



# RESCCUE

## Strengthening the mitigation hierarchy implementation in Vanuatu: incorporating Strategic Environmental Assessment into planning and Environmental Impact Assessment



**December 2018**

The Biodiversity Consultancy

## Overview of the objectives and components of RESCCUE project:

The *Restoration of Ecosystem Services and Adaptation to Climate Change* (RESCCUE) project is a regional project implemented by the Pacific Community.

The overall goal of RESCCUE is to contribute to increasing the resilience of Pacific Island Countries and Territories (PICTs) in the context of global changes. To this end RESCCUE aims at supporting adaptation to climate change (ACC) through integrated coastal management (ICM), resorting especially to economic analysis and economic and financial mechanisms.

The RESCCUE project operates both at the regional level and in one to two pilot sites in four countries and territories: Fiji, New Caledonia, French Polynesia and Vanuatu.

RESCCUE is funded primarily by the *French Development Agency* (AFD) and the *French Global Environment Facility* (FFEM) for a duration of five years and a half (01/01/2014 to 30/06/2019).

It is structured around five components:

**Component 1:** Integrated coastal management – supporting ICM implementation through ICM plans, ICM committees, and management activities concerning both terrestrial and marine ecosystems, capacity building and income generating activities.

**Component 2:** Economic analysis – using economic analysis to support coastal management and policy decisions.

**Component 3:** Economic and financial mechanisms – setting up economic and financial mechanisms to generate additional and sustainable funding for ICM: review of options (payment for ecosystem services, taxes, user fees, trust funds, quota markets, offsets, labels...); feasibility studies; implementation; monitoring.

**Component 4:** Capitalization, communication, dissemination of project outcomes in the Pacific – going beyond pilot sites activities in order to have impacts at the regional level, by fostering experience sharing between sites, cross-sectoral expertise, and communication and dissemination of the project outcomes.

**Component 5:** Project management – implementing and coordinating the project, by providing technical assistance, organizing local and regional steering committees, conducting audits and evaluations (mi-term and ex-post), etc.

## List of Abbreviations

ADB	Asian Development Bank
CROP	The Council of Regional Organisations in the Pacific
DEPC	(Vanuatu) Department of Environmental Protection and Conservation
EIA	Environmental Impact Assessment
MH	Mitigation Hierarchy
MDB	Multilateral Development Bank
NBSAP	National Biodiversity Strategy and Action Plan
PEBACC	Pacific Ecosystem-Based Adaption to Climate Change
PICTs	Pacific Island Countries and Territories
PVMC	Port Vila Municipal Council
PVUDP	Port Vila Urban Development Project
SEA	Strategic Environmental Assessment
SPC	Pacific Community
SPREP	Secretariat of the Pacific Regional Environmental Programme
TBC	The Biodiversity Consultancy
UNFCCC	United Nations Framework Convention on Climate Change
VIMP	Vanuatu Infrastructure Master Plan
VPMU	Vanuatu Project Management Unit
WB	The World Bank

Front cover photo: Tafea provincial government representatives for Tanna Island updating land-use maps annotated during previous broader community consultations, Provincial Council Chambers, Lenakel, Tanna, Vanuatu.

Disclaimer: The views expressed in this document are those of the authors only and do not constitute a statement of policy, decision or position of SPC, AFD or FFEM.

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# 1 Summary

As part of its regional activities, the RESCCUE project, implemented by the Pacific Community (SPC), contracted The Biodiversity Consultancy (TBC) in association with several partners, to strengthen the implementation of the mitigation hierarchy in the Pacific Island Countries and Territories, with a focus on Fiji, French Polynesia and Vanuatu. This report synthesises the activities undertaken in Vanuatu, which focused on promoting the implementation of Strategic Environmental Assessment (SEA) through pioneering trial SEA development on Tanna Island, and a cross-government national workshop to explore possibilities for incorporating SEA within the EIA and planning processes.

In the context of high levels of development pressures on Tanna Island, the absence of strategic planning, and the current update of national EIA regulations, TBC collaborated with the Secretariat of the Pacific Regional Environmental Programme (SPREP) and its PEBACC project to undertake preliminary strategic land-use planning for Tanna.

Given the novelty of strategic planning in Tanna, the complex interplay of customary land ownership with national and provincial planning, and, the limited budget for this project component, the land-use plan produced is provisional and will need further consultation and verification before it can be considered an official document. However, the Tafea Province Secretary General committed to use a finalised plan as a formal input to the Tafea Province 5-year plan, with a view to developing an SEA for the Island.

