

# ENVIRONMENTAL COUNCIL OF ZAMBIA



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### **ENVIRONMENTAL IMPACT ASSESSMENT PROCESS IN ZAMBIA**

#### **PART ONE:**

## **Introduction to the Environmental Impact Assessment Process**

#### **Development and the Environment**

Development is the process of improving people's livelihood and welfare so as to attain a higher standard of living. On the other hand, environment is everything about and around us forming the basis of our livelihood. Thus development is all about people using the resources around them i.e. air, water, land and everything in it to satisfy their needs.

The traditional concept of development has for a long time been guided by economic considerations. Exploitation of resources for maximum benefits has been the norm and little regard was paid to the side effects of development initiatives. This led to the deterioration of the environment with unforeseen environmental costs ever building up. Projects, which looked clean on paper, had serious impacts after implementation. The environmental impacts of many of these projects turned out to be costly, outweighing the anticipated benefits. Wide ranging negative impacts manifesting in ecological disturbances, habitat destruction, loss of animal and plant species, desertification, soil loss and floods became more and more prevalent.

Growing awareness and realisation of the ranges and magnitude of environmental effects of development projects led to the worldwide discussion on the way forward for these projects. This led to the adoption of the concept of sustainable development. According to the World Commission on Environment and Development (WCED) sustainable development was defined as the development that meets the needs of today's generation without compromising those of future generations. Environment and development were thus seen as complementing one another where the carefully nurtured environment continued to provide the basis for continued development.

In today's world more pressure is being placed on industry both socially and legally to undertake new developments in a more environmentally responsible manner. Consequently, the concept of Integrated Environmental Management of which Environmental Impact Assessment (EIA) is a vital component has evolved as a management tool leading to sustainable development.

#### **EIA – The Historical Perspective**

The development of an EIA process dates back to the 1960s when increased concern about the effects of land use activities on people and the environment fostered development of a number of new decision aids in the United States of America (USA). Thus EIA was first legally mandated in the USA under the National Environment Policy Act of 1969. Implementation of this Act allowed for the adoption of similar EIA legislation in other countries with Canada and other European countries taking the lead in following the example set by the USA.

By the end of the 1970's many countries had created legislation, policies and institutions to co-ordinate EIA programmes. In addition, these countries sponsored research to develop and test tools and techniques to guide project planning and decision making. Over time the process has spread across the globe with most developed and many developing countries adopting EIA as an important tool for caring about the environment.

#### **EIA in Zambia**

In Zambia, industrial and commercial development in Zambia, particularly large-scale mining, the growth in manufacturing activities, and a corresponding increase in population have brought about the risk of environmental damage by exerting unmitigated pressures on the environment.

In an effort to ensure that environmental concerns are integrated into economic development and as a way of preventing, minimising, mitigating or compensating for adverse environmental impacts, the government introduced the EIA process and therefore promulgated and gazetted the EIA Regulations, Statutory Instrument No.28 of 1997 (SI 28, 1997).



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Although the development of EIA is new in Zambia, adequate groundwork has been laid down by spelling out the policy and legislative frameworks. This started with the adoption of the Conservation National Strategy as Zambia's first environmental policy framework 1985. the enactment of the **Environmental Protection** and Pollution Control Act in 1990 (EPPCA), the review of the National Conservation Strategy National into the Environmental Action Plan (NEAP) and finally the passing of Statutory Instrument no. 28 to

specifically provide for matters of EIA. Since EIA is now a statutory requirement in Zambia, it is anticipated that the process will grow to become a model for other countries and bring about the much-needed balance between development and environmental protection.

#### The Role of Environmental Council of Zambia the EIA Process

Environmental Council of Zambia was established, by the EPPCA, its mission is to regulate and coordinate environmental management, promote awareness, and ensure environmental protection through enforcement of regulations and the prevention and control of pollution in support of sustainable development so as to provide for the health and welfare of persons, animals, plants and the environment.

ECZ as an environmental regulator has a responsibility to ensure that potential polluters have in place systems and procedures to avoid or minimise pollution. ECZ promotes sustainable development which is central to the fight against poverty. ECZ achieves proper management of the environment and natural, which is central to the protection of vulnerable groups in sustainable development in the EIA process. Pollution Prevention and Control is regulated through permits and licences provided for by related regulations under the EPPCA.

In order to achieve this objective, the regulator apply social regulatory measures such as: requiring companies to get prior approval before undertaking potentially polluting activities; setting mandatory standards; requiring periodic information disclosure about their activities and release of pollutants and; imposing penalties for non-compliance to standards and regulations. In order to ensure compliance to mandatory standards or regulation and to limit the potential for occurrences, regulators undertake various inspections of plant and facilities of the regulated companies



The Environmental Council of Zambia (ECZ) was established as an autonomous body through the enactment of the Environmental Protection and Pollution Control Act (EPPCA) No. 12 of 1990 (CAP 204 of the Laws of Zambia). The EPPCA is the supreme environmental law of Zambia and it prescribes the functions and powers of the ECZ as a corporate body.

#### **PART TWO:**

#### WHAT IS FIA?

EIA is a systematic investigation of conditions within the environment of the proposed development or project followed by an assessment of the impacts that the development or project will have on the environment in its totality i.e physical, biological and socio economic aspects.

This is usually conducted before new projects are launched, an EIA provides prediction for decision-makers of the expected effects. It was normal in the past to address environmental problems after they had already occurred. However, years of experience have shown that addressing environmental issues when they have already occurred does not produce the expected results. EIA strives to bridge this gap by seeking to answer the following basic questions:

- · What will happen if the project is implemented?
- · How much change is going to occur?
- · Do the changes matter?
- · What should be done about the changes?
- How can the decision-makers be informed about the effects?

In order to ensure that the EIA process is implemented smoothly and in a satisfactory manner, it should meet all the following essential requirements.

- It must be open and involve all Interested and Affected Parties (IAPs) i.e local communities, government authorities, developers, investors, NGOs etc;
- It should focus on major positive and negative impacts of the project to facilitate decision making based on the range of alternative courses of action;
- The process should be able to identify the different IAPs;
- It must create effective co-ordination and communication avenues amongst planners, project proponents, government, private sector, NGOs, community, etc.
- It should include in-built environmental monitoring and auditing to ensure adherence to selected options and performance standards; and
- It must be able to quantify and evaluate identified impacts, where possible, for resource accounting purposes

As a result of addressing issues long before they occur, EIA has become a very effective preventive strategy in that it:

Integrates environmental consideration into development planning

Ensures that potential negative impacts are foreseen and discussed at an early stage in the planning process

- · Identifies and enhances the positive impacts of the proposed development activity
- Examines the trade-offs and the possible alternatives
- Ensures that all the IAPs participate in the decision making process

- Ensures that development activities are people centred and promote sustainable livelihoods
- · Sets up a machinery to carry our mitigation and monitoring measures, and
- · Promotes inter-sectoral linkages.

#### What are the Benefits of EIA?

The broad benefits of conducting an EIA include the following:

- It facilitates informed decision making by providing clear, well structured analysis of the effect and consequences of proposed projects thereby integrating environmental considerations into project planning;
- It ensures that potentially negative impacts are foreseen and discussed at an early stage in the project planning process thereby influencing both project selection and design by screening out environmentally unsound projects, as well as modifying feasible projects.
- · It identifies and enhances the positive impacts of the proposed project;
- · It assists in the selection of alternatives, including the selection of the best practicable and most environmentally friendly options.
- · It ensures appropriate participation of the IAPs in the decision-making process;
- It guides formal approval, including the establishment of terms and conditions of project implementation and follow-up



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