

**ENVIRONMENT ACT 2021**  
**(Section 115)**

**ENVIRONMENT (GENERAL) REGULATIONS 2025**

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# REPUBLIC OF KIRIBATI



## ENVIRONMENT ACT 2021 (Section 115)

### ENVIRONMENT (GENERAL) REGULATIONS 2025

**IN EXERCISE** of the powers conferred by Section 115 of the Environment Act 2021, the Minister, acting in accordance with the advice of the Cabinet, hereby makes the following Regulations:

#### Part I - Preliminary

##### 1. Short Title

These Regulations may be cited as the *Environment (General) Regulations 2025*.

##### 2. Commencement

These Regulations shall commence upon signing of the Minister.

##### 3. Interpretation

- (1) In these Regulations, unless the context otherwise requires:
  - (a) “Act” means the Environment Act 2021;
  - (b) “Day” means a working day, excluding weekends and public holidays.
- (2) All other terms used in these Regulations have the meaning given to them in the Act.

#### Part II - Environmental Licence

##### 4. Scope of Part II of these Regulations

This Part II applies to Environmentally-Significant Activities (ESA) Schedule under the Act .

##### 5. Application for an Environment Licence (EL)

- (1) Any person proposing to undertake an ESA must apply for an Environment Licence (EL) under these Regulations prior to the commencement of the proposed activity.
- (2) Pursuant to Section 56(a) of the Act, a person shall apply to the Secretary in the prescribed form set out in Schedule 1 to these Regulations.

- (3) The Secretary shall require the Director to make the application for the EL available at the Department's office and on the Department's website.
- (4) The application form shall contain relevant and sufficient information on the pre-construction, construction, operation, closure and post-closure phases of the activity, and shall be accompanied by the prescribed fee as set out in Regulation 23.
- (5) The application shall be in English and shall be submitted in one electronic copy and three (3) hard copies.
- (6) The application form shall contain sufficient information to enable the Secretary to make a screening decision under Section 57(1) of the Act.
- (7) Within 10 days of receipt of an application, the Secretary shall carry out a preliminary assessment of the application to check that it contains sufficient information to enable the Secretary to make the screening decision.
- (8) Where the Secretary is of the opinion that there is not sufficient information to make a screening decision, the Secretary may so inform the applicant in writing specifying which further information is required and specifying a date by which such further information is to be provided.
- (9) Where, in the opinion of the Secretary, the application form is so lacking in information so as to be incapable of rectification, or where the applicant fails to provide the further information specified in sub-regulation (8) above within the specified time, the Secretary shall inform the applicant in writing and terminate the application process.

## 6. Screening

- (1) The Secretary shall make the Section 57 of the Act screening decision within 20 days of receipt of the application or receipt of the further information requested pursuant to Regulation 5(8), whichever is the later.
- (2) The Secretary may direct the Department to carry out a site visit to the area of the proposed activity to verify the information provided in the application and the 20 days referred to in sub-regulation (1) shall not commence until the Department has reported back to the Secretary.
- (3) In making the screening decision the Secretary shall take into account the following;
  - (a) the matters set out in Section 57(3);
  - (b) the criteria set out in Schedule 2; and
  - (c) the results of any site visit referred to in sub-regulation (2).
- (4) In making a screening decision the Secretary shall make that decision based on the most sensitive component relevant to the proposed activity, including any environment, social, health or livelihood component.
- (5) Where the screening decision is that the applicant must submit a Basic-EIA report or a Comprehensive EIA Report, those reports shall include an Environmental Management Plan.
- (6) The Secretary shall inform the applicant in writing of the screening decision and shall give reasons for that decision.

## 7. Environment Management Plan

- (1) This Regulation applies where an Environment Management Plan (EMP) is required as part of the EL application.
- (2) The minimum contents of an EMP shall include, as relevant, the information set out in Schedule 3, and shall be accompanied by the prescribed fee as set out in Regulation 23.
- (3) The objective of the EMP is to ensure the mitigation of impacts are carried out effectively throughout the life-cycle of the proposed project.
- (4) The EMP shall be in English and the non-technical summary shall be in both English and in Kiribati language.
- (5) The EMP shall be submitted in one electronic copy and in five (5) hard copies.

## 8. Scoping and terms of reference for EIA reports

- (1) The scoping phase shall establish the framework of activities and impacts that will require further investigation during the preparation of the Basic EIA report or the Comprehensive EIA report.
- (2) The scoping phase shall identify the likely key environmental impacts and risks from the proposed activity, including impacts on social conditions, health and livelihood.
- (3) The scoping phase shall, in particular:
  - (a) define the study area;
  - (b) define the area that may be affected by the activity;
  - (c) define the activity phases, including, in particular, and as relevant; pre-construction, construction, operation and decommissioning phases;
  - (d) provide an indication of what baseline data and information will be required;
  - (e) identify the policies and legislation, including that from other line ministries, with which the proposed activity must be in compliance;
  - (f) identify any best available techniques and best environmental practices and international standards with which the proposed activity must be in compliance;
  - (g) identify the likely key environmental impacts, including biological, ecological, physical, social and economic impacts, that require detailed assessment;
  - (h) identify the methodologies that will be used for the impact assessments;
  - (i) identify the issues to be focused upon when discussing mitigation and abatement measures; and
  - (j) identify key stakeholders including local communities to be consulted.
- (4) The applicant shall prepare draft Terms of Reference for the environment impact assessment based on the format for a term of reference for a basic EIA report set out in Schedule 4 or the terms of reference for a comprehensive EIA report set out in Schedule 5, as the case may be.
- (5) The applicant shall submit the draft Terms of Reference to the Secretary for approval.
- (6) The Secretary may, within 20 days of receipt, either approve the Terms of Reference or require the applicant to revise the draft Terms of Reference.

- (7) The Secretary may consult with any other organisation or committee to obtain their opinion on the draft Terms of Reference, which shall be taken into account by the Secretary in making the decision referred to in sub-regulation (6).
- (8) The Secretary shall require the Director to make the draft Terms of Reference available at the Department's office and on the Department's website.
- (9) Any person may make comments in writing to the Secretary on the draft Terms of Reference before the date referred to in sub-regulation (6), and the Secretary shall take such comments into account when making that decision.
- (10) Where the Secretary requires the applicant to revise the draft Terms of Reference the Secretary shall specify the revisions to be made and give reasons for that decision, and specify a date by which the revised draft Terms of Reference is to be provided by the applicant.
- (11) Where the applicant fails to provide a revised Terms of Reference by the date specified in sub-regulation (6) or where the revised Terms of Reference fail to adequately address the concerns raised by the Secretary when requesting a revised Terms of Reference, the Secretary shall refuse the draft Terms of Reference, terminate the application process and inform the applicant in writing giving reasons for that decision.

#### 9. The objectives of any EIA report

- (1) The general objectives of the EIA report are to provide, in an appropriate level of detail;
  - (a) information about the proposed activity,
  - (b) baseline information about the environmental, social and economic conditions in the area of the proposed activity,
  - (c) information on the potential impacts of the activity,
  - (d) information on the proposed measures to avoid, reduce or compensate any significant negative impacts,
  - (e) information on the main alternatives considered by the applicant, and the reasons for making that choice,
  - (f) the public consultations that have taken place so far, and the results of such consultations,
  - (g) outline of the information required for the Environmental Management Plan, and
  - (h) a non-technical summary.
- (2) The EIA report shall address the potential impacts based on detailed field surveys at the different stages of a proposed activity, as relevant, and in particular, pre-construction, construction, operation and decommissioning phases, and shall be accompanied by the relevant prescribed fee as set out in Regulation 23.
- (3) The EIA Report shall only be prepared and signed by qualified and registered EIA consultants and/or companies.
- (4) The EIA report shall be in accordance with Section 58(2) of the Act and in accordance with the approved Terms of Reference for that report.
- (5) The EIA report shall be in English and the non-technical summary shall be in both English and in Kiribati language.

#### 10. The content of the EIA report

- (1) The minimum contents of the Basic EIA report are set out in Schedule 6.
- (2) The minimum contents of the Comprehensive EIA report are set out in Schedule 7.
- (3) Any EIA report shall be submitted in one electronic copy and in five (5) hard copies.

#### 11. Initial verification of any EIA report and/or EMP

- (1) Within 15 days of receipt of the EIA report and/or the EMP the Secretary shall carry out an initial examination of the documents to ensure that they meet the legal requirements for those documents and to ensure that the EIA Report complies with the Terms of Reference that had been agreed for that environment impact assessment.
- (2) Where the EIA report and/ or the EMP do not meet the requirements of sub-regulation (1), the assessment process shall be paused and the documents returned to the applicant. The Secretary shall inform the applicant in writing of any defects in these documents and inform the applicant that if those defects are rectified the EIA report and / or the Environmental Management Plan may be re-submitted and the evaluation process recommenced.
- (3) The provisions of sub-regulation (2) shall not prevent the Secretary from subsequently requesting further information from the applicant.
- (4) Where the EIA report meets the requirements of sub-regulation (1), the Secretary shall direct the Director to initiate the review of the EIA report.
- (5) Where the EIA report meets the requirements of sub-regulation (4), the Secretary shall direct the Director to require the applicant to carry out public consultation in accordance with Section 61 of the Act and Regulation 12.

#### 12. Public consultation on the EIA report

- (1) All public consultation in relation to EIA reports shall be carried out in accordance with Section 61 of the Act, the Department Guidelines and any other instructions imposed by the Director.
- (2) The Director shall specify, in accordance with Section 61 of the Act, the deadline for receipt of comments to the EIA report and the accompanying EMP which shall not be less than 28 days from the date of last publication in a newspaper, last notice on the radio or last public hearing, whichever comes later.
- (3) For the purposes of sub-regulation (2), the Director may specify
  - (a) the number of times of publication in newspapers and minimum size of the publication; and
  - (b) the minimum times of publication on the radio, and times of such publication.
- (4) The documents referred to in sub-regulation (2) shall be made available at the Department's office and on the Department's website, and in other public offices as the Director may specify such as libraries, Office of Te Beretitenti, local authority offices.
- (5) The documents shall be available for viewing at the Department's office during normal working hours and shall be made available free of charge.