The work on Tanna was used to good effect to provide an example of what can be done to introduce some of the concepts and practice of SEA into the EIA process in Vanuatu (that is under review). A workshop involving senior representatives from across national government agencies concluded with commitments from the Department of Environmental Protection and Conservation (DEPC) Director to pursue the incorporation of SEA into draft EIA regulations currently with the State Law Office, and, to take steps to enable implementation of an integrated approach to planning and project approval.

SPREP was identified as the chosen partner to support Tafea Province with finalisation of the Tanna land-use plan, as well as DEPC objectives to include SEA into EIA regulations and develop enabling mechanisms for SEA implementation. The Multi-lateral Development Banks (MDBs) also signalled their willingness to support the building of knowledge and expertise through a planned Pacific Region 'learning centre', and possibly specific 'technical assistance' projects for Vanuatu.

## 2 Introduction and Context

During 2017 and 2018, through a contract awarded to TBC, the SPC-RESCCUE project has been supporting improvements to the implementation of the Mitigation Hierarchy (MH) in the region<sup>1</sup>, mainly focusing on 3 Pacific Island countries: Fiji, French Polynesia, and Vanuatu. This phase of work has been tailored to the opportunities and constraints identified by representatives from each of these three countries during the SPC-SPREP regional workshop on the MH held in Fiji, December 2016.

This short report summarises the work in Vanuatu to develop a provisional strategic land-use plan in Tanna Island, Tafea Province, and, through a closing workshop with National Government and CROP agencies to use the Tanna work to explore the possibilities for advancing the implementation of Strategic Environmental Assessment in Vanuatu. This work was the result of a collaboration between TBC and SPREP with funds available from SPC augmented by in-kind support through the PEBACC project.

Tanna was chosen as a place to conduct the SPC-RESCCUE MH field activity in Vanuatu because its relatively high and recent levels of development pressure combined with a high dependence on natural resources provide opportunities to both get concrete outcomes of applying the principles of the Mitigation Hierarchy, and, to provide an example for the rest of Vanuatu. In addition, the possibility to experiment with island-scale land-use planning in Tanna (something that has not been done previously either there, or in Vanuatu as a whole) was enabled by the presence and activities of SPREP's PEBACC project there.

Because of current changes in environmental regulations in Vanuatu, there is an opportunity to improve the use of strategic planning in order to obtain better mitigation outcomes. In December 2017, amendments to the Vanuatu Environment Protection and Conservation (EPC) Act passed parliament. Part of this process is the drafting of new regulations, which are currently (December 2018) at the State Law Office; this will lead to new documentation for EIA. SPREP is working to support regulation and documentation that is consistent with good practice in PICTS, as per the SPREP regional EIA guidelines<sup>2</sup>.

Currently in Vanuatu there are requirements for EIA, but there are no SEAs; this is an area for improvement, and the DEPC are open to amend the Act and draft new regulations for SEA (R. Tari, pers. comm., 2018). SPREP are aiming to follow-on from the provisional land-use planning work reported on here to do a SEA for the Port Resolution area of Tanna.

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<sup>1</sup> RESCCUE reviewed national policies and practices relating to the mitigation hierarchy and offsets across all Pacific Island Countries and Territories. The report can be accessed at: <http://purl.org/spc/digilib/doc/ow2eq>. The project also supported the development of provisional roadmaps that can be accessed at: <http://purl.org/spc/digilib/doc/ecdbr>

<sup>2</sup> These guidelines can be accessed at: <https://www.sprep.org/attachments/Publications/EMG/regional-eia-guidelines.pdf>

## 3 Tanna Provisional Land-Use Plan

### 3.1 Introduction

The Island of Tanna is part of Tafea Province and hosts the Seat of Provincial Government. Tanna itself is divided into 7 administrative 'Areas'. Provincial Government works with these Areas as local planning and government service delivery authorities which are led by Area Secretaries; consultation with customary land ownership is done by incorporating Chiefs present within these Areas into Area Councils that are chaired by the Area Secretaries.

Currently on Tanna, external commercial demand for land or resources often driving a piecemeal and reactive approach to planning (e.g. from agriculture or forestry departments, or tourism developers). Highly significant cumulative effects are being caused by forest clearance for subsistence agricultural expansion or unsustainable fishing, and these are being exacerbated by expansion of the tourism industry.

