

Screening RVO D2B on E(S)IA requirements & IFC PS

The NCEA's conclusions on the E(S)IA requirements for the projects below cannot be taken as legal advice or a substitute for a formal screening decision by the relevant local authorities.

Information on Request

Request from: Harold Hoiting
Date request: 10 October 2019
Date screening: 21 October 2019
Project: Garowe Water Supply – Somalia – Puntland
Country: Somalia – Puntland autonomous region
Confidentiality required: Yes
RVO point of contact for request: Harold Hoiting

Project documentation on basis of which screening was undertaken:

- QE Memo D2B19SO01 – Garowe Water supply project, Somalia (Puntland) – (Oct 2019)
- Secondary Cities Water Summary Investment Plan Puntland – (January 2018)

Screening Situation

This screening is concerning a water supply extension project in Garowe in Puntland. Garowe is a peri-urban area with 150.000 inhabitants and this number is expected to increase to 250.000 in 2030 and to around 320.000 in 2040. Water shortage in Garowe is estimated at 450.000 m3 per month. This extension project aims at improving access to safe and affordable potable water to 190.000 people through the following activities:

- Drilling boreholes
- Expansion of the distribution network
- Upgrading and construction of the water reservoir and desalination plant
- Institutional strengthening programme (support government broad based policy and reform agenda)

Detailed design of the distribution system is available. For this project, two ground water sources are considered which are located at about 15–20 km distance from Garowe. These sources were identified in the city Water Master Plan (2015) and feasibility studies for both sources have already been carried out. About water quality, it is concluded that although these sites provide water far below potable standards, these are the only available solution because water is brackish all around Garowe. It is not mentioned explicitly whether the feasibility study also looked into water availability and the results thereof. Additional geophysical investigations, test-boreholes and detailed designs are still to be undertaken.

Screening against national E(S)IA regulation: Screening approach and conclusion

Puntland is a recognised autonomous region in Somalia. According to the information the NCEA could find, the EIA Act and Regulation for Puntland were approved by the Cabinet and Parliament in 2016. The NCEA only possesses a final draft version of the EIA Act from January 2015 and could

not get access to the final version of the Act. As differences between the draft version the NCEA used (2015) and the final Act (2016) cannot be ruled out, it is recommended that the conclusions below are confirmed with the Ministry of Environment, Wildlife and Tourism.

In the EIA Act (final draft 2015) the following classification system for the necessity of an environmental impact assessment is described:

Category A projects in schedule (1a) require a comprehensive environmental impact assessment. Projects under sub 1 in this category refer to **rural and urban water supply sanitation**, which are specified into:

- Canalisation and flood-relief works (large scale)
- Dams and reservoirs (medium-large scale)
- Wastewater treatment plants (large-scale)
- Land drainage (large-scale)

Category B projects in schedule (1 b) require a preliminary environmental impact assessment, based on which the need to conduct a comprehensive environmental impact assessment will be determined. Projects under sub 1 in this category refer to **rural and urban water supply and sanitation** which are specified into:

- Rural water supply and sanitation
- Land drainage (small-scale)
- Sewerage systems
- Installations for the disposal of waste sludge

The proposed project fits into these categories and therefore the NCEA expects that an ESIA is will be required. The NCEA can however not conclude whether a preliminary or a full ESIA will be required as it is unknown what is considered as large and what is small scale.

Which IFC Performance Standards are triggered? Assessment and conclusion

To qualify for RVO financing, projects must meet the IFC Performance Standards. The ESIA process can be utilised to apply the relevant IFC PS's. Below a brief analysis is given in order to assist RVO to pursue this.

IFC PS 1: Assessment and management of environmental and social Risks and Impacts: Triggered

This PS applies to all projects. There are several potential risks and impacts with this project concerning water quality, water quantity and community health. This PS requires that project proponents identify and assess these impacts, and anticipate, avoid, minimise or compensate impacts as needed. This can be done by considering and adopting sustainable alternatives (e.g related to water source, treatment technology, location of infrastructure and distribution networks), by integrating necessary measures into the project design, and by developing and implementing appropriate environmental and social actions plans. This PS implies that the project needs to give clear justification for certain choices made such as borehole drilling, the selection of water sources and distribution routes. Throughout the whole project cycle, including operational phase, the proponent needs to identify affected stakeholders, engaging and providing

them with relevant information, and access to a suitable grievance mechanism. It is also advisable to look at the type of qualified staff needed and whether these are available or not.

