

SECTION 2

PUBLIC CONSULTATIONS GUIDELINES FOR ENVIRONMENTAL IMPACT ASSESSMENTS

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CHAPTER 1: GENERAL GUIDELINES

1.0 Introduction

There are two levels of public consultation involved in the Environmental Impact Assessment (EIA) process. The first is direct involvement of the affected public or community in public consultations during the EIA study. These consultations allow the developer to provide information to the public about the project and to determine what issues the public wishes to see addressed. The extent and results of these consultations are included in the documented EIA report.

The second level of involvement takes place after the EIA report is prepared in the form of a public meeting and the submission and review of comments on the EIA report. This occurs after the applicant has provided the information needed for adequate review by the public.

1.1 Purpose

These guidelines are prepared in relation to the second level of consultation outlined above for the use of the applicant and the public.

CHAPTER 2: SPECIFIC GUIDELINES FOR PUBLIC MEETING FOR ENVIRONMENTAL IMPACT ASSESSMENTS (EIAS)

2.1 Requirements

Arrangements for the public consultation, in particular the public meeting, must be made in discussion with NEPA in respect of date, time, venue, chairperson, specially invited participants and length of time for the submission of comments.

A permanent record of the meeting is required hence, the applicant must submit to NEPA a copy of the verbatim report of the public meeting within seven (7) days of the date of the meeting.

2.2 Public Notification

The public must be notified at least three (3) weeks before the date of the public meeting. The applicant must seek to ensure that in addition to specific invitation letters, at least **three (3)** notices are placed in the most widely circulated newspapers advertising the event; one (1) notice per week. A copy of the notice shall be forwarded to NEPA for approval prior to publication in the newspapers. The NEPA will also post a copy of the Notice on its Website once it has been approved. To ensure that the Notice is distributed as widely as possible, at least two (2) other methods of notification such as community notice boards, flyers, town criers etc. shall be utilized. In addition, specific notice to relevant local NGOs and community groups should be made by the applicants. Evidence of the two (2) additional methods of notification and specific notices must be submitted to the NEPA.

The notices should indicate that:-

- the EIA has been submitted to NEPA;
- the purpose of the meeting;
- how to access the EIA report for review;
- the date, time and venue of the public presentation;
- contact information (NEPA/NRCA/TCPA and the APPLICANT).

The public meeting should be conducted no less than 3 weeks after the EIA has been accepted for posting and has been made available to the public and no less than 3 weeks after the first notice announcing public meeting has been published by the applicant. *(A typical notice is in*

Appendix 1).

2.3 Responsibility of Applicant

The applicant is responsible for distribution of copies of the EIA Report to make them available to the public at least three (3) weeks before the public meeting. Copies should be placed in the Local Parish Library and the Parish Council Office as well as the NEPA Documentation Centre, NEPA Regional Office nearest to the project site and other community locations as agreed upon. A summary of the project components and the findings of the EIA in non-technical language should also be prepared for distribution at the public meeting.

2.4 Conduct of the Meeting

With respect to the conduct of the meeting, the chairperson should be independently selected so as to ensure his/her neutrality. NEPA should be consulted regarding the selection of a chairperson. The role and responsibilities of the chairperson are outlined in *Appendix 3*.

2.5 The Presentation

The technical presentation by the applicant should be simple, concise and comprehensive. The main findings of the EIA including adverse and beneficial impacts identified and analyzed should be presented. **(A typical agenda for a meeting is given in Appendix 2)**

Mitigation measures and costs associated with these measures should be presented. The meeting should inform the public on how they will get access to monitoring results during the construction and operational phases of the project, as it seeks to facilitate their participation in the monitoring and enforcement of the conditions under which approvals may be granted. Graphic and pictorial representations should support the technical presentation.

Presenters are advised to keep the technical presentation simple and within a time limit of 20-30 minutes depending on the complexity of the project and to allow a minimum of 30 minutes for questions. **(A typical outline of a Project presentation is given in Appendix 4)**

2.6 Submission of Verbatim Report

The applicant will submit to NEPA a copy of the verbatim report of the public meeting within

seven (7) days of the date of the meeting.