Through engagement with the Area Secretaries, it became clear that to-date, no strategic planning has historically taken place on Tanna. For this reason, with the time available on this project we have been able only to start a process and produce a very preliminary strategic land-use plan. Given the novelty of strategic planning on Tanna, our provisional plan is a significant step, but it will require extensive consultation and verification before it is able to be used as a tool for planning and environmental assessment, including implementation of the Mitigation Hierarchy.

### 3.2 Tanna Consultations and Workshop

The presence of SPREP PEBACC project activities on Tanna from 2015 thru 2018 greatly facilitated our engagement owing to Chief Alan Dan's work<sup>3</sup> on establishing a Community Conservation Area in the SE of the Island.

In preparation for the provisional land-use planning workshop on Tanna, Chief Alan was provided with maps (2015 Satellite Images and Land-cover/coastal habitat maps prepared by Griffith University<sup>4</sup>), which during the period of April-June 2018, he used to individually and collectively work with the Area Secretaries to get their knowledge on what development is happening/proposed to occur in their Areas down onto paper. Chief Alan also consulted widely with other Chiefs about conservation priorities, land-use patterns, development plans and potential land-use or marine resource-use conflicts.

The workshop was held on 12-13 June 2018 at Provincial council chambers, Lenakel, Tanna. The agenda and attendees are listed in Appendices 1 and 2 respectively. For each Area of Tanna, participants identified: A) known and proposed infrastructure (including schools, tourism ventures, wharf's, health centres etc.), and B) known or proposed conservation areas.

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<sup>3</sup> Chief Alan is a SPREP PEBACC project officer, a part-time employee

<sup>4</sup> Mackey, B. Et al Ecosystem and Socio-economic Resilience Analysis and Mapping (ESRAM) and associated work at multiple scales in Vanuatu, Draft Unpublished Report, April 2017, Griffith University.

It was very evident to workshop participants that current resource use patterns are unsustainable on Tanna; every Area clearly identified zones they would like to see conserved as 'no-go' areas to be avoided by developments. Such conservation areas were mostly defined for ecosystem service values (such as fresh water flow-regulation and supply or coastal fishery health maintenance), and, cultural values. In addition to its invaluable water services, the central-southern zone of relatively intact forest cover was valued highly from an intrinsic biodiversity perspective, in recognition of the high diversity and endemism supported by the zone.

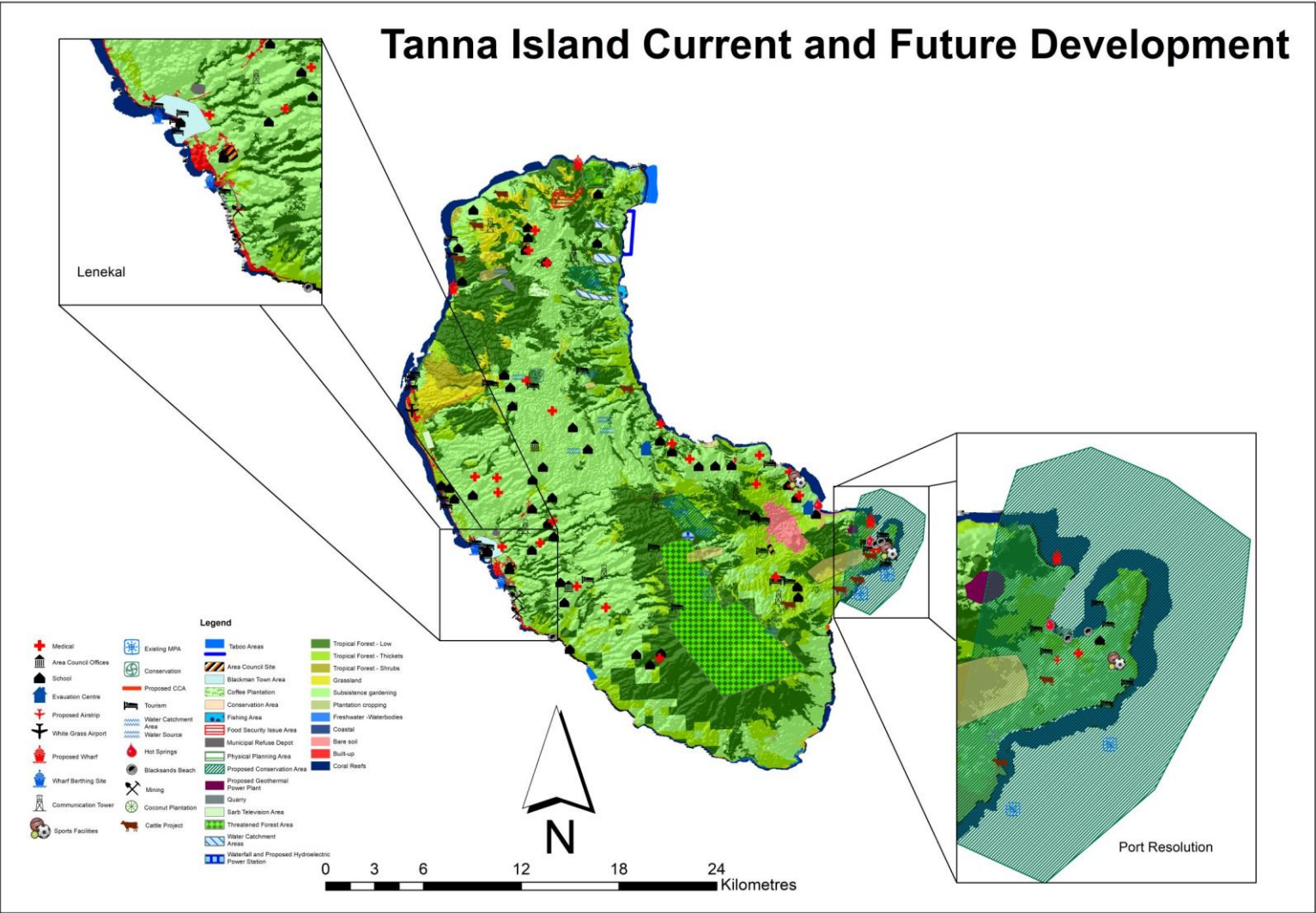
The current construction of sealed roads in Tanna by the China State Construction Engineering Corporation through a loan facility has provided a visible example of the adverse impacts of development projects without good practice application of the Mitigation Hierarchy to design and construction (for example avoidance through routing and minimisation through erosion control). This project was not subject to an EIA, and participants were motivated by this experience to become involved in the improvement of SEA-EIA implementation.

