involving a passive audience: the public's views are solicited, but respondents have little active influence over any resulting decisions".

(Glasson, J., & Therivel, R., Routledge, 2019, Pg. 180)

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So, if you look in very simple terms, participation refers to approaches that, give a more active role to the public in influencing the plan development and approval. And various consultation refers to exercises involving passive audiences so you just take their feedback and then you note them down. So, it is very passive, but when

it is participation, it is very, it is said to be very active participation. So, in consultation, you take the public's view, but they respond and whatever they view they are getting they have not much of control over what would happen. So, they would just give their input there, but not have control over the scenario.

So, active participation is suggested, however, depends on the project stage of EIA as well as on the participants. So, it is suggested that one should engage and give a platform for active participation for the public, but it will also depend on which stage of EIA you are in. So, like if you are in the scoping stage, you can have much more active things, but then when you are at the latest stage when you have resolved most of the problem, you can have a different level where you can just take consent and not get into different debates. So, now looking at the purpose of public participation and is so we look at Broad purpose.

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Purposes for Public Participation in EIA	
Broad purpose	Specific purposes and activities
Obtain public input into decisions taken elsewhere	<ol style="list-style-type: none"> 1. Provide information to public 2. Fill information gaps 3. Information contestability/testing information provided by the developer 4. Problem-solving and social learning
Share decision-making with public	<ol style="list-style-type: none"> 5. Reflect democratic principles/EIA used to obtain the consent of those affected 6. Democracy in practice/participation as an educative function 7. Pluralist representation
Alter distribution of power and structures of decision-making	<ol style="list-style-type: none"> 8. Involve marginalized groups (or, alternatively, entrench marginalization) 9. Shift the locus of decision-making, e.g. to agreements between developers and local people

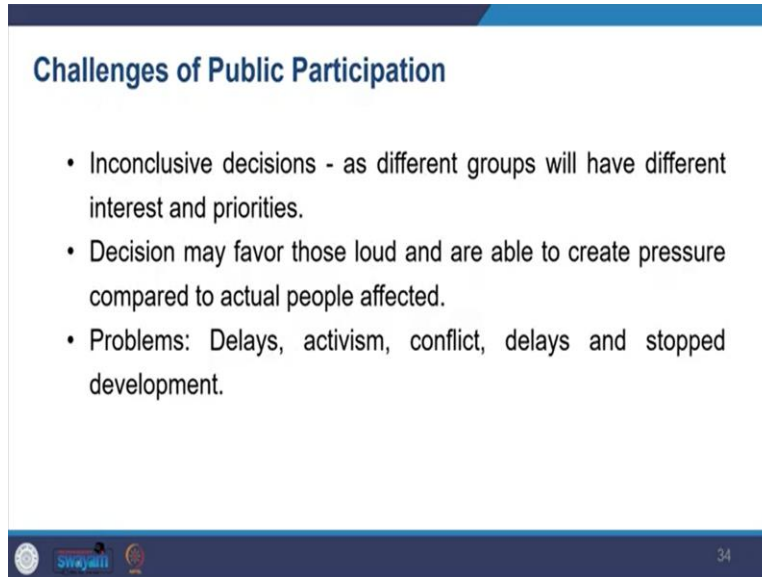
(adapted from O'Faircheallaigh, 2010; Glasson, J., & Therivel, R., Routledge, 2019)

Where we say that one purpose is to obtain public input into decisions taken elsewhere, so, you take public participation, they are not going to make the decision somebody else is going to make the decision, but you take their input. And what kind of activities are the sub-purpose which is involved in, you provide information to the public like this is what the project is coming. And then you try to give them information or you try to collect extra information, which you might come to get from the people like in a project, you might need like local context, local problems, and all those issues. So, they can fill information gaps.

And then and also, you can also testify the information which is being collected, so whether it is correct or not, so that, that, can also be taken care of, and then also, how one can take care of the problem solving and how one can learn from each other. The other broad purpose, which we see is shared decision-making with the public, so you are just not making the decision alone, but you are sharing it with the public. So, the specific purpose and activities that we look here see here is that it makes the process democratic in principle, and then you see that you have several people who get their ideas and things represented here.

And then another form you see is the distribution of power and structure of decision-making. So, not only do you have the power of decision-making, but they also have the power of decision-making. So, in this you generally do is like involve marginalized groups and then and then the decision-making is shifting now it is not completely on you, but then the other people person can also make a decision for the particular scenario. So, the power shifts from the developer to the local people.

