



Environmental Impact Assessment for Landowners

What is the 'environment'?

The environment is everything around you, both natural and manmade. It includes trees, water, land, air, birds, fish, villages, people, communities, and even our culture and economy.



What is 'development'?

Development is an activity that causes changes to the environment. There can be many types of development in your community, examples include agriculture, roads, bridges, logging, prospecting, wharfs and mining.



What are 'environmental impacts'?

When someone decides to do any kind of development, such as logging or mining, it changes the environment. Sometimes it makes it better, and sometimes it makes it worse. Every change that development causes to the environment is called an environmental impact, such as freshwater and marine pollution.

What is 'environmental impact assessment'?

Environmental impact assessment (or EIA) is an activity that assesses environmental impacts that could be caused by a development, logging or mining and describes how impacts can be avoided or minimised.

What is an 'EIA' report?

An EIA Report is a document required under the Solomon Islands Environment Act of 1998 that describes the environmental impact assessment. There are two types: Environment Impact Statement and Public Environment Report.

When is an 'EIA' required?

When there is a development that will cause a significant change to the environment, such as bridges, logging or mining. These activities must go through the EIA process and the assessment must be conducted before any activity begins. It is illegal to do such activities without an EIA assessment and report.

Who is the lead agency for 'EIA's in Solomon Islands?

The Ministry of Environment, Climate Change, Disaster Management and Meteorology.



SOLOMON ISLANDS GOVERNMENT



SPREP
Secretariat of the Pacific Regional
Environment Programme

Supported by:



Federal Ministry for the
Environment, Nature Conservation,
Building and Nuclear Safety

based on a decision of the German Bundestag

Who reads the EIA report?

Anyone has the right to be given a copy of the EIA Report, and to have it explained to you by the Ministry of Environment. Resource owners and anyone directly or indirectly affected has the right to make comments on the EIA Report and write letters of objection to the Ministry.

This must happen in a public meeting that is held before anyone starts the development.

Who decides whether development can go ahead?

The Director of Environment and Conservation at the Ministry of Environment must read the EIA report, and your letters and comments. Then he or she will decide whether the development can go ahead based on the requirements of the Environment Act.

What is a 'Development Consent'?




If the Director decides that the development is safe to go ahead, he or she will issue the 'Development Consent' under the Environment Act. If the Director decides that it is not safe, he or she will refuse to issue the 'Development Consent'.

It is illegal to do any logging or mining in Solomon Islands without the 'Development Consent' from the Ministry of Environment.

EIA process



What are your rights as resource owners and affected persons?

-  You have the right to be given a copy of the EIA Report.
-  You have the right to be properly notified about any public meeting on the EIA Report.
-  You have the right to be included in the public meeting about the EIA Report, and to say what you think about the application for development.
-  You have the right to object to any development application in your area, and write letters about your objections to the Ministry of Environment.
-  You have the right to appeal against any development consent granted by the Ministry of Environment for development in your area.
-  You have the right to report to relevant authorities and challenge any development company that has not done an EIA Report or received a development consent from the Ministry of Environment.

Environmental impact assessment (EIA) process explained

Application - The developer, for example, the logging or mining company must apply to the Director of Environment and Conservation at the Ministry of Environment for approval to start logging or mining. An application is required by the Environment Act. The company must make the Application before any logging or mining starts. The application fee is \$200.

Environmental Impact Assessment Report (EIA Report) - The logging or mining company must prepare an EIA Report and include this in the Application to the Director. When they are making the EIA Report, they should go to the place where they want to do logging or mining, and look at the environment, and talk to the community. Only an expert approved by the Ministry of Environment can prepare the EIA Report.

Public notice of EIA Report and public meeting - The Director must make the EIA Report available to the affected communities at least 30 days before any public meeting on the EIA Report. At the same time, the Director must also properly notify the communities of a public meeting to discuss the EIA Report and hear objections. This means a notice must go up in a public place in the community at least 30 days before the public meeting. As soon as you hear about the public meeting, you should read the EIA Report and start writing your views down in a letter to the Director.

Public meeting and letters of objection - The Ministry of Environment must organise a public meeting to discuss the EIA Report and any objections by the community. This is your only chance to be included in decision-making. Therefore you should clearly state any objections to the logging or mining Application, and put these in writing. Write down everything that happens at the public meeting.

Director's decision - After the public meeting, the Director will make a decision about whether or not to grant the Development Consent for logging or mining in your area. He will look at the EIA Report and consider your letters. If consent is granted, it costs the company \$10,000 to receive the consent.

Public notice of Director's decision - As soon as the Director makes his decision, he should give public notice of his decision. This means in a newspaper such as the Solomon Star, but the community should also be notified.

Appeal to Environment Advisory Committee - If you are not happy with the Director's decision to grant development consent, you can appeal to the Environment Advisory Committee (EAC) at the Ministry of Environment within 30 days of the notice of the decision. You should write down all the reasons why you oppose his decision. It costs \$200 to lodge an appeal to the EAC.

Appeal to Minister of Environment - If you are not happy with the decision of the EAC, you can appeal directly to the Minister of Environment. You must do this within 30 days of the decision of the EAC. The Minister makes the final decision for the Ministry of Environment.



What if there is no development consent from the Ministry of Environment?

Under the Environment Act, it is a criminal offence to develop without a development consent from the Ministry of Environment. Any development company that does not have consent from the Ministry of Environment before they start development is operating illegally.

If you are aware of any development that is happening in your area without approval from the Ministry of Environment, you should seek legal advice. You may be able to challenge them in the High Court.

Questions For Landowners And The Community

- Has the *development* company made an EIA Report?
- Did a public meeting take place where the EIA Report was discussed?
- Were you given proper notice of the EIA Meeting before it happened?
- Were you given an opportunity to voice your concerns about the *development*?
- Were you given notice about the Director's decision?
- Does the logging or mining company have a development consent from the Ministry of Environment?

If the answer to any of these questions is "NO", then development cannot continue, and you should report the situation to the relevant authorities and seek legal advice.

For further information or advice, please contact:

**Ministry of Environment, Climate Change
Disaster Management and Meteorology**
PO Box 12
Honiara
Phone: +677 23032/23031

Or the **Land owners Advocacy and Legal Support Unit**
PO Box 553
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