In addition to substantially building awareness among leaders - both in traditional and provincial authority capacities - about best practice planning, environmental assessment and mitigation, there were two main tangible outcomes from the workshop:

- an improved set of annotated Area maps of development and conservation plans or priorities, versus their status resulting from earlier individual consultations; Figure 1 shows an island-wide map digitised by the SPREP team in Port Vila with all Areas' information amalgamated.
- a commitment from the Tafea Province Secretary General to continue to work with SPREP so as to incorporate further editions of this land-use planning work into the new 5-year strategic plan for Tafea Province currently being developed. SPREP also committed to assisting with incorporating the work into a GIS layer so that the Provincial Planner could oversee it being progressively improved and combined with data on land-cover change.



Figure 1: Tanna Island provisional integrated-planning and land-use map



The mapping exercise undertaken through the workshop in Tanna has highlighted a number of interesting current and potential land-use conflicts. Whilst these need to be further verified, the key “hotspots” for current and future conflicts centre around three main areas:

West Coast – This is where the main town, Lenekal, the airport and many of the tourism resorts are located. Recently the west coast has been connected by a tar seal road which will potentially open the whole west coast up for development.

South Central Highland area – This is a relatively untouched area, home to high biodiversity and of significant cultural value. Whilst reasonably pristine at present, it is under potential threat from un planned or regulated tourism and timber extraction.

Port Resolution Area – This area is situated on the eastern most point of Tanna where a peninsula forms a natural harbour. The community in this area are aware of decreasing natural resources (e.g. fisheries), and have called for a “Tabu” to be put on the use of coastal resources. This has now extended to them calling for a community conservation area to be established in the area (See shaded Proposed Conservation Area in Figure 1, Port Resolution enlargement). There is also a call for increased tourism in this area due to its natural beauty and proximity to the Yasur Volcano. Now with improved road access, the development of an airfield and a cruise ship terminal are possible developments in the vicinity. Therefore, at this time there are increased risks and opportunities for the community in Port Resolution, requiring strategic planning to ensure the community benefit from the increased development and not at the expense of their natural resources, and their culture.

## 4 Port Vila – Mainstreaming Mitigation Hierarchy, National Options Workshop

### 4.1 Introduction

A full two-day workshop was held on the 14<sup>th</sup> and 15th June 2018 at the Melanesian Spearhead Group conference room, Port Vila, Vanuatu. The event was officially hosted by DEPC, with invites sent from Mr Reedly Tari, Director, assembling a good array of senior people from across Vanuatu Government, CROP agencies and multilateral development banks; Appendix 3 lists attendees.