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Challenges of Public Participation

- Inconclusive decisions - as different groups will have different interest and priorities.
- Decision may favor those loud and are able to create pressure compared to actual people affected.
- Problems: Delays, activism, conflict, delays and stopped development.

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So, everything looks good about the public participation control, conceptually, but there are challenges to public participation. So, what we see many times, is why probably there are a lot of different scenarios where people hesitate to give that, power share the power. And then also not engaged because many times participation can lead to inconclusive decisions, meaning that, you might not be able to draw any conclusion because there are so many people and with different requirements that, you are not able to decide.

And then every group might have different interests and different priorities. So, that might also cause inclusiveness in the decision. And then it is also possible that the decision may favor those loud and able to create pressure compared to the actual people affected. So, you have a range of people, but then the louder one the people who are much more influential might the decision favor them but irrespective of who is getting affected more, maybe a poor, marginalized person getting affected more.

But that, person is not heard and their concerns are not pinned down and it has not influenced the decision but the one who was loud and influential those recordings have been made. So, such kinds of challenges are they are still there. And, participation has also led to problems like there have been delays, there has been activism. There have been conflicts and problems and it has also stopped development So, you can see many of the cases mentioned here to see how public participation went otherwise.

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Advantages and Disadvantages of Public Participation

- USA - oil and gas developments in Wyoming.
- A Ski Resort in California.
- Clear-cut Logging project in Alaska.
- Japan - riots delayed the construction of the Narita Airport near Tokyo by five years.
- Costa Rica protests - closure of the Las Crucitas Gold Mine.
- UK - highly visible protest camps were set up along the Newbury bypass route and at Simpson where a third Heathrow runway is proposed.

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So, it did not work well for the people for the project, but it delayed the project or many of the projects got stopped. So, in the watch list, I have given you a lot of links to see the aware public because of public participation the projects were top, you can see that, one case in California another case in Japan, the Narita Airport, like the project was delayed because of the protests and I think people died and which costs delayed in the project. So, often the developer's public participation is seen as the means to create a hurdle for the development of the project. So, it can also be used for obstructing any kind of project, which is coming up.

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Advantages and Disadvantages of levels of different Public Participation Methods reflecting different levels of public influence

Approaches	Extent of public power in Decision making	Advantages	Disadvantages
Information feedback Film or Power Point presentation, television, information kit, newspaper account or advertisement, news conference, press release, print materials, technical report, website, notice, etc.	Nil	Informative, quick	No feedback; presentation subject to bias
Consultation Public hearing, briefing, ombudsperson or representative, survey, interview, response sheets, etc.	Low	Allows two-way information transfer; allows limited discussion	Does not permit ongoing communication; somewhat time consuming
Joint planning Advisory committee, workshop, informal meeting, role playing, panels, interactive polling, future search conference, etc	Moderate	Permits continuing input and feedback; increases education and involvement of citizens	Very time consuming; dependent on what information is provided by Planners
Delegated authority Citizens' review board, citizens' planning commission, citizen jury, task force, community facilitation, mediation and negotiation, etc	High	Permits better access to relevant information; permits greater control over options and timing of decision	Long-term time commitment; difficult to include wide representation on small board

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So, now looking at the advantages and disadvantages of levels of different public participation, we see that one approach is information feedback. So, you can do is like use a firm or PowerPoint presentation television information kits, or you can use a newspaper or you can advertise, do the advertisement in the news conference, press conference material, website, notice all these. And if you see such kind of thing, where you are just

putting it on the television, the news, you are telling that certain kind of project is happening, then how much power the people will have the people power here would be nil.

And then still, the advantage of this is that there is quick information so information gets shared very quickly. And the disadvantage is that, no, no feedback happens on what you have been sharing. So, another approach we see is the consultation. And here where you have a public hearing, you do the briefing, you have representatives you conduct a survey, you listen to them, you take interviews, and you take risk, you get the response sheets filled. So, here also the look at the extent of power you are giving in the decision making. So, it is also very low. But if you look at the advantages, it allows two-way information transfer.

So, you are also letting them know about what you are doing. And you are also able to get their input through the survey and interviews like what are they concern. And disadvantage if we look at it so it does not permit ongoing communication, it is just like a one-time thing. And, sometimes it can be also time-consuming, doing surveys and interviews can be very time-consuming.

So, another approach uses joint planning. So, where you have an advisory committee, you have workshops, you undertake informal meetings, and then you have role-playing, you have panels, and you also have interactive polling and you undertake research. So, if you look at the level of public power people have in decision making is moderate here. An advantage is that it permits continuing input and feedback. So, when you do joint planning, you get input for all the stages. People also get educated even if they get educated in the process, and it allows larger engagements. But the disadvantage of this is that it is very time-consuming.