- (6) Where any member of the public wishes to photocopy all or part of any document at the Department's office, the Department may charge a reasonable fee.
- (7) The Director shall ensure that the applicant makes the documents available for viewing by the public at at least one suitable and public location in the vicinity of the proposed project and which will be open beyond normal working hours. Such public location may include, for example, church hall, community and health centres, or school hall.
- (8) The documents shall be available at the places referred to in sub-regulation (4) and (7)) until the deadline for public consultation has passed.
- (9) Where the Director requires one or more public hearings on the proposed activity, the applicant shall organise and arrange such public hearings in accordance with any directions given by the Director.
- (10) The public hearings shall be held at appropriate locations and times.
- (11) Any member of the public shall have the right to speak and express their comments or suggestions at the public hearing.
- (12) The applicant shall be responsible for all costs of any such public hearing.
- (13) The Department shall act as Chair of the public hearing and shall make a record of all comments received from the public along with responses from the applicant on how it intends to address the concerns raised by the public.
- (14) The applicant shall revise the EIA report and/or the EMP if necessary, taking into account the comments and responses referred to in sub-regulation 13.
- (15) The record referred to in sub-regulation (13) and any revised EIA report and/or EMP shall be submitted to the Secretary within a timeframe that will be advised by the Department, for further review and consideration in accordance with Regulation 15.

### 13. Request for additional information

- (1) If at any time during the review of the application for an EL, the Secretary is of the opinion that additional information is required from the applicant, the Secretary shall inform the applicant in writing specifying the additional information required and the reasons why it is required.
- (2) The deadline for the submission of the additional information shall be a date agreed by the Secretary and the applicant.
- (3) The application process is paused on the date that the Secretary requests the additional information and resume on the date that the additional information is received by the Secretary.
- (4) Where the applicant does not submit the additional information within the deadline agreed, or where the additional information is incomplete or does not address the deficiency in the application, the Secretary shall terminate the application process and inform the applicant in writing giving reasons for that decision.

#### 14. Seeking advice or information

- (1) Where, in the opinion of the Secretary, technical expertise is required to advise on any issue related to the proposed activity, the Secretary shall consult with such person or persons, organisations or committees (hereafter “outside expert”).
- (2) Any outside expert referred to in sub-regulation (1) shall be free from any conflict of interest and may be Kiribati or non-Kiribati nationality.
- (3) The outside expert may provide advice to the Secretary regarding the Secretary’s responsibilities under Part IV of the Act and under these Regulations, as so requested.
- (4) Any information or advice given to the Secretary by an outside expert pursuant to this regulation shall be made available to the applicant.
- (5) All reasonable costs of any such outside expert shall be borne by the applicant.
- (6) Prior to the engagement of any outside expert under this regulation, the Secretary shall inform the applicant in writing of the intention to use such outside expert and of the likely reasonable costs of that expert. Where the applicant informs the Secretary that the reasonable costs would not be paid by the applicant, the Secretary shall terminate the application process and so inform the applicant.

#### 15. Decision by the Secretary after full assessment of the EL application

- (1) In making a decision on the application the Secretary shall, in addition to the matters set out in Section 62(2) of the Act, take into account:
  - (a) The application, including any EIA report and/or EMP;
  - (b) Any comments or suggestions received from the public pursuant to Regulation 12;
  - (c) Any additional information submitted to the Secretary pursuant to Regulation 13 above; and
  - (d) Any advice or information received pursuant to Regulation 14 above.
- (2) Subject to the provisions of Regulation 13(3), the Secretary shall make the decision referred to in sub-regulation (1) within:
  - (a) 3 months of receipt of the EMP;
  - (b) 4 months of receipt of the Basic EIA Report; or
  - (c) 5 months of receipt of the Comprehensive EIA report.
- (3) Subject to the provisions of Regulation 13(4), the Secretary shall make the decision terminate the application.
- (4) Where the application is approved, the Secretary shall issue an EL in the prescribed form set out in Schedule 8 for the proposed activity and impose any conditions as prescribed.
- (5) Where an EMP had been required, it shall be a minimum condition of any EL that the activity is carried out in accordance with the approved EMP.
- (6) Where an EIA report had been required, it shall be a minimum condition of any EL that the activity is carried out in accordance with the approved EIA report.
- (7) Where the application is refused, the Secretary shall give reasons for that refusal in writing to the applicant.



## 16. Proposed changes to the permitted activity

- (1) It is a duty of a licence holder to notify in writing the Secretary for review and approval of any proposed changes to the permitted activities prior to making those changes.
- (2) Any changes to the permitted activities carried out without prior approval of the Secretary will be considered a breach of the EL conditions and the work or activity may be ceased and the current EL be suspended until further notice or revoked pursuant to Section 64(2) of the Act.
- (3) The licence holder of a permitted activity shall review, and if necessary revise the EMP and, if necessary the EIA report, and submit them to the Secretary for review and approval if the licence holder intends or plans to carry out any changes to the activity that may significantly affect the environment or human health.
- (4) The application referred to in sub-regulation (3) shall be accompanied by:
  - (a) any proposed changes to the activity;
  - (b) any proposed revision of the EMP, if relevant;
  - (c) any proposed revision of the EIA report, if relevant;
  - (d) any proposed revisions of the licence conditions; and
  - (e) the prescribed fee as set out in Regulation 23.
- (5) The Secretary shall review the application and either:
  - (a) approve the proposed changes to the permitted activity, the EMP and EIA report if any, and the proposed changes to the EL;
  - (b) make further revision to the EL; or
  - (c) reject the application to change the permitted activity.
- (6) The Secretary shall inform the licence holder in writing of the decision under sub-regulation (5) and, where the decision is to revise the EL shall issue a revised licence,

## 17. Renewal of an Environment Licence

- (1) The licence holder may request a renewal of the EL by way of application to the Secretary.
- (2) The application for renewal shall be made in sufficient time for the Secretary to make a decision on the application prior to the end of the period of validity of the existing EL.
- (3) The application for renewal shall be accompanied by the prescribed fee and shall contain as relevant:
  - (a) the proposed period of validity of the renewed licence;
  - (b) the reason(s) for the request;
  - (c) any changes to the activity that are being proposed by the licence holder;
  - (d) any other information that is considered relevant by the licence holder; and
  - (e) the prescribed fee as set out in Regulation 23.
- (4) The Secretary shall review the application and either:
  - (a) renew the EL with the same conditions;
  - (b) renew the EL with changes to the conditions;
  - (c) require the licence holder to submit a new EMP for review and approval;
  - (d) require the licence holder to submit a new EIA report where, in the opinion of the Secretary, there may be significant effects on the environment or human health; or

- (e) reject the application to renew the EL.
- (5) The Secretary shall inform the licence holder in writing of the sub-regulation (4) decision and, where the decision is to renew the EL shall issue a renewed licence.

#### 18. Requested transfer of an Environment Licence

- (1) Pursuant to Section 65 of the Act, an EL may only be transferred upon approval of the Secretary.
- (2) Where a person requests to transfer the EL to another person, a joint application to do so shall be made to the Secretary.
- (3) The joint application referred to in sub-regulation (2) shall be accompanied by the EL and shall include the:
  - (a) name, address and phone number of the licence holder;
  - (b) name, address and phone number of the other person; and
  - (c) prescribed fee as set out in Regulation 23.
- (4) The Secretary shall grant the application for the transfer of the EL unless the Secretary considers that the other person will not have control over the activity concerned or will not ensure that the activity is operated in compliance with the conditions in the EL.
- (5) Where the Secretary grants the application, it shall do so by endorsing the EL with the name and details of that other person as the holder of the EL and sign that endorsement, and issue the endorsed EL to the applicants.
- (6) Where the Secretary refuses the application, it shall give written reasons for that refusal.
- (7) The Secretary shall make a decision under this Regulation within 15 days of receipt of the request to transfer.

### Part III Monitoring and Inspection

#### 19. Monitoring of the licenced activity

- (1) The licence holder shall monitor their activities in all phases of the activity in accordance with the provisions of the EL and the approved Environmental Management Plan if any, and pay the annual environmental monitoring fee as set out in Regulation 23 upon issuance of EL.
- (2) The licence holder shall inform the Department without delay of any incident or accident which is, or which may, significantly affect the environment or human health.
- (3) The licence holder shall keep for at least five years, as relevant:
  - (a) records of all discharges to water or to air;
  - (b) records of all disposals of waste, including types and quantities of waste and method of disposal;
  - (c) records of any accident or incident, including information on any actions taken; and
  - (d) records of all monitoring for at least five years, including any results of any corrective actions taken.

- (4) The records referred to in sub-regulation (3) shall be made available to the Department or any authorised officer upon reasonable request.

## 20. Inspection

- (1) Any environment inspector may inspect at any time any licenced activity in accordance with Section 9 and Part VI of the Act.
- (2) An environment inspector may enter any licenced premises or activity at any time during normal working hours and at any time in the event of an emergency or suspected emergency.

## Part IV EIA Consultants

### 21. Registration of EIA Consultant

- (1) Any person who have registered as EIA consultants with the Department shall be acceptable for preparing Basic EIA report or Comprehensive EIA report.
- (2) The Secretary shall refuse any EIA report prepared by a person who does not hold a valid registration certificate.
- (3) Any person who wishes to register as an EIA Consultant shall meet the criteria and apply using the application form set out in Schedule 9 and pay the prescribed fee as set out in Regulation 23.
- (4) No registered Consultant shall prepare or work on an EIA report for a proposed activity unless that Consultant is free from any conflict of interest.
- (5) Where an application has been successful, the Director shall issue the Consultant with the registration certificate which shall be valid for 3 years.
- (6) Any registered EIA Consultant may apply to the Director to renew their registration certificate using the format set out in Schedule 9 and pay the prescribed fee as set out in Regulation 23.
- (7) Where the Director decides not to register a Consultant or renew their registration, the Director shall inform the applicant in writing giving reasons for the refusal.
- (8) For the purposes of sub-regulation (7) the Director may refuse to register a Consultant where:
  - (a) the applicant does not have the relevant qualifications or experience;
  - (b) the applicant has prepared EIA reports in the past that were inadequate; and
  - (c) the applicant has a conflict of interest.