The workshop was convened for three purposes: 1) as a way of socialising the work performed in Tanna; 2) to raise awareness about good practice SEA-EIA that employs the Mitigation Hierarchy as a tool for sustainable design; 3) to explore feasible short to mid-term options to mainstream MH practice into the Vanuatu system for planning and EIA.

Specific workshop objectives were to:

- Support the DEPC to relay the draft revised EIA regulations to a broader group of interested and effected stakeholders, and to incorporate their feedback into developing regulations;
- Highlight EIA/SEA recommended approaches in the region;
- Share & discuss key policy and implementation aspects of large scale MDBs' environmental Safeguards;
- Share the concepts of Mitigation Hierarchy framework implementation within the SEA and EIA processes, highlighting the importance of advance strategic land-use planning for good outcomes;
- Explore options for cross-departmental support for inclusion of SEA into the planning and EIA approval processes.

### 4.2 EIA Regulatory Opportunities for Mainstreaming Mitigation Hierarchy

The new EIA law (amended EPC Act) and draft regulation for Vanuatu was presented by Reedly Tari, the Director of the DEPC, and extensively discussed among attendees. The drafting lead, Kate McPherson, was present and good inputs were received from a wide range of participants on potential improvements (mostly clarifications), some of which appeared crucial to avoid misinterpretation or weak application.

TBC was advised that political and technical enabling conditions are currently not conducive to including a No Net Loss (NNL) goal for Biodiversity and Ecosystem Services in Vanuatu policy

or regulation. Nonetheless, the requirement to 'Avoid or Lessen' negative impacts is clear in Section 11 of the amended EPC Act, and DEPC acknowledged that this could usefully enable strong requirements to be placed in regulations for implementation of the Mitigation Hierarchy (albeit without a specific NNL goal).

It was noted that the current EIA guidelines do not provide all the required information for an EIA; by only referring to DEPC requirements, the proponent is required to lookup other departmental guidelines. It was agreed that a valuable improvement to EIA guidelines could be to broaden them to cover all pertinent requirements. DEPC is keen to work with all departments to obtain consistent codes of practice.

Codes of practice existing within other departments that will be considered for consistency with new EIA law include: Public Works (currently developing codes of practice); Department of Tourism (standards and codes of practice); DESPAC - Department of Strategic Planning and Aid Policy Coordination: (has general requirements only); Geology and mines: (codes of practice in draft form); Municipality: (have 5 conditions, including the need for an EIA).

#### 4.3 [WB and ADB Safeguards as Reference Models](#)

Whilst it is clear that these two MDBs in particular are a key driver of good EIA practice and capacity improvement in Vanuatu (and throughout many PICTs), the mostly brownfield infrastructure and disaster-recovery nature of their investment portfolios in Vanuatu means that to-date they have not implemented any projects with biodiversity NNL design. The only known project with such design in Vanuatu to-date from either the public or private sectors is the Port Vila Harbour redevelopment (funded by JICA), which involved coral translocation and restoration, however, results monitoring information is yet to become available.

It was confirmed that the ADB and WB are actively considering setting up the first Pacific region 'Learning Centre'. Linking Vanuatu practice leaders with this Centre would be an excellent opportunity to assist with Vanuatu's new EIA law and regulation implementation since capacity levels will be a key enabling factor to progression towards a future good MH practice. Further support could be achieved through specific 'technical assistance' funding, for example of the kind the ADB has provided to Vanuatu previously. Such investments would be justified and designed on the basis to improve 'borrower [safeguard/policy] frameworks' (*sensu* World Bank Group, as per new Environmental and Social Framework applied to lending as from 1<sup>st</sup> October 2018). These investments are anticipated in order to enable improved harmonisation between the MDB and borrower-country' regulatory approaches and for the MDBs to achieve their strategic goal of progressive enabling of safeguard assurance oversight to borrower-country' authorities.

#### 4.4 [Opportunities for SPREP Regional EIA-SEA Guidelines](#)

For the Vanuatu context, delegates agreed that a future edition of the 2016 SPREP Regional EIA Guidelines could be improved by adding early risk-assessment templates (rapid environmental risk assessments ahead of full EIA ToR drafting). As an interim measure, such templates could be added to the PNEA website as an auxiliary resource. In addition, the SPREP regional SEA guidelines currently being drafted should explicitly illustrate how the MH can be

implemented ahead of the project-specific EIA phase through advanced strategic integrated land-sea use planning.