And then it also depends like you are doing joint planning, but it depends on what information you have provided to the local people. And then we see another approach which is like delegated authority where you take a citizens review board, so you have citizen Planning Commission, citizen juries, there is a task force, and also there is mediation and negotiation. So, here the power in decision-making is very high for the public. An advantage is that it allows better access to relevant information. And it also allows greater control of decision-making to the people. But the disadvantage of this is that it is a long-term time commitment, and difficult to include white representatives on a small board so it is engaging all of that, is difficult. So, this was about the advantages and disadvantages of levels of different public participation methods.

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The United Nations Environment Programme lists five interrelated components of effective public participation:

1. Identification of the groups/individuals interested in or affected by the proposed development;
2. provision of accurate, understandable, pertinent and timely information;
3. dialogue between those responsible for the decisions and those affected by them;
4. assimilation of what the public say in the decision; and
5. feedback about actions taken and how the public influenced the decision. (Clark 1994)

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So, now we will look at what are the requirements and methods for effective participation. So, you see, the United Nations and Moments program UNAP, provides five interrelated components of effective public participation. So, you see how you can have effective public participation. So, you have to identify groups of individuals interested, and then effectively be affected by the proposed developments, so identifying the people who will be affected, is the first task.

The second, what we see is that you need to provide accurate information. Plus, you need to provide information that they can understand, and is relevant to them, and it is given to them on time. So, that is very key to how you engage with people. So, any information that is given later or information, that is not accurate, it is misleading, does not make sense, or information given which they cannot understand the community cannot understand can also not make sense.

So, further, the third step you see is the dialogue between those responsible for the decision and those affected by it. So, this needs to be a communication established between the people who will be affected. Then you need to assimilate all the information, and what people say, and communicate for the decision-making. And then the fifth part you see is the feedback about the action taken. So, you collect information, and then you respond, how you have taken care of that, how that has influenced what actions you are making now, what kind of decisions you are making now. So, these are the five elements, which we see.

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Requirements and methods for Effective Participation

'Public' – “complex amalgam of interest groups, which changes over time and from project to project”.

The public can be broadly classified –

Environmental Interest Groups - Voluntary groups, quasi-statutory bodies or issues-based pressure groups which are concerned with a specific aspect of the environment or with the environment as a whole.

Project Affected People - people living near a proposed development who may be directly affected by it.

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And just trying to understand what we mean by public here. It can be a very large group, but what's in the context of EIA, what do we mean here is that it is a different interest group that would change over time and from project to project. For EIA, you classify them into two main groups, environmental interest groups and the other is project-affected people PAP.

So, environmental interest groups, are voluntary groups, quasi-statutory bodies or they are like issue-based groups who work for different dimensions of the environment, and they are concerned about these in particular segments or they can be concerned about the entire environmental issues. So, they are the environmental interest groups.

So, they also formulate public, then you have public, then you have project affected people, so, people who live near a proposed development, who may be directly affected by it, so the people who are living nearby your project area, they are the people affected by the project. So, they are you will find these two groups and their interest would be different because the environmental group might be interested in the environment the local people might be concerned about smaller things their what is happening in there that make a huge difference in their life.

They might be also interested in getting the jobs and the project area that you are looking at and it might also influence the resources that they access. So, the nature of problems all things might vary. So, you need to understand the differences between these two groups of people and as a professional as an EIA member, you need to decide whom to take and not to take in your public participation theme.

And mostly what will happen the first group the environmental interest group might be very vocal and might have resources to undertake it like they might have a lot of money at the back end. They might be loud and they might be very aware of all the technical processes that are involved in the EIA process and public participation.

So, their ideas can come across but as a professional, it would be also your responsibility to reach out to the people project affected people who might not know about the legal technical aspects of it. And they might not be loud enough to communicate their problems and so on so it will be the task of the people on the project EIA team to look into it.

So, often it is debated like mostly it is suggested that the first group should be involved or not involved because they can influence the decision be at the cost of the local people. So, sometimes the strong group can influence the project as a team you might listen to the louder group more compared to the people who are being affected by the project.

(Refer Slide Time: 35:14)

Public Consultation process in EIA Notification 2006

APPENDIX IV
(See paragraph 7)

PROCEDURE FOR CONDUCT OF PUBLIC HEARING

1.0 The Public Hearing shall be arranged in a systematic, time bound and transparent manner ensuring widest possible public participation at the project site(s) or in its close proximity District -wise, by the concerned State Pollution Control Board (SPCB) or the Union Territory Pollution Control Committee (UTPCC).