2.7 **Submission of Public Comments**

Please note that the public will be given a period of twenty-one (21) days after the public meeting to submit written comments to NEPA.

CHAPTER 3: CONDUCTING SUBSEQUENT PUBLIC CONSULTATIONS

The applicant is required to conduct other public consultations once the scope and size of the project has changed significantly; once deemed necessary by the Authority. The additional consultation may be required whether or not a permit has already been granted and issued for the development.

3.1 Requirements

Arrangements for the public meeting must be made in consultation with NEPA in respect of date, time, venue, chairperson and participants.

A permanent record of the meeting is required hence, the project proponent/consultant will submit to NEPA a copy of the verbatim report of the public meeting within seven (7) days of the date of the meeting.

3.2 Public Notification

The public must be notified at least one **(1) week** before the date of the public presentation. The developer/consultants must seek to ensure that in addition to specific invitation letters; at least **one (1) notice** is placed in one of the most widely circulated newspapers advertising the event. The notice shall also be forwarded to NEPA for posting on its website. To ensure that the notice is distributed as widely as possible, other methods of notification such as community notice board, flyers, town criers etc. shall be utilized as appropriate. In addition, specific notice to relevant local NGOs and community groups should be made by the developer/consultants.

The notice should indicate that:-

- the purpose of the meeting
- changes have been made to original proposal for which the EIA has been submitted to NEPA;
- how to access the EIA report for review;
- the date, time and venue of the public meeting;
- contact information.

The public meeting should be conducted no less than **one (1) week** after the document outlining the changes and any supporting technical information have been made available to the public and no less than **one (1) week** after the notice announcing public meeting has been

published by the applicant. *(A typical notice is in Appendix 5).*

3.3 Responsibility of Applicant

The applicant is responsible for distribution of the document outlining the changes and any supporting technical information to the public at least **one (1) week** before the public meeting.

The document outlining the changes and any supporting technical information should be placed in the Local Parish Library and the Parish Council Office, NEPA Documentation Centre as well as at the NEPA Regional Office nearest to the site and any other community locations as agreed upon.

A summary of the project components, highlighting the changes in non-technical language should also be prepared for distribution at the public meeting.

3.4 Conduct of the Meeting

With respect to the conduct of the meeting, the chairperson should be independently selected so as to ensure his/her neutrality. NEPA should be consulted regarding the selection of a chairperson. The role and responsibilities of the chairperson are outlined in *Appendix 3*.

3.5 The Presentation

The technical presentation by the applicant should be simple, concise and comprehensive. The changes to the proposal and any supporting technical information should be presented as well as any adverse and beneficial impacts identified and analyzed. **(A typical agenda for a meeting is given in Appendix 7)**

Mitigation measures and costs associated with these measures should be presented. The meeting should inform the public on the ways in which monitoring results may be accessed during the construction and operational phases of the project, bearing in mind that the public and non-governmental groups are expected to be involved in post-approval monitoring. Graphic and pictorial documentation may support the technical presentation.

Presenters are advised to keep the technical presentation simple and within a time limit of 20-30 minutes depending on the complexity of the project and to allow a minimum of 30 minutes for

questions. *(A typical outline of a Project presentation is given in Appendix 6)*

3.6 **Submission of Verbatim Report**

The applicant will submit to NEPA a copy of the verbatim report of the public meeting within **seven (7) days** of the date of the meeting.

3.7 **Submission of Public Comments**

Please note that the public will be given **ten (10) days** after the public meeting to submit written comments to NEPA.

APPENDICES

APPENDIX 1

NOTIFICATION OF PUBLIC MEETING

THERE WILL BE A PUBLIC CONSULTATION ON THE ENVIRONMENT IMPACT ASSESSMENT REPORT

OF:

VENUE:

DATE:

TIME:

THE PUBLIC IS INVITED TO PARTICIPATE IN THE CONSULTATION BY WAY OF ASKING QUESTIONS RELATING TO THE PROPOSED PROJECT.