#### 4.5 National SEA Implementation Road Map

After the a highly discursive TBC-led session on global and regional good Mitigation Hierarchy policy and practice, the room was further energised by a facilitated practical session with small groups working on a semi-fictitious example demanding attendees to make strategic MH application decisions to optimise the socio-ecologically sustainable design of a terrestrial-coastal mine and port infrastructure.

Harnessing this energy, the room proposed a spontaneous motion to build on the preliminary land-use planning work from Tanna (seen as a vital first step towards SEA) by brainstorming a road-map (see Appendix 4) to how SEA could be broadly implemented in Vanuatu. In Vanuatu, introducing SEA, rather than improving EIA, is seen as the most effective mechanism by which to improve Mitigation Hierarchy Application in the short term (i.e. by identifying priority areas for avoidance or minimisation of impacts, as well as zones most suited to restoration and offset investment). It was concluded that enabling strategic planning could viably facilitate a more integrated land and coastal resource management regime.

Actions were recorded in terms of data collation, storage and access; political engagement and inter-ministerial function; incorporation of an SEA framework within current draft EIA guidelines, capacity building, and, integration with provincial planning processes. Reedly Tari, DEPC Director, agreed to take these actions on as a priority for the DEPC to implement, requesting support from SPREP to do so if possible; noting that whilst SEA governance sits with DEPC, it needs to be a whole-of-Government approach. Appendix 5 provides guidance and information about SEA the implementation of the Mitigation Hierarchy within it.

## Appendices

### Appendix 1- Tanna Land-Use Planning Workshop Agenda

Tuesday 12<sup>th</sup> & Wednesday 13<sup>th</sup> June 2018 - Provincial council chambers, Lenakel, Tanna Island

#### **Day 1**

13:00-13:15 – Opening Prayer and Introductions

13:15-13:45 – Regional Development Planning presentations

13:45-15:00 – Workshop 1 – Capturing & revising development information at the Area scale to produce the Tanna Island provisional land-use map.

15:30-16:30 – Examples of the use of development information in the planning process particularly for environmental safeguards.

#### **Day 2**

08:30-0930 – Introduction to SEA and EIA

09:30-11:00 – Workshop 2 - The planning process using environmental safeguards

11:00-11:45 – Discussion on value of these approaches at a provincial Government level.

11:45-1200 – Sum up and close.

## Appendix 2 - Tanna Land-Use Planning Workshop Attendees

Tuesday 12<sup>th</sup> & Wednesday 13<sup>th</sup> June 2018 - Provincial council chambers, Lenakel, Tanna Island

<b>Tanna Workshop Attendees</b>		
	<b>Area Secretaries (AS)</b>	
1	Henry Saute	West Tanna AS
2	David Ali	North Tanna SA
3	John Nocklam	Central Tanna AS
4	Lui Alick	South West Tanna AS
5	Japhet Rasai	South East Tanna AS
6	Noel Yalu	North East Tanna AS
	<b>Others</b>	
7	Etiene Ravo	Acting Secretary General TPGC
8	Freeman Numanian	Administrator LTMC
9	Martin David	Planner TPGC
10	Simon Naupa	Forest Office Dept. of Forestry
11	Joseph Joel	Port Resolution Representative
12	Weri Narua	Port Resolution Representative
13	Alick Misiwaren	Port Resolution Representative
14	Remy Kali	Chairman REDD+
15	Yannick	Urban Water Supply
16	Gloria Bob	Court House
17	Wendy Thomas	Department Women's Affairs
18	Kaloka Nowig	Child Protection
	<b>SPREP Team</b>	
19	Robin Mitchell	TBC
20	Gregory Barbara	SPREP
21	Allan Dan	SPREP

## Appendix 3 – Mainstreaming Mitigation Hierarchy, National Options Workshop

### Attendees

14<sup>th</sup> & 15<sup>th</sup> June, MSG Secretariat Building, Independence Park, Port Vila. Hosted by DPEC/SPREP/SPC and co-led by TBC and SPREP.