2.0 **The Process:**

2.1 The Applicant shall make a request through a simple letter to the Member Secretary of the SPCB or Union Territory Pollution Control Committee, in whose jurisdiction the project is located, to arrange the public hearing within the prescribed statutory period. In case the project site is covering more than one District or State or Union Territory, the public hearing is mandated in each District, State or Union Territory in which the project is located and the applicant shall make separate requests to each concerned SPCB or UTPCC for holding the public hearing as per this procedure.

2.2 The Applicant shall enclose with the letter of request, at least 10 hard copies and an equivalent number of soft (electronic) copies of the draft EIA Report with the generic structure given in Appendix III including the Summary Environment Impact Assessment report in English and in the official language of the state/local language, prepared strictly in accordance with the Terms of

Link:
<http://www.environmentvb.gov.in/pdf/EIA%20Notification,%202006.pdf>

(EIA Notification, 2006)

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So, we see that EIA notification 2006 in the Indian context, provides the public consultation process and you can also look at an extra four which give the details of public consultation and how to undertake it. So, it gives you like who are the people who have to be involved and what range you have to look into and how that, has to be documented. So, even one has to be very careful about what methods and tools one uses to inform and take feedback. So, depending on how you are reaching out to people you are collecting information.

So, with local people, it is important that simple tools and techniques are used and local languages are used and it is important that, they should understand they should be informed well. So, it has to be very clear information should be given and honest communication should be made with the people.

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Methods of public participation and their effectiveness

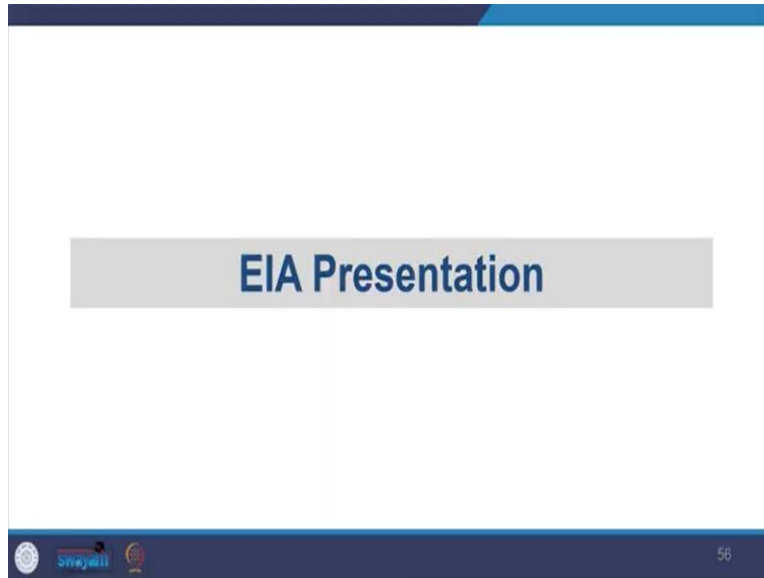
Effectiveness in ...	Providing information	Catering for special interests	Two-way communication	Affecting decision-making
Explanatory meeting, slide/film presentation	High	Low	Low	Low
Presentation to small groups	High	Low	Low	Low
Public display exhibit, models	High	Low	Low	Low
Press release, legal notice	High	Low	Low	Low
Internet/social media	High	Low	Low	Low
Written comment	High	Low	Low	Low
Poll	High	Low	Low	Low
Field office	High	Low	Low	Low
Site visit	High	Low	Low	Low
Advisory committee, task force, community representatives	High	High	High	High
Working groups of key actors	High	High	High	High
Citizen review board	High	High	High	High
Public inquiry	High	High	High	High
Litigation	High	High	High	High
Demonstration, protest, riot	High	High	High	High

(adapted from Westman 1985; International Association for Public Participation 2001)

So, here you can see, different methods of public participation and their effectiveness you can have an explanatory meeting you can have films and presentations that like it provide information it gives, cater to special interest groups, and allow two-way communication. And then you can have presentations to small groups you can have public display exhibitions you can have press releases you can have social media written comments you can do polls where you can do surveys you can have field office site visits you can do advisory committee work groups of key actors. You can have working groups you can have a citizen review board you can do public inquiry litigation and demonstration protests and riots could also be seen as methods of engaging in the EIA process.

So, all these methods can be like it is there and what's the limitations and drawbacks you can look at that. And then it is important to take feedback and how it has been incorporated in the complete project. So, that was about public participation so now we will move on to EIA presentation like how important it is to communicate well.