### 22. De-registration of an EIA Consultant

- (1) The Director may cancel any registration of an EIA Consultant where that Consultant has:
  - (a) a conflict of interest in a proposed activity for which the Consultant was involved in the preparation of the EIA report;
  - (b) failed to perform duties in accordance with the Act or with these Regulations;
  - (c) committed a breach of the registration criteria.

- (2) Where the Director intends to cancel the registration of an EIA Consultant the Director shall so inform the Consultant in writing giving reasons for the decision.

## Part V Fees

### 23. Fees

- (1) For the purposes of Part IV of the Act, the prescribed fees for EL are set out in the following table -

| Item | Fee for:                                                                                                                    | Fee (AUD) |
|------|-----------------------------------------------------------------------------------------------------------------------------|-----------|
| 1    | Initial application for an EL for an activity (s56 of the Act and Regulation 5 above)                                       | 100.00    |
| 2    | Submission of an Environmental Management Plan when required by the Secretary (s57(1)(b) of the Act and Regulation 7 above) | 500.00    |
| 3    | Submission of a basic EIA Report when required by the Secretary (s57(1)(c) of the Act and Regulation 10(1) above)           | 1,000.00  |
| 4    | Submission of a comprehensive EIA Report when required by the Secretary (s57(1)(d) of the Act and Regulation 10(2) above)   | 2,000.00  |
| 5    | Annual Environmental Monitoring (Regulation 19 above)                                                                       | 50.00     |
| 6    | Request by the licence holder to change one or more conditions in the EL (Regulation 16 above)                              | 50.00     |
| 7    | Request by the licence holder to renew the EL (Regulation 17 above)                                                         | 50.00     |
| 8    | Request by the licence holder and the proposed transferee to transfer the EL (s65 of the Act and Regulation 18 above).      | 50.00     |
| 9    | Environment Scientific Research Application Fee                                                                             | 300.00    |

- (2) The prescribed fees for EIA Consultants are set out in the following Table:

| Item | Fee for                                                                      | Fee (AUD) |
|------|------------------------------------------------------------------------------|-----------|
| 1    | Application for EIA Consultant registration (Regulation 21(3) above)         | 100.00    |
| 2    | Application to renew registration of EIA Consultant (Regulation 21(6) above) | 50.00     |

## Part VI Seizure of Items

### 24. Seizure of items

- (1) An environment inspector may, after seizing any item in accordance with the Act –
- (a) take or move the item to any place the environment inspector considers appropriate; or
  - (b) direct the –
    - (i) owner of the item; or
    - (ii) the occupier of the premises or any building on those premises where the item was seized, to retain the item in any reasonable place and manner that the environment considers appropriate.
- (2) As soon as practicable after seizing an item, an environment inspector shall –
- (a) issue a notice to the person in control of the item immediately before it was seized;

- (b) issue a notice to the owner of the item; or
  - (c) leave an issued notice at the place from which the item was seized.
- (3) The Notice under sub-regulation (2) shall –
- (a) contain a description of the item seized;
  - (b) contain a brief reason for the seizure;
  - (c) specify the date and time of the seizure;
  - (d) contain a statement that the owner may appeal to the Minister for the return of item if the item is not connected with a contravention or a possible contravention of this Act; and
  - (e) be signed by the environment inspector seizing the item.
- (4) A notice may cover more than one seized item.
- (5) The owner shall be notified to take the seized items, unless a court makes a contrary order, when any of the following occur –
- (a) 90 days after the seizure, if proceedings which the item is connected have not commenced before that time, unless there is a written notice from Police Prosecutions, environment prosecution or Attorney General’s Office notifying that the case is being processed and the seized item is still required.
  - (b) the reason for its seizure no longer exists; or
  - (c) all proceedings to which the item is connected have concluded and any fines or other amounts ordered to be paid by the owner of the item have been paid; and
  - (d) an item is released to the owner by the Minister under sub-regulation (6)
- (6) Where an owner of a seized item has appealed to the Minister under section 112 of the Act and the Minister is satisfied that the seized item is not evidentiary material then the item shall be released to the owner.
- (7) The Minister may release any seized item to the owner either –
- (a) unconditionally; or
  - (b) on such conditions as the Minister thinks fit (including conditions about payment of bonds equal to the value of the item).
- (8) A seized item is forfeited to the Republic if –
- (a) the owner of the item cannot be found after reasonable enquiries; and
  - (b) the owner of the item fails to collect the item after being informed that it is available for collection.
- (9) Immunity for seizing items  
No civil or criminal proceedings shall be instituted or continued against a person to whom this section applies in his/her official capacity.

## Part VII Miscellaneous

### 25. General offences

Any person found to be in breach of the provisions of these Regulations commits an offence and shall be dealt with under Part VII, in particular sections 93, 98, 114 and 115(3) of the Act where deemed most relevant and appropriate.

### 26. Repeal of previous regulations

- (1) The Environment (General) Regulation 2017, made on 13 December 2017, and any other Environment General regulations made under the Environment Act 1999 and the Environment (Amendment) Act 2007 are hereby repealed.
- (2) Any existing Environment Licence issued or authorized under the Environment (General) Regulation 2017, shall remain valid until the date of its expiry, and the licence holder may apply to amend, renew or transfer the licence in accordance with these Regulations.

Dated this .....03...../.....10...../2025



**HON Tokaibure Rabaua**  
Ministry of Environment, Lands and  
Agriculture Development

Published by exhibition at the Office of the Beretitenti on 3/10/25



**DR Naomi Biribo**  
Secretary to the Cabinet



## Schedule 1. Application Form for an Environmental Licence for an Environmentally Significant Activity

### Notes

*The licence applicant shall provide the information set out below that is relevant to the proposed activity.*

*This information is required to enable the Secretary to make a screening decision on the application pursuant to s57 of the Act.*

*The s57 decision may be delayed if the information provided in the application is incomplete.*

### Application Form

1. Name, address and contact details of the applicant  
*This information should also contain the principal contact person for the applicant (name, title, phone number and email address)*
2. Name, address and contact details of the activity proponent, if different from the applicant  
*This information should also clarify the difference between the applicant and the proponent, if any*
3. The type of proposed activity  
*Specify the Environmentally Significant Activity (ESA) by reference to the Schedule to the Act.*
4. Description of the activity  
*This information should include the name of the activity, its purpose, benefits, estimated cost, and the proposed dates of construction and completion.*
5. Location of the proposed activity  
*The address of the proposed activity, including island, local council area, and other relevant information. If the proposed activity may have an impact on another administrative area, provide details of those likely affected areas*
6. Information on the legal ownership of the land  
*Description of the legal ownership of the land to be used for the proposed activity, including any title, deed or documentation, or lease or other authorization.*
7. Maps and plans
  - a. maps and plans of the location of the project, showing project components and activities. The maps or plans should be at the appropriate scale to help determine the relative size of the proposed project, components and activities
  - b. If possible, provide GPS coordinates
  - c. Maps or plans of appropriate scale showing the location of the proposed project, components and activities relative to existing features, including but not limited to;
    - i. Water bodies (permanent or temporary)
    - ii. Linear and transport components (for example, airports, ports, roads, electrical power transmission lines, pipelines)

- iii. Other features of existing or past land use (for example cultural or sacred sites, commercial developments, houses, residential areas, industrial facilities, other activities, or sensitive receptors such as schools, hospitals, etc)
    - iv. Community lands and nearby communities
    - v. Parks, protected areas, heritage sites, community areas, habitats of species that require special protection (i.e. threatened species) or other environmentally sensitive areas
    - vi. Fisheries and fishing areas.
  - d. Photographs of the proposed project location, where possible
- 8. Plans and technical drawings of the proposed activity
- 9. Feasibility studies of the proposed activity
 

*This section should include a summary of the technical studies on the feasibility of the proposed activity. The studies themselves may be included as annexes to this Application. Where the feasibility studies are not included, please explain why they are not included and indicate the date by which they may be provided.*

*Note that the Secretary may require the feasibility study to be provided prior to making the s56 decision.*
- 10. Land and water use
 

*Describe any land uses or water uses that may be affected by the proposed activity*
- 11. Environmental and Social impacts and mitigation measures
  - A. Biophysical impacts
 

Provide a brief description of the likely environmental impacts and mitigation measures associated with the proposed activity. This brief description should be based on existing knowledge and available information. This information should include:

    - a. a description of the physical and biological components
    - b. a description of the physical and biological components that may be negatively affected by the proposed activity
    - c. whether there are likely to be any global impacts, including climate change impacts, and, if so, the nature and extent of those likely impacts.
  - B. Socio-economic impacts
 

Provide a brief description of the effects of the proposed activity on local peoples and associated mitigation measures. This brief description should be based on existing knowledge and available information. This should include, as relevant:

    - a. Health impacts
    - b. Socio-economic impacts
    - c. Economic impacts
    - d. Cultural and heritage impacts
    - e. The current uses of the land and resources, including for any traditional purposes
    - f. Impacts on any historic, archaeological, sacred sites (including non-physical impacts).
- 12. Public consultation
 

Provide the following information to the extent that it is available or applicable:

  - a. A list of stakeholders that may be interested and potentially affected by the carrying out of the proposed project. In addition, this section should describe any consultation activities carried out to date with stakeholders, including:
    - i. Names of stakeholders previously consulted;
    - ii. Date(s) each stakeholder was consulted; and
    - iii. Means of consultation (e.g., face-to-face or community meetings, mail, email, website or telephone).



- b. An overview of key comments and concerns expressed to date by stakeholders and any responses that have been provided
- c. An overview of any ongoing or proposed stakeholder consultation activities.