<b>Workshop Hosted by DEPC/SPREP/SPC</b>		14-Jun	15-Jun
<b>National Government</b>		<b>attendance</b>	
Reedly Tari	DEPC	1	1
Kate Mcpherson	DEPC	1	1
Norma Tor	DEPC	1	1
Osborne Melenamu	DEPC	1	1
Tom Maimai	DEPC	1	1
Elma Didas for Jerry Spooner	Department of Tourism	1	
Wycliff Bakeo	PMs Office	1	
Williams Ganileo	VPMU	1	1
Camillia Garae (Geologist)	Department of Geology and mines	1	1
Vatumaraga MOLISA	DEPC	1	1
Uravo Naafuki	Department of Public Works	1	1
Hanningto Alatoa	VIMP	1	1
Ediza Ngwele	PVUDP	1	1
<b>Local Government</b>			
Rebecah Vata for Jim Tabi	Shefa Planner	1	1
Willie Kalo Suran	Shefa compliance officer	1	
Jerry Sampson	PVMC - Town Planner	1	
<b>Development Banks</b>			
Iain Haggerty	World Bank	1	
Allan Sewell	Asia Development Bank	1	
<b>Consultants</b>			
Juliann Williams for Albert Williams	Principal Consultant	1	1
Catherine Malosu	Review Consultant	1	1
<b>SPREP team</b>			
David Loubser	SPREP	1	1
Margaret Morris	SPREP	1	1
Gregory Barbara	SPREP EIA officer	1	1
Robin Mitchell	TBC	1	1
		<b>24</b>	<b>18</b>



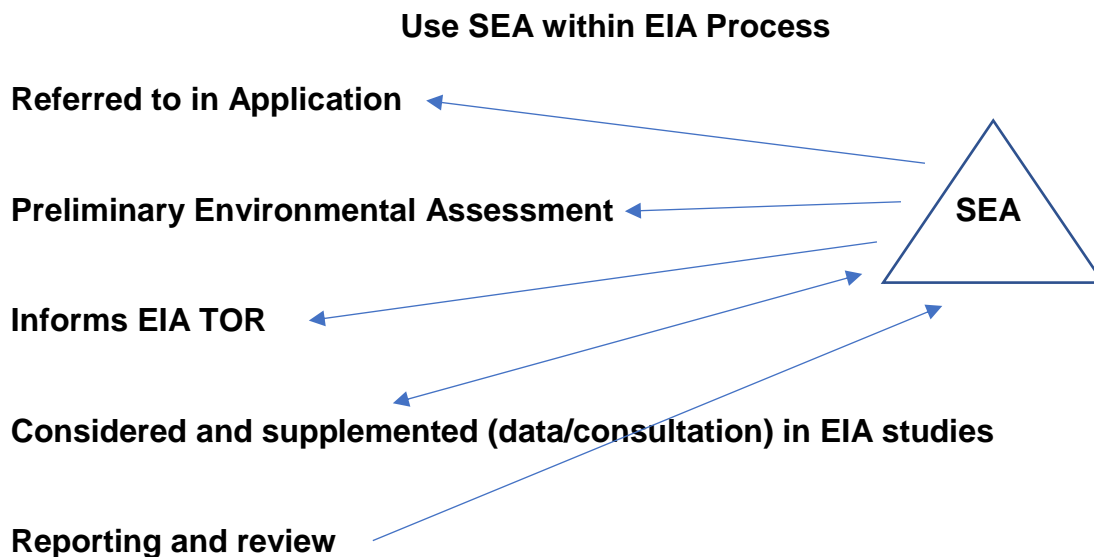
## Appendix 4 – Vanuatu SEA Development ‘Road Map’; notes from brainstorm

### Stock take

- Collect/collate information existing information
  - Land cover/Demographics/biodiversity and ecosystem service priorities
- Integration in Planning Cycle (5 year in TAFEA)
- Inter-institution
  - DEPC
  - Forestry
  - Agriculture
  - Planning

### Governance

- Coordination of inter-departmental contact point (DEPC)
- Provincial Planner
  - TOR
  - Leadership and ownership
  - Involving Chiefs through Area Supervisors



### Time scale and objectives

1. Integration with EIA (guidance)
2. Information Base and Access
3. Paper to Council of Ministers (facilitate inter departmental data collection)

- a. National Spatial Data
4. “Sell” SEA concept (Director General’s, Provincial Secretary General’s, Town planners, Political Champions (Albert))
5. Planning Governance
6. Tanna Pilot – incorporate Tanna Strategic Land-Use plan within Tafea 5 Year plan (risk assessment required)

#### **Who**

- Lead agency = DEPC/National Statistics Office
- Forestry/Fisheries/Agriculture/Livestock/Water/Health/Lands/Public Works/Internal affairs/Foreign Affairs
- SPREP/TAFEA Secretary General

#### **How**

- SPREP – INFORM/collection protocols
- Pacific GIS users’ council
- {Portal} National “Spatial Data Infrastructure” [(SDI – Department of Lands} and Policy
- UNFCCC: DEPC – Environment data and management system

#### **Outcomes**

- “Legal legs’
- Review EIA draft regulations (Currently with State Law Office) for inclusion of SEA, integrated with NBSAP
- SPREP (or other CORE agency) to support review if requested by Ministry of Climate Change & Foreign Affairs
- Support/Advocacy for review from MDBs (ADB/WB)

Appendix 5 – Further information on applying the MH through SEA

**SEA and the Mitigation Hierarchy (MH)**

The sooner SEA is introduced to Policies, Plans and Programs (PPP) making, the greater the chance it has to influence outcomes. However, SEA can also be done for an existing PPP or as a way to monitor its implementation. In the latter case, the results can be used to inform the renewal of the decisions.