(Refer Slide Time: 37:39)



EIA report submission outline in EIA notification 2006

APPENDIX II
(See paragraph 7)

GENERIC STRUCTURE OF ENVIRONMENTAL IMPACT ASSESSMENT DOCUMENT

S.N.O.	SLR STRUCTURE	CONTENTS
1	Introduction	<ul style="list-style-type: none">• Purpose of the report• Identification of project & project proponent• Brief description of nature, size, location of the project and its importance to the country, region• Scope of the study - limits of regulatory zoning control and its part Terms of Reference
2	Project Description	<ul style="list-style-type: none">• Concise description of those aspects of the project (based on project feasibility study), likely to cause environmental effects. Details should be provided to give clear picture of the following:<ul style="list-style-type: none">- Type of project- Need for the project- Location maps showing general location, specific location, project location & project site layout- Size or magnitude of operation and associated activities required to or for the project- Proposed schedule for approval and implementation- Technology and process description• Project description, including drawings showing project layout components of project on schematic representation of the feasibility drawings which give adequate support for EIA purpose• Description of mitigation measures incorporated into the project to meet environmental standards, environmental operating conditions, or other EIA requirements as required by the output• Assessment of base & selected technology for the risk of technological failure
3	Description of the Environment	<ul style="list-style-type: none">• Study area, period, components & methodology• Establishment of baseline for relevant environmental components, as checked in the scope• Base maps of all environmental components
4	Anticipated Environmental Impacts & Mitigation Measures	<ul style="list-style-type: none">• Causes of Anticipated Environmental Impacts due to project location, specific activities, project design, project construction, regular operations, their discontinuance or establishment of completed project• Measures for minimizing and/or offsetting adverse impacts identified• Short-term and long-term commitments of environmental components• Assessment of significance of impacts (likely to be determining significance, Assigning significance)• Mitigation measures
5	Analysis of Alternatives (Technology & Size)	<ul style="list-style-type: none">• To state, the ongoing exercise results in need for alternatives• Description of each alternative• Summary of adverse impacts of each alternative• Mitigation measures proposed for each alternative and• Selection of alternative
6	Environmental Monitoring Program	<ul style="list-style-type: none">• Technical aspects of monitoring the effectiveness of mitigation measures (and) documentation methodologies, frequency, location, data analysis, reporting schedules, emergency procedures, limited budget & procurement procedures
7	Additional Studies	<ul style="list-style-type: none">• Public Consultation• Risk assessment• Social Impact Assessment (SII) Action Plans
8	Project Benefits	<ul style="list-style-type: none">• Improvements in the physical infrastructure• Improvements in the social infrastructure

9	Environmental Cost Benefit Analysis	<ul style="list-style-type: none">• Employment potential created, semi-skilled and unskilled• Other tangible benefits
10	EIS	<ul style="list-style-type: none">• Recommendation of the Scoping stage
11	Summary & Conclusion (This will contain the summary of the EIA Report)	<ul style="list-style-type: none">• Description of the administrative aspects of ensuring that mitigation measures are implemented and their effectiveness monitored, after approval of the EIA• Overall justification for implementation of the project• Explanation of how adverse effects have been mitigated
12	Disclosures of Consultants engaged	<ul style="list-style-type: none">• The names of the Consultants engaged with their brief resume and nature of Consultancy rendered

(EIA Notification, 2006)

So, EIA presentation varies from small presentations to very elaborate detailed presentations. And in India EIA notification 2006 provides an outline for EIA report submission. So, what how you have to provide you can see here the EIA structure you will have an introduction project description, description of the environment, and all these things, and then how does that, information have to be provided? So, for now, you will just see the outline of it, and then we will try to see one example at the end of the course we will see how the report is written.

So, you see that introduction would take care of the purpose of the report and give the brief of the report what is the scope of the study, and so on. Then you would also give a project description of what is the project about and then you would also describe the environments in the baseline study and all the environmental figures would be given. Then you would be giving the anticipated environmental impact and what kind of mitigation

measures have to be taken and then alternatives how you are looking at the alternatives and you are looking at these sites alternative site and alternative technology. And then environmental monitoring programs.

So, whatever image impact is happening how you are going to monitor it you can have EMP as a separate document or you can have it in the EIA itself. And further, you can have additional studies you can also show the project benefits and then you can also take an environmental cost-benefit analysis. Then you also prepare an EMP and then you provide a summary and conclusion and the summary and conclusion become the key very important aspect of the report.