13. Consultation with other authorities

*If there has been any consultation with any other authority, this should be summarized here. This section should also indicate any permissions, permits or licences that the licence applicant will have to obtain from any other authority.*

## Schedule 2. Criteria to be taken into account of s57 consideration of an application for an environmental licence

The criteria listed below shall be taken into account by the Secretary when making a screening decision under s57 of the Act and Regulation 6 of these Regulations.

1. The characteristics of the activity, in particular:
  - a. The size of the activity
  - b. The cumulative effects of the project activities with other projects and activities
  - c. The use of natural resources
  - d. The production of waste
  - e. Air emissions
  - f. Wastewater discharges
  - g. Noise and vibrations
  - h. Other pollution
  - i. The presence of any dangerous chemicals
  - j. The risk of accidents
  - k. The proposed activity is unprecedented in respect of scale or type of activity.
2. The location of the activity, in particular:
  - a. Is the activity located in or adjacent to any protected area, critical or natural habitat, historical or cultural heritage site, or other environmentally and socially sensitive area
  - b. Is the activity likely to have any impacts on the areas referred to in point (a) above
  - c. Existing land use
  - d. Is the activity located in or adjacent to any densely populated areas
  - e. Is the activity located near any areas of public use, including educational and medical facilities.
3. The characteristics of the significant potential impacts, in particular:
  - a. The size of the area likely to be affected by the activity
  - b. The size of the population likely to be affected by the activity
  - c. The size of the impact(s)
  - d. The timing, frequency and duration of the impact(s)
  - e. The reversibility of the impact(s)
  - f. The probability of occurrence of the impact(s).

*Based on the information in the EL application and the above criteria, the screening decision shall be based upon:*

### **Comprehensive EIA.**

*The proposed ESA activity is likely to have significant negative environmental impacts that are irreversible, diverse, unprecedented and in sensitive location(s). The impacts may affect an area larger or wider than the immediate project area.*

### **Basic-EIA.**

*The potential environmental impacts from the proposed ESA activity are less adverse than for C-EIA and are fewer in number and not in such a sensitive location. Impacts are site-specific,*

*few of which, if any, are irreversible. The negative impacts can be addressed through mitigation measures.*

***EMP.***

*The proposed ESA activity is likely to have minimal or no adverse environmental impacts and located away from sensitive areas. The negative impacts can be addressed through mitigation measures.*

***EL with conditions (i.e. no EMP or EIA)***

*The likely impacts from the proposed activity are well known and site-specific and discrete. Any impacts can be addressed through clear and precise conditions in the EL. Note, however, that it would be unusual for a proposed ESA to not require an EMP or EIA.*

### Schedule 3. Minimum Contents of an EMP

#### 1. Introduction

- **Activity Description:** Briefly introduce the activity, including the purpose, objectives, and location. Mention key stakeholders such as the applicant, contractors, and other entities involved.
- **The Activity:** Outline the phases of the activity (e.g., pre-construction, construction, operation, decommissioning).
- **Details of the Applicant:** Provide the name, contact information, and relevant background of the applicant or owner.
- **Details of Who Prepared the EMP:** If relevant, include the names, qualifications, and contact details of the consultants or team responsible for preparing the EMP.

#### 2. Activity Description and Justification

- Provide detailed information about the environmental conditions, location, and layout of the activity. Include maps, technical drawings, and descriptions of natural resources required (e.g., energy, water, raw materials).
- **Green Procurement:** Outline strategies to source materials sustainably, assessing competition for resources with local communities.

#### 3. Policy, Legal and Institutional Framework

- Reference relevant national environmental and other laws, policies, and international standards applicable to the activity, including the **Environment Act 2021** and **Environment (General) Regulations 2025**.
- **Compliance Requirements:** Mention all legal obligations under the Environmental (General) Regulation 2025 and any additional requirements specific to the project activity's scope. Typical additional obligations may consist of international standards such as World Bank/IFC/ADB performance standards, IFC environmental, health and safety standards or guidelines, ADB environmental and social safeguards, Equator principles, ISO standards, EITI principles, and sustainability reporting guidelines under the Global Reporting Initiative and others.
- **Institutional roles and responsibilities:** This section should identify the different roles and responsibilities of the applicant and institutions at the different stages of the proposed activity. In particular it should identify who should update the EMP based on detailed designs, who incorporates that into the bid and contract documents, civil works contractor to prepare construction or site-specific EMPs based on this, the applicant's EMP. This section should also identify who monitors compliance with the EMP.

#### 4. Environmental Management

- **Environmental and Social Risks and Issues:** Summary of potential environmental and social impacts for each phase (pre-construction, construction, operation, decommissioning), including air quality, water resources, terrestrial and marine ecosystems, soil, waste management, noise, and vibrations.
- **Mitigation Measures:** Propose specific, achievable mitigation measures for each identified impact. Address both biophysical and social impacts, ensuring measures are in place to minimize or eliminate negative outcomes.
  - **Example:** For construction, implement dust suppression methods (e.g., water spraying) and waste management protocols.
- **Monitoring and Compliance:** Define how construction activities will be monitored to ensure compliance with environmental objectives and pollution control measures. For

example, specify thresholds for air quality, noise, and water quality and the frequency of testing.

Key areas for environmental and social management:

- **Occupational Health and Safety:** Include health protocols and safety measures for workers, especially in high-risk environments.
- **Waste Management:** Outline solid and hazardous waste handling, stockpile management, and procedures for safe disposal.
- **Water Resources:** Address water use and protection, particularly where local water supplies might be affected.
- **Marine and Coastal Management:** If relevant, assess impacts on marine ecosystems and propose mitigation, such as silt barriers to protect coral reefs.

## 5. Management Plans and Responsibilities

- **Environmental Management Plans (EMPs):** For each identified impact, provide a detailed mitigation and management plan. The plan must be broken down by activity phase, with specific measures, their location, responsible personnel, and monitoring requirements. It may be necessary to sub-divide this section between the different phases of the proposed activity: pre-construction, construction, operation, closure and decommissioning.
- **Governing parameters:** This section should set out the specific emission limit values and environmental quality standards which are relevant to the proposed activity. The applicant must indicate how they intend to comply with international best practice and Best Available Technologies. Any use of modelling or engineering calculations should be clearly explained and referenced. The applicant must provide details of all relevant parameters – and for emissions/discharges to air, water, soil, and waste management. Discharges to sewers should be included, if relevant. This section should also address any occupational health and safety standards.
- The information may be provided in table format. For example:

**Responsibility Matrix:** Create a table summarizing each environmental issue associated mitigation measures, the location of implementation, responsible personnel/institutions, and monitoring requirements.

| Environmental Issue | Mitigation Measures               | Location          | Responsible Personnel | Monitoring Requirements  |
|---------------------|-----------------------------------|-------------------|-----------------------|--------------------------|
| Air Quality         | Dust suppression (water spraying) | Construction Site | Site Manager          | Daily air quality checks |
| Waste Management    | Solid waste segregation           | All Phases        | Waste Officer         | Monthly waste audits     |

- **Emergency plan:** The EMP should include an emergency plan to address risks associated with accidents and emergencies during construction, operation and decommissioning. The emergency plan should be linked to any other local emergency plans. The emergency plan should address the specific risks associated with any dangerous chemicals or hazardous wastes (if any).
- **Decommissioning plan:** If relevant, the EMP should address the decommissioning of the activity at the end of the effective operational phase of the activity. Until near the end of the operational phase, the decommissioning plan is not expected to be detailed.

Until then, the EMP should present a conceptual closure, post-closure and rehabilitation plan covering all activity components. Before the end of the operational phase of the activity, a detailed closure, post-closure and rehabilitation plan shall be presented to the Department for approval.

## 6. Climate-Proofing Measures

- **Climate Resilience:** Based on climate risk assessments, integrate climate-proofing measures to ensure project resilience to extreme weather events, rising sea levels, and coastal erosion. Use data on historic climate patterns and future projections to guide these measures.
- **Green Infrastructure:** Implement nature-based solutions such as planting mangroves for coastal protection and restoring wetlands to manage floods. These measures can also promote biodiversity conservation and carbon sequestration.

## 7. Monitoring Program

- Develop a comprehensive monitoring plan that outlines how mitigation measures will be tracked over time, specifying indicators, methods, and the frequency of data collection for each phase of the activity.
  - **Example:** Monitor water quality quarterly for any project-related discharges into nearby water bodies, testing for pollutants such as heavy metals and turbidity.
- The above information may be presented in table format. It may be necessary to subdivide this section between the different phases of the proposed activity, such as: pre-construction, construction, operation, closure and decommissioning.
- The Monitoring program should be such that the following objectives are met:
  - to measure the impacts that occur during the different phases of the activity, as relevant, pre-construction, construction, operation, closure and decommissioning;
  - to ensure compliance with legal requirements and corporate commitments;
  - to determine the effectiveness of mitigation measures and other environmental or social protection measures, such as enhancement measures;
  - to determine the accuracy of impact predictions;
  - to facilitate impact management by warning of unanticipated impacts.
- The monitoring programs (e.g., air quality or groundwater monitoring) should be designed to allow for appropriate management actions to be taken as soon as possible in the event of any accident or incident, or any non-compliance with any emission limit value or environmental quality standard.
- **Adaptive Management:** Include an adaptive management strategy that allows for adjustments to mitigation measures based on monitoring results or unforeseen environmental changes.

## 8. Public Engagement and Grievance Mechanism

- **Stakeholder Engagement:** Outline how public consultations will be conducted throughout the project lifecycle. Ensure participation from local communities, especially those impacted by the activity, to foster transparency and trust.
- The applicant must ensure that the public, including affected people and vulnerable people/groups have the opportunity to participate fully in the consultation process.