A COPY OF THE ENVIRONMENTAL IMPACT ASSESSMENT REPORT MAY BE CONSULTED AT THE

_____ PARISH LIBRARY
_____ PARISH COUNCIL OFFICE
NEPA'S Documentation Centre at 11 Caledonia Avenue, Kingston 5
_____ NEPA Website: www.nepa.gov.jm
For further information contact:

APPENDIX 2

AGENDA

1. WELCOME AND INTRODUCTION
2. STATEMENT BY THE NATIONAL ENVIRONMENT & PLANNING AGENCY
3. PRESENTATION OF EIA FINDINGS AND MEASURES TO MINIMIZE IMPACTS
4. QUESTION AND ANSWER SESSION
5. CLOSING REMARKS

APPENDIX 3

ROLE AND RESPONSIBILITIES OF THE CHAIRPERSON

The chairperson has the main role of guiding the conduct of the meeting and seeing to it that the concerns of the public are adequately aired and addressed by the proponent/consultants.

The responsibilities of the chairperson include explaining the NEPA approval process, that is, the steps involved and the role of the NEPA at these public presentations. In other words, the chairperson should explain the context within which the meeting is taking place.

The chairperson should ensure that adequate time is allowed for questions and answers, and must understand clearly and communicate the purpose of the meeting to the audience. The chairperson is responsible for introducing the presenters.

The chairperson should contribute to but not monopolize the meeting.

APPENDIX 4

STRUCTURE OF PRESENTATION

1. DETAILED DESCRIPTION OF PROJECT PROPOSAL
2. DETAILS OF IMPACTS IDENTIFIED
3. DESCRIPTION OF PROPOSED MITIGATION MEASURES
4. RESPONSE TO ANY ISSUES RAISED PRIOR TO PUBLIC CONSULTATION
(MEDIA, WRITTEN QUERY ETC.)

APPENDIX 5

NOTIFICATION OF PUBLIC MEETING - CONDUCTING SUBSEQUENT PUBLIC CONSULTATIONS

FURTHER TO THE ENVIRONMENTAL IMPACT ASSESSMENT (titled) dated prepared by XXXX permit# (WHERE RELEVANT). The (name of applicant) INVITES YOU TO A PUBLIC MEETING FOR name of project and brief description of change to proposal of (location)

THE PUBLIC IS INVITED TO PARTICIPATE IN THE MEETING BY WAY OF ASKING QUESTIONS RELATING TO THE PROPOSED AMENDMENT TO THE PROJECT PROPOSAL.

VENUE:

DATE:

TIME:

A COPY OF THE (LIST DOCUMENTS TO BE CONSULTED) MAY BE CONSULTED AT THE:

For further information contact: applications@nepa.gov.jm

APPENDIX 6

STRUCTURE OF PRESENTATION - CONDUCTING SUBSEQUENT PUBLIC CONSULTATIONS

1. DETAILED DESCRIPTION OF PROJECT ORIGINALLY PROPOSED/APPROVED (IF PERMIT GRANTED)
2. CHANGES TO THE PROPOSAL
3. DETAILS OF IMPACTS IDENTIFIED BASED ON THE CHANGES
4. DESCRIPTION OF PROPOSED MITIGATION MEASURES
5. RESPONSE TO ANY ISSUES RAISED PRIOR TO PUBLIC CONSULTATION (MEDIA, WRITTEN QUERY ETC.)

APPENDIX 7

AGENDA - CONDUCTING SUBSEQUENT PUBLIC CONSULTATIONS

1. WELCOME AND INTRODUCTION
2. STATEMENT BY THE NATIONAL ENVIRONMENT & PLANNING AGENCY
3. PRESENTATION OF TECHNICAL DOCUMENTS RELATED TO THE CHANGE IN THE PROPOSAL AND MEASURES TO MINIMIZE IMPACTS
4. QUESTION AND ANSWER SESSION
5. CLOSING REMARKS