So, it gives the overall justification for implementation of the project and it explains how various effects have been taken care of. You might note that, many times this would be the key element which will be read in your report so has to be really well written and all the aspects should be communicated properly here. And then disclosure of the consultants engaged who all have been there to develop this report.

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Contents and Organization

APPENDIX III A
(See paragraph 7)

CONTENTS OF SUMMARY ENVIRONMENTAL IMPACT ASSESSMENT

The Summary EIA shall be a summary of the full EIA Report condensed to ten A-4 size pages at the maximum. It should necessarily cover in brief the following Chapters of the full EIA Report: -

1. Project Description
2. Description of the Environment
3. Anticipated Environmental impacts and mitigation measures
4. Environmental Monitoring Programme
5. Additional Studies
6. Project Benefits
7. Environment Management Plan

Link:
<http://www.environmentwb.gov.in/pdf/EIA%20Notification,%202006.pdf>

(EIA Notification, 2006)

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Looking at the contents and organization EIA report should be very comprehensive and clear and should align with the legislation. So, whatever, legislation law of that, context ah says you should abide by that. In India EIA report would cover um introduction would indicate the purpose of the report and all the projects. So, you can see here what kind of summary would come in as per the EIA notification.


forms of visual communication. They help a lot so you can see the example here which I have taken from the same project.

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Visual communications


13 Project Limits


The proposed project consists of 3.5 miles of work on I-526 and 9.2 miles of work on I-526 for a total of 12.7 miles. The boundaries of the study area, shown in Figure 1.2, generally follows the section of I-526 from Paul Carroll Boulevard to Virginia Avenue including the I-26/I-526 interchange. The I-526 LOC WEST project also proposes upgrades to five interchanges along I-526: the I-526 at Paul Carroll Boulevard interchange, the I-526/I-526 system-to-system interchange, the I-526 at Rivers Avenue, the I-526 at North Avenue and the I-526 at Virginia Avenue interchanges. The project limits for these interchange modifications were selected as the rational end points for the transportation improvements and the environmental review, also referred to as logical termini. The western terminus of Paul Carroll and the eastern terminus of Virginia Avenue are major points of congestion based on traffic analysis for the project, refer to Appendix B.



Chapter 1 Introduction

The proposed project consists of 3.5 miles of work on I-26 and 9.2 miles of work on I-526 for a total of 12.7 miles. The boundaries of the study area, shown in Figure 1.2, generally follows the section of I-526 from Paul Carroll Boulevard to Virginia Avenue including the I-26/I-526 interchange. The I-526 LOC WEST project also proposes upgrades to five interchanges along I-526: the I-526 at Paul Carroll Boulevard interchange, the I-526/I-526 system-to-system interchange, the I-526 at Rivers Avenue, the I-526 at North Avenue and the I-526 at Virginia Avenue interchanges. The project limits for these interchange modifications were selected as the rational end points for the transportation improvements and the environmental review, also referred to as logical termini. The western terminus of Paul Carroll and the eastern terminus of Virginia Avenue are major points of congestion based on traffic analysis for the project, refer to Appendix B.




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Visual communications





Table 1.1 Preliminary Screening of the Range of Alternatives

	Improvements to Existing Local Facilities			New Location						
	No Build	East Mortgage Ave	Remount Rd	US 78 to Virginia Ave	Ashley Phosphate Rd to Virginia Ave	Bees Ferry Rd to Dorchester Rd	Managed Lanes*	TSM/ TDM*	Mass Transit*	Existing Corridor Improvements
Satisfies I-526/LOC WEST Purpose & Need	-	✗	✗	✗	✗	✗	✗	✗	✗	✓
Carried Forward as Preliminary Alternatives	✓	✗	✗	✗	✗	✗	✗	✗	✗	✓

* Designated as stand-alone alternatives, but components of each carried forward and incorporated in proposed existing corridor improvement alternatives.


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Visual communications

526
LOWCOUNTRY
CORRIDOR

Chapter 3: Alternatives Development

Table 3.2: Transportation Demand Management Strategies

Strategy	Traffic Reduction Potential
Carpools/Rideshare Matching Vanpools	2.0%
Transit Pass Incentives Financial Incentives	1.5%
Telecommuting Compressed Work Week	0.1%
Work Flex Time Staggered Work Hours	0.5%
Bike/Walk Enhancements	0.1%
Education, Promotion	1.0%
Total Reduction Potential	5.2%

Source: Adapted from I-526 Corridor Analysis Between North Charleston and West Ashley, Table ES3
Note: All strategies with the exception of Bike/Walk Enhancements have been funded by FHWA

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There you can see how it shows with the map locations and all kinds of corridors and then also the all graphics indicating what kind of positive negative impact would happen. And then you can see how the table is used for traffic reduction potential and what kind of strategies would make those reductions. So, the other part that we see now is the presentation part we are moving to the next part.