Consultations should take place on a continuous basis starting as early as possible in the application development process. This section should include:

- Purpose of the consultation during the preparation of the EMP methodology and approach
  - summary of consultation activities carried out
  - summary of main comments received from the public, community leaders, NGOs, local officials, other stakeholders
  - identify how those comments were taken into account
  - details of public participation activities (dates, venues, attendance, topics discussed, minutes of meetings etc.)
  - Summarize the public acceptance or opinions on the proposed activity
  - describe other related materials or activities (such as press releases, notifications
  - recommendations for future consultations.
- This section should also include the measures to ensure the continued participation of the public throughout the life-cycle of the activity.
  - **Grievance Mechanism:** Establish a grievance mechanism (GM) to address community concerns arising during the pre-construction, construction, operation and decommissioning, closure and post-closure phases, as relevant.
  - This GM may be managed by the Environmental Licence holder with the involvement of local authorities and community leaders. This may be accomplished by setting up a project mediation committee that will meet on a regular basis, or in response to a particular incident.
  - The applicant should indicate how it will manage complaints and grievances in the EMP.
  - Any complaints and grievance mechanism is without prejudice of the rights of any complainant to make a complaint to the environmental or other authorities or to commence proceedings through the courts.

## 9. Cost Estimates

- Provide a detailed breakdown of the costs associated with implementing the mitigation measures and monitoring programs. Ensure that both initial and recurring expenses are accounted for to secure the necessary funding for EMP implementation.

## 10. Work Plan and Implementation Schedule

- This section should include a work plan and implementation schedule for implementing all mitigation and monitoring activities, clearly linking these to activity milestones (e.g., start of construction, operational phases). The work plan and implementation schedule are particularly important during the construction phase of the activity.

## 11. Non-Technical Summary

- Provide a simplified summary of the EMP in clear and accessible language, in English and Kiribati language, ensuring that it can be understood by all stakeholders, including local communities. This should highlight key environmental risks, mitigation strategies, and how the activity will meet environmental objectives.



## **Annexes**

It may be necessary to include thematic environmental management and monitoring plans. These may be better presented as annexes to the main EMP.

Depending on the scale of the activity, different plans may be required for the different phases of the proposed activity: pre-construction, construction, operation, closure and decommissioning.

The types of specific management and monitoring plans may include, as relevant:

- a) noise / vibration
- b) visual aspects
- c) water use / hydrology (incl. siltation)
- d) waste water
- e) air quality
- f) solid waste (incl. construction debris)
- g) hazardous waste
- h) soil erosion
- i) dangerous chemicals
- j) integrated pesticide management
- k) leakages and spills
- l) emergency responses
- m) transport and traffic management
- n) worker health and safety
- o) community health and safety
- p) cultural heritage
- q) quality of life of affected people.

## Schedule 4. Format for ToR for Basic EIA Report

### 1. Introduction

- **Activity Overview:** Provide a brief description of the activity, including its objectives, location, size, and key components. This should include a summary of the activity phases (e.g., pre-construction, construction, operation, and decommissioning).
- **Purpose of the BEIA:** Explain the goal of the BEIA, which is to assess the potential environmental and social impacts of the activity and propose practical mitigation measures for minimizing any adverse effects.
- **Regulatory Framework:** Outline the relevant legal and regulatory frameworks, including the **Environment Act 2021**, the **Environmental (General) Regulation 2025**, and other applicable national laws and international standards.

### 2. Objectives of the BEIA

- **Identify Key Environmental and Social Impacts:** Assess the potential environmental, social, and cultural impacts of the activity.
- **Propose Mitigation Measures:** Develop strategies to mitigate or minimize adverse environmental and social effects.
- **Ensure Compliance:** Ensure the activity complies with national laws and regulations and international best practices for environmental and social management.
- **Promote Sustainability:** Encourage sustainable development principles, including resource efficiency, waste management, and climate-proofing strategies.

### 3. Scope of Work

The BEIA will address the following components:

#### 3.1 Activity Description

- **Activities:** Provide a detailed description of the activity, including design, location, site characteristics, and a breakdown of key activities.
- **Activity Phases:** Outline the phases of the activity (e.g., pre-construction, construction, operation, and decommissioning), specifying the duration and resources required (e.g., energy, water, materials).
- **Maps and Drawings:** Include maps, site plans, and technical drawings, where applicable, to illustrate the activity's location and components.

#### 3.2. Baseline Environmental Conditions

- **Physical Environment:**
  - Collect baseline data on climate, topography, air quality, water resources (surface and groundwater), and soil characteristics.
  - Data collection and analysis methods: Field measurements, remote sensing, and existing data sources.
- **Biological Environment:**

- Assess the existing biological conditions across land, air, marine, lagoon, and freshwater environments, including local biodiversity, habitats, and any protected species.
- Data collection and analysis methods: Species surveys (e.g., bird counts, vegetation sampling), habitat mapping (e.g., GIS analysis), and consultation with local experts (e.g., biologists, ecologists, traditional knowledge).
- **Social Environment:**
  - Gather data on the local socio-economic context, including population demographics, land use, livelihoods, and cultural or historical sites that may be impacted.
  - Data collection and analysis methods: Surveys (e.g., household questionnaires, key informant interviews), statistical analysis of existing data (e.g., census data, economic indicators), and consultation with local communities (e.g., focus group discussions, community meetings).

### 3.3. Identification of Environmental and Social Impacts

- **Direct and Indirect Impacts:** Identify the direct and indirect environmental impacts associated with the activity (e.g., air emissions, water pollution, habitat disturbance).
- **Cumulative Impacts:** Assess cumulative impacts if the activity is part of a larger development area or involves multiple activities that may collectively affect the environment.
- **Social and Cultural Impacts:** Evaluate potential social impacts, such as effects on local communities, livelihoods, land use, and cultural heritage.
- **Climate Change Impacts:** Assess potential impacts of climate change on the activity and the surrounding environment, including sea-level rise, increased frequency and severity of extreme weather events, and changes in temperature and precipitation patterns.

## 4. Mitigation Measures

- **Development of Mitigation Strategies:** Propose specific, cost-effective mitigation measures for each identified impact, ensuring that they are practical and feasible given the scale of the activity.
- **Environmental Management:** Recommend strategies for managing waste, emissions, water use, and biodiversity, as well as measures to reduce environmental and social impacts.
- **Climate Resilience:** Include climate-proofing measures such as resilient infrastructure designs and resource efficiency initiatives.

## 5. Stakeholder Consultation

- **Consultation Plan:** Develop a plan for consulting with local communities, government agencies, and other relevant stakeholders to gather feedback on the activity.
- **Public Participation:** Ensure inclusive and transparent consultations, especially with affected communities and vulnerable groups.
- **Documentation of Feedback:** Record the concerns and inputs received during consultations and describe how these were addressed in the BEIA.

## 6. Environmental Management Plan (EMP)

- **Integration with BEIA Findings:** Develop a simplified **Environmental Management Plan (EMP)** based on the findings of the BEIA. The EMP should outline:
  - **Mitigation Measures:** Specific actions to manage environmental and social impacts.
  - **Monitoring Plan:** Define clear indicators for monitoring performance and specify the frequency and methodology for monitoring.
  - **Roles and Responsibilities:** Assign responsibilities for implementing the EMP, including the applicant and contractors.
- **Grievance Mechanism:** Include a simple grievance redress mechanism to address community concerns during the activity's implementation

## 7. Reporting and Deliverables

(The consultant shall include statements outlining the documents to be prepared, using the provided text as an example.)

- **Draft BEIA Report:** A draft BEIA report will be prepared summarizing the activity details, baseline environmental data, impact assessments, mitigation measures, and stakeholder consultation outcomes. The report will include relevant technical annexes and supporting data to substantiate the findings.
- **Final BEIA Report:** The final EIA report will be prepared that incorporates feedback from stakeholders and regulatory authorities into the final BEIA report. The final report must address all concerns raised during the review process, ensuring compliance with relevant standards and expectations.
- **Non-Technical Summary:** A non-technical summary of the BEIA report will be prepared in both English and Kiribati languages for public dissemination. This summary must be written in clear, plain language to ensure it is easily understood by local communities and stakeholders.

## 8. Monitoring and Reporting

- **Monitoring Plan:** Develop a monitoring plan to track key environmental and social indicators throughout the project lifecycle.
- **Reporting Mechanisms:** Specify how and when monitoring reports will be submitted to regulatory authorities, including the frequency of environmental audits and compliance reviews.
- **Adaptive Management:** Ensure that the monitoring plan allows for adaptive management to address unexpected environmental or social impacts that may arise during activity implementation.

## 9. Deliverables

- **Draft BEIA Report:** Submission of a comprehensive draft BEIA report for review.
- **Final BEIA Report:** Finalized BEIA report incorporating feedback from stakeholders (including the public) and authorities.
- **EMP:** A simplified Environmental and Social Management Plan.

- **Stakeholder Consultation Report:** Documentation of the stakeholder engagement process, including key issues raised and how they were addressed.
- **Non-Technical Summary:** A concise and accessible summary of the BEIA findings and recommendations.

#### **10. Timeline and Budget**

- **Activity Timeline:** Provide a schedule for conducting the BEIA, including milestones for data collection, stakeholder consultations, draft and final report submissions, and any follow-up actions.
- **Budget:** Include a budget that details the costs of conducting the BEIA, including stakeholder consultations, data collection, reporting, and any other associated activities.

#### **11. Non-Technical Summary**

- Provide a summary of the BEIA ToR in plain language, both in English and Kiribati, to ensure it is accessible to all stakeholders, including local communities. This summary should clearly outline the main environmental and social risks, the proposed mitigation strategies, and how the activity will achieve its environmental and social goals.

This Terms of Reference (ToR) outline for a Basic Environmental Impact Assessment (BEIA) ensures that activities with lower environmental and social risks are still thoroughly evaluated for potential impacts and that practical mitigation measures are implemented, promoting sustainability and compliance with national and international environmental standards.

## Schedule 5. Format for ToR for Comprehensive EIA Report

### 1. Introduction

- **Activity Overview:** Provide a brief description of the activity, including its objectives, location, key components, and the phases of implementation (pre-construction, construction, operation, decommissioning).
- **Purpose of the CEIA:** The EIA aims to assess potential environmental and social impacts of the activity, propose mitigation measures, and ensure compliance with national and international environmental standards. It should also integrate sustainability and climate resilience into activity planning and execution.