The MH is a framework consisting of four steps: (1) Avoid; (2) Minimise; (3) Restore, and; (4) Offset, which needs to be followed in sequence. It aims to limit the negative impacts on biodiversity by avoiding and minimize impacts as much as possible, followed by restoring, and compensating residual impacts through the application of offsets. In SEA context, the MH offers a clear pathway to follow, particularly when assessing impacts, and identifying alternatives and mitigation.

Applying the MH for an SEA will involve nominating aspects that are most relevant to the key issues of the proposed PPP, at the landscape/seascape level. This includes looking into indirect and cumulative effects against regional or national biodiversity/conservation targets (e.g. the NBSAP).

Applying the MH within the SEA process involves asking and answering the following questions:

The Mitigation Hierarchy	Examples of key questions when applying the MH in SEA	SEA element (building block)
<b>Avoid</b>	<ul style="list-style-type: none"> <li>Where are the areas that <u>must not</u> be disturbed?                             <ul style="list-style-type: none"> <li>→ Core sensitive habitats</li> <li>→ 'Critical Habitat' (see International Finance Corporation Performance Standard 6)</li> <li>→ Core ecosystems that provide Priority Ecosystem Services</li> </ul> </li> </ul>	'possible options' e.g. a coastal spatial plan with a layout that avoids core floodplains of migratory wading birds
<b>Minimise</b>	<ul style="list-style-type: none"> <li>For this alternative (of proposed PPP), how can we minimize impacts (that cannot be avoided) on key receptors?</li> <li>Is there an option (at a landscape/seascape) to minimize added cumulative impacts from the proposed PPP?</li> <li>What needs to be done to reduce indirect effects from the proposed PPP?</li> </ul>	'trade-offs' e.g. minimizing impacts (That cannot be avoided) to wading habitat by improving water management of the associated water basin
<b>Restore</b>	<ul style="list-style-type: none"> <li>How much of the impacts can be restored?</li> <li>How long until restoration possible?</li> </ul>	'Opportunities' e.g. restoring all temporary laydown areas of all infrastructures planned as part of a coastal development plan
<b>Offset</b>	<ul style="list-style-type: none"> <li>In order-of-magnitude, how much is the 'residual impacts'?</li> <li>Is there any potentially equivalent offset sites candidate?</li> <li>Is offset feasible at those potential sites (politically, socially, technically, and politically)?</li> <li>Can we reach No Net Loss?</li> </ul>	'Decision Criteria' e.g. several unprotected biodiversity hotspots with significant pressure from human activity and similar habitat features (eligible offset sites)

### **SEA in the PICT context**

In the Pacific Island Countries and Territories (PICT) context, SEA is an underutilised tool. According to the 2016 SPREP Regional EIA Guidelines, SEAs are used to:

- prepare a strategic development or resource use plan for a defined land and/or ocean area;
- examine the potential environmental impacts that may arise from, or impact upon, the implementation of government policies and programmes; and
- assess different classes or types of development projects, so as to produce general environmental management directives or design guidelines for the development classes/types.

#### **More SEA information**

- The Organisation for Economic Cooperation and Development (OECD) has published a [good practice guidance for SEA](#);
- Specific to implementation for the policy context, the UNECE has compiled a book [on recent progress, current status and the future prospects](#);
- A [methodological guidance for SEA](#) is available from the Portuguese environmental agency;
- The World Bank has [published a guide on SEA for policies as an instrument for good governance](#);
- Experience from several South-east Asian countries on SEA implementation has been collated by the World Bank into a report titled [Overview of Strategic Environmental Assessment](#);
- The International Association of Impact Assessment (IAIA) has published a list of [performance criteria for an effective SEA](#);

#### **Specific to the PICT context:**

- The [PICT EIA Guidelines](#) developed by the SPREP has a brief introduction to SEA;
- A full report of the SEA implementation for the [Neiafu Master Plan Vava'u in Tonga](#);