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Review of EISs - Appraisal (Indian Context)

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Review of EISs- Appraisal (Indian Context)

Appraisal:

- Detailed scrutiny by the Expert Appraisal Committee or State Level Expert Appraisal Committee of the application and other documents like the Final EIA report, outcome of the public consultations including public hearing proceedings, submitted by the applicant to the regulatory authority concerned for grant of environmental clearance.

(EIA Notification, 2006)



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In the review of the EIA system, we will look at it from the Indian context. So, in the Indian context, the appraisal of the review means detailed scrutiny. So, in this particular stage of review, a review detailed scrutiny examination by the expert appraisal committee will be made. So, it can be the state-level expert committee or it can be the central-level expert committee. So, they would scrutinize and examine your EIA report, and then they will look at your final EIA report and then they will also look at the outcome of public consultation what information you collected, and what happened in the public hearing proceedings.

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Review of EISs- Appraisal (Indian Context)

- Based on this , the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall make categorical recommendations to the regulatory authority concerned.
- Either for grant of prior environmental clearance on stipulated terms and conditions, or rejection of the application for prior environmental clearance, together with reasons for the same.

(EIA Notification, 2006)

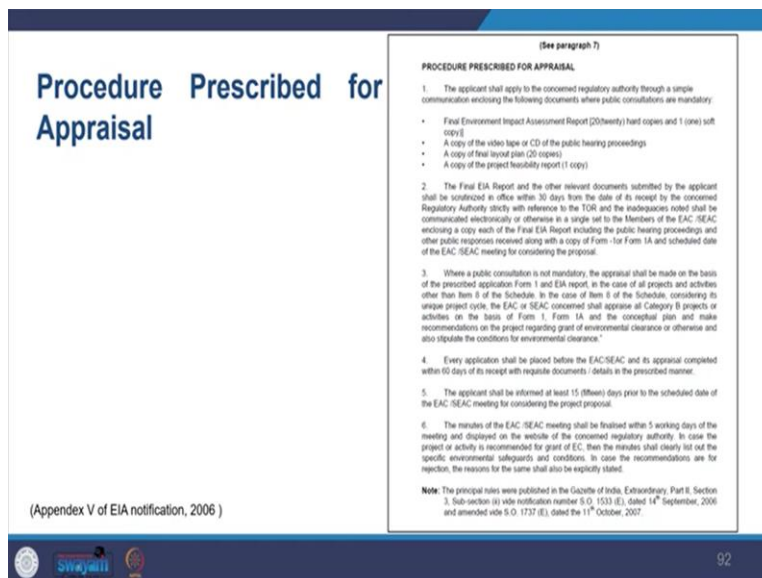
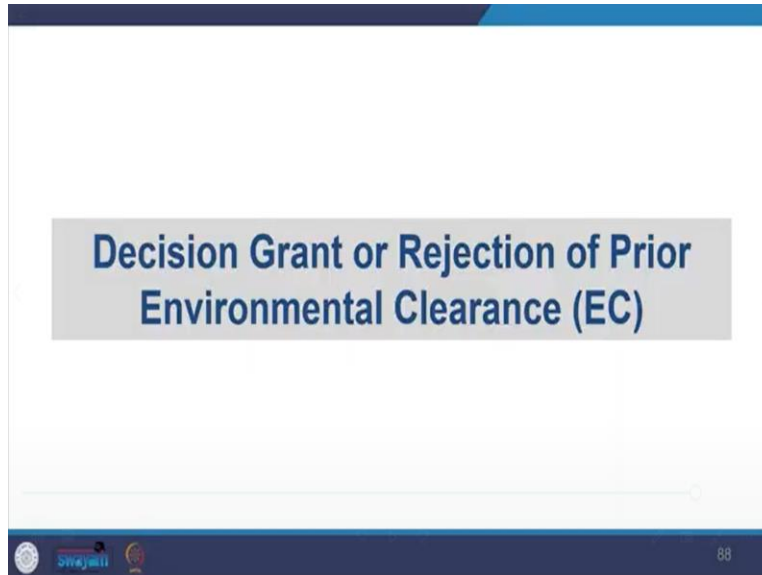


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They would ensure that it is done in a very transparent manner and that all the information is provided to them. And based on this the expert appraisal committee or the state-level expert committee appraisal committee will make categorical recommendations. So, they will give it to the regulatory authority it could be a ministry of environments or it could be the state department. For grants of prior environmental clearance on this kind of terms and conditions they would suggest for rejection of the application before the environmental clearance so based on that, an expert appraisal committee would do that.