### 2. Objectives of the CEIA

- **Identify and Assess Impacts:** Evaluate the potential direct, indirect, and cumulative impacts of the activity on the physical, biological, and social environments.
- **Mitigation Strategies:** Propose effective mitigation measures to avoid, reduce, or compensate for negative impacts while enhancing potential positive outcomes.
- **Sustainable Development:** Ensure that the activity promotes sustainable resource use, protects biodiversity, and incorporates climate-proofing strategies to mitigate climate risks.
- **Regulatory Compliance:** Ensure the activity adheres to the **Environment Act 2021**, the **Environmental (General) Regulation 2025**, and any applicable national and international environmental and social standards.

### 3. Scope of Work

The consultant(s) will undertake the following tasks as part of the CEIA process:

#### 3.1. Activity Description

- Provide a detailed description of the activity's technical, spatial, and temporal aspects, including design, location, scale, and implementation phases. Include maps, technical drawings, and site plans.
- Describe key activities associated with each phase (e.g., pre-construction, construction, operation, and decommissioning), including resource use (energy, water, materials) and expected outputs (waste, emissions).

#### 3.2. Data Collection Methodology

- **Overview of Approach:** Describe the overall methodology to be adopted for collecting baseline data, including qualitative and quantitative techniques. Ensure the methodology is consistent with international best practices and applicable national standards.
- **Tools and Techniques:** Identify specific tools (e.g., GIS mapping, drones, laboratory equipment) and techniques (e.g., field surveys, stakeholder interviews, participatory rural appraisal) to be employed for data collection.
- **Data Sources:** Outline primary data sources (e.g., on-site measurements, field observations) and secondary data sources (e.g., government reports, published studies). Emphasize the use of reliable and up-to-date data.
- **Sampling Framework:** Describe the sampling design, including sample size, geographic distribution, and the rationale for selecting sites.

- **Quality Assurance:** Specify measures to ensure the accuracy, reliability, and reproducibility of collected data. This should include validation protocols, peer reviews, and adherence to established standards.
- **Stakeholder Input:** Detail how stakeholders (e.g., local communities, government agencies) will be involved in the data collection process to ensure inclusivity and transparency.

### 3.3. Baseline Environmental Data

- **Physical Environment:** Collect baseline data on topography, geology, climate, air quality, water resources (marine, surface and groundwater), and soil conditions. Identify any existing pollution sources and seasonal variations.
- **Biological Environment:** Assess local biodiversity, focusing on sensitive ecosystems (e.g., wetlands, mangroves, coral reefs) and protected or endangered species. Map critical habitats and assess potential impacts on biodiversity.
- **Social and Economic Environment:** Collect baseline data on the local population, land use, socio-economic activities (e.g., agriculture, fisheries), cultural heritage, health services, and infrastructure. Identify communities and stakeholders who may be directly or indirectly affected by the activity.

### 3.4. Impact Identification and Assessment

- **Direct and Indirect Impacts:** Assess the environmental and social impacts associated with each activity phase. This should cover impacts on air quality, water resources, soil, biodiversity, and social conditions (e.g., livelihoods, land use, cultural heritage).
- **Cumulative Impacts:** Identify and evaluate cumulative impacts, particularly in areas where multiple projects or activities overlap (e.g., adjacent developments, shared water bodies).
- **Social and Cultural Impacts:** Assess potential impacts on local communities, including disruptions to traditional livelihoods, access to resources, health risks, and effects on cultural or historical sites.

### 3.5. Mitigation Measures

- **Development of Mitigation Strategies:** Propose realistic, cost-effective mitigation measures for each identified impact, ensuring that they are integrated into the activity's design and implementation plans.
- **Focus on Sustainability:** Incorporate sustainable practices, such as resource efficiency (water and energy conservation), waste minimization, and biodiversity protection.
- **Climate Resilience:** Include climate-proofing measures such as elevating infrastructure in flood-prone areas, reinforcing coastal protection (e.g., planting mangroves), and using climate-resilient materials for construction.

### 3.6. Analysis of Alternatives

- **Project Alternatives:** Evaluate feasible alternatives to the activity's design, location, and technology. This analysis should consider the environmental, social, and economic impacts of each alternative, including the "no project" option.
- **Sustainable Solutions:** Highlight alternatives that prioritize environmental sustainability, resource efficiency, and lower carbon footprints.
- **Justification for Selected Option:** Provide a reasoned explanation for the chosen activity design, demonstrating why it represents the best balance of economic, environmental, and social considerations.

### 3.7. Climate Risk and Adaptation

- **Climate Risk Assessment:** Assess potential climate-related risks (e.g., sea-level rise, extreme weather events, increased flooding) and how they may affect the activity and surrounding communities.
- **Adaptation Measures:** Propose adaptation strategies to reduce climate risks, such as green infrastructure (e.g., mangroves for coastal protection), flood management systems, and storm-resistant construction.

### 3.8. Public Consultation and Stakeholder Engagement

- **Consultation Plan:** Develop a stakeholder engagement plan to involve local communities, indigenous groups, government agencies, and other stakeholders throughout the EIA process. Ensure that consultations are inclusive and transparent, especially with affected communities and vulnerable groups.
- **Documentation of Stakeholder Feedback:** Record stakeholder feedback during consultations and demonstrate how it has been addressed in the activity's design or mitigation measures.
- **Transparency and Inclusivity:** Ensure transparency in the consultation process, making all relevant EIA documents accessible to the public.

### 3.9. Environmental Management Plan (EMP)

- **Integration with CEIA Findings:** Develop a comprehensive **Environmental Management Plan (EMP)** based on the EIA findings. This should include:
  - **Mitigation Measures:** Specific actions to manage and mitigate environmental and social impacts.
  - **Monitoring Plan:** Define clear indicators for monitoring environmental and social performance, as well as the frequency and methodology of monitoring.
  - **Roles and Responsibilities:** Assign clear roles for implementing the EMP, including responsibilities for contractors, the applicant, and environmental specialists.
  - **Reporting Mechanisms:** Specify how and when monitoring reports will be submitted to regulatory authorities, including the frequency of environmental audits and compliance reviews.
  - **Adaptive Management:** Ensure that the monitoring plan allows for adaptive management to address unexpected environmental or social impacts that may arise during activity implementation.
  - **Grievance Mechanism:** Establish a grievance redress mechanism to manage and address community concerns during activity implementation.

## 4. Reporting Requirements

(The consultant shall include statements outlining the documents to be prepared, using the provided text as an example.)

- **Draft CEIA Report:** A draft CEIA report will be prepared that details the activity description, baseline environmental conditions, impact assessments, mitigation measures, and analysis of alternatives. The report must include relevant technical appendices and supporting data to substantiate the findings.
- **Final CEIA Report:** The final CEIA report will be prepared that incorporates feedback from stakeholders and regulatory authorities into the final CEIA report. The final report must address all concerns raised during the review process, ensuring compliance with relevant standards and expectations.



- **Non-Technical Summary:** A non-technical summary of the CEIA report will be prepared in both English and Kiribati languages for public dissemination. This summary must be written in clear, plain language to ensure it is easily understood by local communities and stakeholders.

## 5. Deliverables

- **Draft CEIA Report:** Submission of a comprehensive draft CEIA report for review including all appendices and supporting documents (e.g., maps, baseline data).
- **Final CEIA Report:** Finalized CEIA report including all appendices and supporting documents (e.g., maps, baseline data). incorporating feedback from stakeholders (including the public) and authorities.
- **Environmental Management Plan (EMP):** Deliver a comprehensive EMP with detailed mitigation and monitoring plans. This can be part of the Draft and Final CEIA Report.
- **Stakeholder Consultation Reports:** Provide detailed reports of stakeholder engagement activities, including consultation minutes, feedback received, and how it was addressed. This can be part of the Draft and Final CEIA Report.
- **Non-Technical Summary:** Include a plain-language summary of the CEIA in English and Kiribati language for public input/feedback.

## 6. Timeline and Budget

- **Activity Timeline:** Provide a schedule for conducting the CEIA, including milestones for data collection, stakeholder consultations, draft and final report submissions, and any follow-up actions.
- **Budget:** Include a budget that details the costs of conducting the BEIA, including stakeholder consultations, data collection, reporting, and any other associated activities.

## 7. Non-Technical Summary

- Provide a summary of the CEIA ToR in plain language, both in English and Kiribati, to ensure it is accessible to all stakeholders, including local communities. This summary should clearly outline the main environmental and social risks, the proposed mitigation strategies, and how the activity will achieve its environmental and social goals.

This Terms of Reference (ToR) outline for a Comprehensive Environmental Impact Assessment (CEIA) ensures that activities with high environmental and social risks are still thoroughly evaluated for potential impacts and that practical mitigation measures are implemented, promoting sustainability and compliance with national and international environmental standards.

## Schedule 6. Minimum Contents of a Basic EIA Report

### 1. Executive Summary

- A concise summary of the report written in both **Kiribati and English**.
- Highlights key findings, environmental impacts, and proposed mitigation strategies.
- Provides a brief overview of the activity, its purpose, and potential environmental issues.

### 2. Introduction

- **Activity Overview:** Provide a brief description of the activity, including its objectives, location, size, and key components.
- **Details of the Applicant:** Provide the name, contact information, and relevant background of the applicant or owner.
- **Details of Who Prepared the BEIA:** Provide the names, qualifications, and contact details of the consultants or team responsible for preparing the BEIA. Provide a copy of the registration from ECD of the EIA Consultant(s).

### 3. Objective of the Proposed Activity

- Clearly state the main goal of the activity and its significance.
- Explain how the activity meets the needs of the local community or the intended sector.
- Clearly state the objectives of the BEIA.

### 4. Analysis of the Need for the Proposed Activity

- Provide a rationale for why the activity is necessary.
- Include economic, social, or environmental reasons for pursuing the activity.
- Discuss the potential benefits of the activity, focusing on environmental improvements or social benefits.