IFC PS 2: Labour and Working Conditions: triggered

The documents reviewed do not give details about the number of employees. However, it does mention the fact that this project will lead to new jobs. There is needs to pay attention to working conditions during construction and operations. The ESIA needs to include a) approximation of the workforce that will be mobilised in project implementation, b) how health and safety of workers will be assured during operations like water treatment, c) how qualified staff will be recruited and/or trained.

IFC PS 3: Resource Efficiency and Pollution Prevention: triggered

This PS is triggered because the project involves the sourcing of water, the use of energy to treat and transport water and the generation of wastewater. Considering the water stress that already exists in the area, it is important that the ESIA illustrates that the approach chosen is the most efficient and effective alternative for water supply increase. The increase in water supply automatically implies an increase in the amount of wastewater. The ESIA to be undertaken needs to show how the project will deal with wastewater and take measures that its discharge will not bring any social or environmental harm.

IFC PS 4: Community Health, Safety and Security: triggered

This PS is triggered because the failure or malfunction of the water supply and management systems may pose threats to public health. This is particularly a concern considering the low water quality of the sources identified. In addition, the wastewater generated through the project could potentially cause water borne and water related diseases like malaria. There is need to identify, understand and manage these health risks throughout the whole lifecycle of the project.

IFC PS 5: Land Acquisition and Involuntary Resettlement: possibly triggered

The available information is insufficient to determine whether land acquisition and involuntary resettlement will be needed. Based on the maps seen so far, this could play a role during the construction phase if the water supply pipeline crosses houses. This issue can be avoided or mitigated by considering alternative routes that follow existing road infrastructure. The project needs to show clearly where it will build/construct 'what' and 'how' this will or will not lead to land acquisition and involuntary resettlement.

ICF PS 6: Biodiversity Conservation and Sustainable Management of Living Natural Resources: triggered

This PS is triggered because the project implies the sourcing of possibly ground water resources in an area with water stress. This could have an impact on the (ground) water table and consequences for different water users and eco-systems. In the feasibility phase, it should be determined whether there is sufficient water for the long term, and the proponent needs to take necessary measures to prevent and mitigate adverse effects on eco-system services like water provisioning. There is insufficient information in the document to conclude on possible impacts on biodiversity. It is not clear if the two sites, both about 15–20 km from Garowe are in a special nature conservation area, if certain red book species are present or if impacts sustainable management of living natural resources can be expected. It is necessary to check and verify this and to check local legislation on this aspect.

IFC PS 7: Indigenous peoples: unknown

There is no information on the possible presence of indigenous people in the area. This needs to be identified during the ESIA.

IFC PS 8: Cultural heritage: unknown

It is not clear from the documents available, whether cultural heritage will be affected. This needs to be identified during the ESIA.

Important procedural milestones and other points of attention for the upcoming E(S)IA process

Below are several highlights on the ESIA Procedure in Puntland that the RVO could take into account:

- It is recommended to link up with and obtain procedural advice from the EIA unit in the Ministry of Environment, Tourism and Wildlife (MoEW) as early as possible for the following reasons:
 - o This unit receives and deals with environmental impact assessments. Discuss with them whether this project is a Category A or Category B project in order to know whether a preliminary or full ESIA is needed.
 - o Screening and scoping are steps mentioned in ESIA, without specifying procedural requirements. This unit could provide guidance on the procedure to follow. They may also advice on necessary permits to be obtained.
 - o The ESIA unit is responsible to review ESIA's and communication from the start can help to ensure compliance with their requirements.
- During the course of the ESIA, the developer is expected to organise meetings with interested members of the public and persons within and surrounding the project area. The proponent must record stakeholders concerns, take mitigation measures and report upon this in the final ESIA. The EIA unit, through its Director General, may also demand for a public hearing.
- After submission of the ESIA documents to the EIA unit, the approval process takes 30 days. The EIA unit can object to the approval of the project if the mitigation of adverse environmental impacts is inadequately proven. Otherwise an EIA licence is issued to the proponent. Audits, by the responsible governmental body, can be expected afterwards.
- Take into account that ESIA's can only be carried out by entities licenced by the EIA unit.

At this moment it is not clear what RVO is planning on financing exactly and if additional co-financing will be required, besides the financing of the hydrogeological studies. NCEA notes that most financial institutions are only willing to finance water supply projects if the waste water component as a result are included, or clearly taken care off in one way or another.

NCEA activities in the country (if any)

Aside from an earlier screening for a project in Puntland, the NCEA does not have any experience within Somalia (and specifically the Puntland autonomous region).

Screening undertaken by:

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