And if there is insufficient information in the EIA report then it is also risky for the expert committee to make decisions on that, so it suggested that information should be provided clearly and it is not good for the expert committee as well as the proponent. And if you see in India it is required by legislation to re-review EIA by com competent authority so one of the expert committees will review it is required by the legislation.

(Refer Slide Time: 45:05)



And then based on that, so now moving on to the decision of whether to grant or rejection of the environmental clearance it is the regulatory authority the central or the state shall consider the recommendation of this expert committee. Then they would communicate the decision to the applicants whether it is accepted or rejected with certain terms and conditions and this has to be communicated within 45 days of receipt of the recommendation by the expert appraisal committee. So, that is all you can see in the 2006 regulation as well as how they work on it so it is all procedures are prescribed in the appraisal you can see what all things have to be undertaken here.

And then if you look at it the validity of environmental clearance is meant for the period from the prior environmental clearances granted and if there are delays they can presume the environmental clearances granted. The last part which we see here is EIA in public inquiries so whatever proponent has prepared the reports with public consultation and then it has been examined and then the decision has been made and communicated and then there is also provision for public inquiry. So, people can inquire about it and they can inquire about the proposals and what kind of decisions have been taken.

(Refer Slide Time: 46:41)

EIA and Public Inquiries

National Green Tribunal Act, 2010

The act provide establishment of National Green Tribunal for the effective and fast clearance of the legal cases related to environmental protection.

Link: https://greentribunal.gov.in/sites/default/files/act_rules/National_Green_Tribunal_Act_2010.pdf

So, in India, we have the National Green Tribunal Act as well of 2010, which provides the establishment of a national green tribunal for the effective and fast clearance of legal cases related to environmental protection so you can see that, here. So, that was the part of the last box and the public participation that we were looking at from the EIA process part. So, we have covered the EIA process winding up what we did in this session.

(Refer Slide Time: 47:16)

Summary


- 1 **Defined and Reviewed Public Participation –**
Legislative Provision, different form of Participation, challenges of Public Participation, requirements of effective Participation and Methods.
- 2 **Identified Key Elements of EIA Presentation**
- 3 **Discussed the Process of EIA Review**
- 4 **Stated the Decisions on Process on the Projects**

So, we see that, we worked on looked at the definitions of public participation we looked at the legislative provisions that countries might have. And then different forms of participation challenges and then what are the effective methods of undertaking it. Then we looked at the key elements of the EIA presentation what one needs to take care of and what is the EIA review process from the Indian context. And we also saw the decision on the process of the project. So, that was the coverage for today.

(Refer Slide Time: 47:55)


References

- 1 EIA Training Resource Manual, UNEP, 2002
https://wedocs.unep.org/bitstream/handle/20.500.11822/26503/EIA_Training_Resource_Manual.pdf?sequence=1&isAllowed=y
- 2 Therivel, R., & Wood, G. (2018). Methods of Environmental and Social Impact Assessment.
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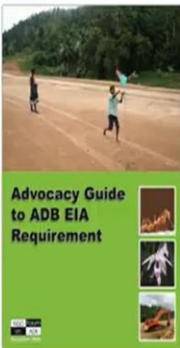
 98

Suggested Watch and Read

Narita International Airport, Tokyo

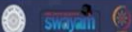




The Extremely Violent History Behind Tokyo's Narita International Airport
<https://www.youtube.com/watch?v=pe2JrZDDdNI>









Advocacy Guide to ADB EIA Requirement

EIA Guidebook - NGO Forum on ADB
<https://www.yumpu.com/en/document/read/20867590/eia-guidebook-ngo-forum-on-adb>

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 Please feel free to ask Questions. 
Let us know about any Concerns you have
Do share your Opinions, Experiences and
Suggestions.
Looking forward to Interacting and
Co-learning with you while exploring EIA

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And this was the key reference. So, we used our textbook EIA textbook by Terrible and Woods and then we also had the EIA training resource manual by UNAP. So, these are the suggested watch and read if you are interested in looking at more of the cases that I talked about so you can look at that. Please feel free to ask questions and let us know about any concerns you have. Do share your opinions experiences and suggestions looking forward to interacting and co-learning with you while exploring EIA thank you.