### 5. Policy, legal & institutional framework

- **National Policies and Legislation:** Identify the relevant national and local policies and legislation that apply to the activity, including environmental policies and legislation.
- **International Obligations:** Reference any international agreements or conventions that the activity must adhere to (e.g., climate change commitments, biodiversity conservation).
- **Institutional Responsibilities:** Specify the roles of government agencies and other authorities involved in environmental management and activity approval.
- **Environmental Harm:** Detail potential harm to sensitive ecosystems (e.g., coral reefs, mangroves) and protected species, if applicable.

### 6. Activity Description

The BEIA must provide a detailed description of the proposed activity, including:

- **Methodology:** Describe how the BEIA was conducted in accordance with the approved BEIA Terms of Reference (ToR), including key aspects of impact identification and assessment and any particular approaches employed in preparing the BEIA.
- **Designs, Plans, and Maps:** Include technical drawings and layouts of the activity area and facilities.
- **Activity Phases:** Outline the phases of the activity (e.g., pre-construction, construction, operation, decommissioning).

- **Materials and Equipment:** List required materials and specify their sources (whether local or imported).
- **Construction Process:** Outline the steps involved in construction, including working hours and schedules.
- **Waste Generation:** Identify any waste products (solid, liquid, gaseous), including wastewater and emissions/discharges to air, and outline the methods for managing them.
- **Environmental Harm:** Detail potential harm to sensitive ecosystems (e.g., coral reefs, mangroves) and protected species, if applicable.

## 7. Description of the Environment

- **Current Environmental Conditions:** Provide a description of the current state of the environment, including climate, biodiversity, and water resources in the activity area.
- **Vulnerable Ecosystems:** Identify any areas at risk (e.g., coastal areas, wetlands, or protected species habitats).
- **Current Social Conditions:** Provide a description of the demographics of the local population, economic activities and livelihoods, health and well-being, cultural heritage and practices, social infrastructure, social relations and community dynamics, community engagement, as well as land tenure and property rights within the activity area.
- **Social Risks:** Identify any social risks, including those related to vulnerable groups, social equity (e.g., access and rights), sensitive cultural heritage, potential displacement and resettlement, and other relevant factors.

## 8. Environmental Impact Analysis

A comprehensive analysis of potential impacts, including:

- **Direct and Indirect Impacts:** Analyse potential direct effects on the environment, such as habitat destruction, pollution, or noise.
- **Cumulative Impacts:** Consider the combined effects of the activity with other existing or planned projects.
- **Climate Change Considerations:** Identify how climate change (e.g., rising sea levels, extreme weather) could affect the activity or be exacerbated by it.
- **Mitigation Measures:** Propose strategies to minimize negative impacts (e.g., waste management, habitat restoration).
- **Socioeconomic and Cultural Impact Assessment:** Analyse the social, economic, and cultural impacts of the activity, particularly focusing on livelihoods, health, and any displacement or resettlement issues.

## 9. Alternatives Analysis

- Present alternative methods, designs, technologies, or locations for the activity.
- Include the **"No Project" Alternative:** What would happen if the activity were not implemented? This provides a baseline comparison for decision-makers.

## 10. Environmental Management Plan (EMP)

The BEIA must include a comprehensive **Environmental Management Plan (EMP)** that provides a clear strategy for mitigating environmental impacts, monitoring compliance, and ensuring the sustainability of the activity. The EMP should address the following elements:

- **Mitigation Measures:** Detail the measures to mitigate environmental risks throughout the project lifecycle, including pre-construction, construction, and operation phases. This should also encompass **climate adaptation** and **resilience strategies** to minimize the activity's vulnerability to climate change.

- **Monitoring and Compliance Plan:** Outline the process for monitoring environmental performance and ensuring compliance with the EMP. This should include:
  - **Key performance indicators (KPIs):** Metrics to assess the success of mitigation measures.
  - **Reporting mechanisms:** Procedures for documenting and reporting compliance to relevant authorities.
  - **Adaptive management:** A framework that allows the EMP to be updated based on monitoring results, unforeseen environmental impacts, or changes in activity scope.
- **Roles and Responsibilities:** Clearly define the roles of all parties involved in implementing and monitoring the EMP, including contractors, the applicant, government agencies, and local stakeholders. Ensure accountability by specifying who is responsible for each mitigation action and monitoring task.
- **Cost Estimates:** Provide detailed cost estimates for implementing all mitigation measures and ongoing monitoring requirements. This should cover both **initial capital costs** and **long-term operational costs** associated with the EMP's implementation.
- **Implementation Plan:** Develop a clear plan for the EMP's implementation, including:
  - **Timeline:** Detailed activity phases and the corresponding implementation of mitigation measures.
  - **Resource Allocation:** Ensure financial, technical, and human resources are effectively allocated to carry out the EMP.
  - **Accountability:** Assign specific responsibilities for each aspect of the EMP, ensuring that all mitigation efforts are executed according to the established timeline.
- **Risk and Emergency Response Plan:** Outline how potential risks and emergencies (such as spills, accidents, or extreme weather events) will be managed during construction and operation. The plan should include:
  - **Preparedness:** Protocols for identifying risks early and preventing incidents.
  - **Response:** Specific actions to be taken in the event of an emergency, with clear roles for all involved.
  - **Plan Updates:** Ensure the emergency response plan is regularly reviewed and updated to reflect any changes in activity scope, location, or new risks.
- **Review and Continuous Improvement:**
  - Incorporate a schedule for reviewing the EMP and making necessary updates based on **activity performance** and **emerging environmental issues**. Continuous improvement ensures the EMP remains relevant and effective throughout the project lifecycle.
- **Grievance Mechanism:** The EMP must include a robust grievance redress mechanism (GRM) that enables community members and other stakeholders to voice feedback, concerns or complaints during all stages of the activity. The GRM should ensure transparent, fair, and timely resolution of grievances to foster trust and maintain a positive relationship between the activity team and the local community. This mechanism should address the following elements:
  - **Accessibility:** Provide multiple, easily accessible channels for submitting grievances, including in-person, online, phone options and drop-boxes (that allow for anonymity). Ensure that all stakeholders are aware of these channels through clear and culturally appropriate communication.
  - **Process and Timeline:** Establish a straightforward process for handling feedback/grievances with defined steps for acknowledgment, assessment, and

resolution. Include specific timelines for each step to ensure that feedback/grievances are addressed in a timely manner, reducing the potential for escalation.

- **Confidentiality and Protection:** Guarantee confidentiality for complainants to prevent retaliation or discrimination. Ensure that individuals feel safe to voice their concerns without fear of negative repercussions.
- **Resolution and Feedback:** Assign clear responsibilities for grievance resolution, ensuring accountability. Provide regular updates to complainants on the progress and outcome of their grievances and document how each issue was resolved.
- **Monitoring and Reporting:** Regularly monitor the grievance process and outcomes, including the types of complaints received and their resolutions. Integrate grievance data into activity's reports to track trends, identify recurrent issues, and make improvements to prevent future grievances.
- **Continuous Improvement:** Periodically review and improve the grievance mechanism based on feedback from stakeholders and activity performance, ensuring it remains relevant and effective throughout the project lifecycle.

A well-structured grievance mechanism promotes community trust and social licence to operate by ensuring that all concerns are heard and addressed effectively.

## 11. Consultation and Public Engagement

- Summarize the results of consultations with local communities, stakeholders, and relevant agencies.
- Include any concerns raised and how they will be addressed in the activity design or execution.
- Ensure that the public has been involved early and transparently in the planning process.

## 12. Non-Technical Summary

- Provide a summary of the BEIA Report in plain language, both in English and Kiribati, to ensure it is accessible to all stakeholders, including local communities. This summary should clearly outline the main environmental and social risks, the proposed mitigation strategies, and how the activity will achieve its environmental and social goals.

## 13. References and Annexes

### References

- **Sources:** Provide a comprehensive list of all sources, studies, scientific papers, government policies, and international guidelines referenced in the preparation of the BEIA report. Ensure citations are accurate and complete to allow readers to trace information back to the original sources.
- **Data and Technical Documents:** Include detailed references for any data sets, technical reports, environmental assessments, or modelling data used. Specify data origins, collection methods, and analysis techniques where relevant. This allows stakeholders to understand the foundations of the BEIA report and the reliability of its findings.
- **Maps:** Reference all maps that show the activity location, environmental conditions, or other spatial data used in the report. Specify the map scale, data sources, and publication date.

### Annexes

- **Detailed Maps and Diagrams:** Include maps with sufficient detail to illustrate the activity components, site boundaries, sensitive areas (e.g., protected zones, cultural heritage sites), and proximity to communities or natural resources. For instance, a map showing vegetation cover, water bodies, and proximity to local settlements may be useful.
- **Activity-Specific Figures and Technical Diagrams:** Add any figures or diagrams that clarify activity design, engineering details, or environmental management structures. Diagrams of

wastewater treatment processes, stormwater management plans, and other technical elements should be provided where relevant.

- **Supporting Studies and Specialized Reports:** Include annexes of key supporting studies or specialized reports not covered in the main document (e.g., soil erosion control plans, biodiversity studies, hydrology assessments). Summarize these studies in the main report and include full versions in the annex.
- **Stakeholder Engagement Details:** Provide documentation of stakeholder consultations, such as meeting minutes, attendance lists, feedback received, and evidence of community engagement efforts, as part of a detailed annex. This enhances transparency and shows how local input was considered in project planning.

The References and Annexes section should be thorough and well-organized to ensure readers have access to all necessary background and supporting materials for understanding the BEIA report in full detail.

## Schedule 7. Minimum Contents for a Comprehensive EIA Report

### 1. Executive Summary

- **Purpose:** Provide a concise summary of the proposed activity, outlining its purpose, location, and the key findings of the EIA.
- **Key Findings:** Provide a summary of the most significant environmental and social impacts, including biodiversity, water quality, air quality, land issues and climate-related risks. Describe the main mitigation measures proposed and any potential residual impacts.
- **Public Consultation Results:** Highlight the key concerns raised during stakeholder consultations and how these have been addressed.
- **Sustainability and Climate Resilience:** Summarize the activity's alignment with sustainable practices and climate-proofing strategies, ensuring long-term environmental and social resilience.

### 2. Details of the Applicant

- **Applicant's Profile:** Include the name, address, and contact details of the applicant. Provide background information on the company or entity responsible for the activity, including its experience with similar activities.
- **Role and Responsibilities:** Outline the role of the applicant in managing the environmental impacts, ensuring compliance with local regulations, and implementing mitigation measures. Include any commitments made by the applicant to address environmental and social risks.

### 3. Details of the EIA Consultants

- **Consultants' Qualifications:** Provide the names, qualifications, and experience of the key team members involved in the EIA preparation. Mention their expertise in environmental management, impact assessment, and stakeholder engagement. Provide a copy of the registration with ECD for the EIA Consultant(s).
- **Scope of Work:** Summarize the specific tasks and responsibilities of the consultants, such as data collection, environmental modelling, public consultations, and report preparation.

### 4. Activity Description

- **Overview:** Detailed description of the activity's purpose, the need for the proposed activity, location, design, size, and expected outputs. Include maps and diagrams to illustrate the activity area, layout, and infrastructure.
- **Key Components:** Describe the major components of the activity, such as construction activities, operation facilities, energy sources, and any special features (e.g., renewable energy integration, resource efficiency strategies).
- **Activity Phases:** Clearly define the different phases of the activity (pre-construction, construction, operation, decommissioning) and the activities associated with each phase. Include timelines and projected duration.
- **Materials and Equipment:** List required materials and specify their sources (whether local or imported).
- **Construction Process:** Outline the steps involved in construction, including working hours and schedules.

- **Waste Generation:** Identify any waste products (solid, liquid, gaseous), including wastewater and emissions/discharges to air, and outline the methods for managing them. This may be required for each of the different phases of the activity.
- **Environmental Harm:** Detail potential harm to sensitive ecosystems (e.g., coral reefs, mangroves) and protected species, if applicable.
- **EIA Methodology:** Describe how the EIA was conducted in accordance with the approved CEIA Terms of Reference (ToR), including key aspects of impact identification and assessment and any particular approaches employed in preparing the CEIA.

## 5. Policy, Legal, and Institutional Framework

- **National Policies and Legislation:** Outline the key environmental and other laws and regulations, policies, and standards applicable to the activity, such as the Environment Act 2021, Environmental (General) Regulation 2025, funding source/development partner policies, and relevant sector-specific regulations.
- **International Agreements:** Include any international conventions or treaties relevant to the activity, such as biodiversity conservation agreements, climate change frameworks (e.g., Paris Agreement), and commitments to sustainable development goals (SDGs).
- **Institutional Responsibilities:** Identify the government bodies, regulators, and agencies responsible for overseeing the activity's compliance with environmental laws. Specify the permits and approvals required.
- **Compliance:** Provide information on the compliance requirements and any relevant sector-specific regulations.

## 6. Description of the Environment

- **Physical Environment:** Describe the climate, geology, hydrology, air and water quality, and other physical aspects of the environment in the activity area. Provide baseline data, such as temperature ranges, rainfall patterns, wind speeds, and seasonal variations.
- **Biological Environment:** Detail the ecosystems, habitats, flora, and fauna in the activity area. Identify species or areas at risk, biodiversity hotspots, and critical habitats. Use maps to highlight areas of ecological importance (e.g., wetlands, mangroves, protected areas).
- **Socio-economic Environment:** Provide a description of the demographics of the local population, economic activities and livelihoods, health and well-being, cultural heritage and practices, social infrastructure, social relations and community dynamics, community engagement, as well as land tenure and property rights within the activity area.
- **Social Risks:** Identify any social risks, including those related to vulnerable groups, social equity (e.g., access and rights), sensitive cultural heritage, potential displacement and resettlement, and other relevant factors.

## 7. Impact Assessment and Mitigation

A comprehensive analysis of potential impacts, including:

- **Direct and Indirect Impacts:** Assess the potential environmental and social impacts of the activity at different phases (pre-construction, construction, operation, decommissioning). This should cover both short-term and long-term impacts, including positive and negative effects.
- **Cumulative Impacts:** Identify and analyse cumulative impacts, particularly in areas with multiple ongoing developments.
- **Mitigation Measures:** Propose specific, cost-effective mitigation measures for each identified impact. Ensure that mitigation measures are integrated into activity design and are realistic and achievable.



**Example:**

- *Air Quality*: Implement dust suppression measures such as water spraying and use of pollution-control equipment for construction machinery.
- *Water Resources*: Ensure proper wastewater management to avoid contamination of local water bodies.
- *Biodiversity*: Restrict construction activities near sensitive habitats during critical breeding or migratory periods.

## **8. Climate Resilience and Adaptation**

- **Climate Risk Assessment**: Analyse how climate change and variability may affect the activity and surrounding environment. This should include risks from extreme weather events, sea-level rise, coastal erosion, and increased flooding.
- **Mitigation and Adaptation Measures**: Propose climate-proofing strategies such as elevating infrastructure, reinforcing coastal defences (e.g., mangrove restoration), and using materials resistant to saltwater corrosion.
- **Carbon Footprint**: Assess the activity's contribution to greenhouse gas emissions, and propose mitigation measures such as energy efficiency, renewable energy use, or carbon offsets.

## **9. Social Impact Assessment**

- **Community Impacts**: Analyse the social and economic impact of the activity, including potential displacement, changes in livelihoods, access to resources, and impacts on health and safety.
- **Public Health**: Assess potential impacts on community health (e.g., from pollution or increased traffic) and propose mitigation measures such as pollution control, safety protocols, and health programs.
- **Cultural Heritage**: Identify any cultural or historical sites that may be affected, and outline measures to protect and preserve them.

## **10. Alternatives Analysis**

- **Consideration of Alternatives**: Evaluate all reasonable alternatives to the proposed activity, including design, location, and technology alternatives. This section should also consider the "no project" alternative and explain why the selected option is preferred.
- **Justification**: Provide reasons for the chosen activity based on environmental and socio-economic factors.

## **11. Public Participation and Stakeholder Engagement**

- **Consultation Process**: Outline the stakeholder engagement plan, specifying how consultations are conducted with local communities, government agencies, and other stakeholders throughout the EIA process. Ensure that consultations are inclusive, especially of vulnerable and indigenous groups.
- **Stakeholder Feedback**: Summarize the key concerns raised by stakeholders and explain how they were addressed in the activity design or mitigation measures.

## **12. Environmental Management Plan (EMP)**

The Environmental Management Plan (EMP) is a critical component of the Environmental Impact Assessment (EIA). It ensures that all identified environmental impacts are managed effectively during the life cycle of the activity, from pre-construction to decommissioning, as relevant. The EMP must be fully integrated into the EIA, providing a roadmap for mitigating environmental and social risks, assigning responsibilities, and monitoring outcomes.

## 12.1 Overview of the EMP

- **Commitment to Implementation:** The applicant must provide a clear statement of commitment to implementing the EMP. This includes adherence to all mitigation measures identified in the EIA and ongoing management of environmental and social risks.
- **Link to EIA Findings:** The EMP must be aligned with the key findings of the EIA, addressing all identified significant impacts. The mitigation measures proposed in the EIA should be detailed in the EMP, ensuring practical implementation across all activity phases (pre-construction, construction, operation, and decommissioning).

## 12.2 Specific Management Plans

The EMP should include specific management plans for each significant environmental and social impact identified in the EIA. These plans should cover:

- **Air Quality Management Plan:** Measures to minimize dust, emissions, and air pollutants during construction and operation (e.g., regular maintenance of machinery, use of dust suppression techniques).
- **Water Resources Management Plan:** Mitigation measures to protect surface and groundwater from contamination, such as proper wastewater treatment and preventing runoff into local water bodies.
- **Waste Management Plan:** Strategies for handling, reducing, and disposing of solid, liquid, and hazardous waste, ensuring compliance with environmental regulations.
- **Emergency Response Plan:** Procedures for addressing environmental and social emergencies as relevant to the activity, such as oil spills, fires, and hazardous material incidents. It includes immediate response actions, coordination with emergency services, and containment strategies to minimize environmental and community impacts.
- **Biodiversity Conservation Plan:** Specific actions to protect local flora and fauna, particularly endangered species and sensitive habitats. This may include creating buffer zones, restricting certain activities during breeding seasons, or implementing habitat restoration efforts.
- **Socio-Economic Impact Plan:** Mitigation measures to address potential socio-economic impacts, such as ensuring fair compensation for land acquisition, job creation strategies, and protecting cultural heritage sites. This may include a resettlement or livelihood restoration plan as relevant to the activity.

## 12.3 Roles and Responsibilities

- **Responsibility Matrix:** Clearly define the roles and responsibilities of all parties involved in implementing the EMP. This includes the applicant/proponent, contractors, environmental consultants, and local authorities.
  - **Example:**
    - *Applicant/Proponent:* Overall responsibility for ensuring the EMP is fully implemented.
    - *Environmental Consultant:* Responsible for monitoring and reporting on environmental performance.
    - *Contractors:* Required to adhere to environmental guidelines and implement mitigation measures as outlined in the EMP.
    - *Regulators:* Responsible for overseeing compliance with the EMP/C-EMP, reviewing environmental performance, and enforcing relevant regulations to ensure the activity's adherence to legal and environmental standards.

- The responsibility matrix should outline who is accountable for each aspect of the EMP, including monitoring and reporting.

#### 12.4 Monitoring and Reporting

- **Monitoring Plan:** The EMP must clearly define its objectives, which include verifying the effectiveness of mitigation measures, ensuring compliance with environmental and social standards, and identifying any unforeseen impacts that may arise during activity implementation.
- **Monitoring Indicators:** Identify key environmental and social parameters to be monitored, linking them to identified impacts. Key indicators may include air and water quality, noise levels, waste management, and biodiversity health. Additionally, the plan should outline the frequency of monitoring activities—whether daily, monthly, or quarterly—and designate the parties responsible for conducting these assessments..
- **Reporting Mechanisms:** Define the format, content, and frequency of reports to be submitted to regulatory authorities. This includes specifying requirements for environmental audits and incident reports to ensure transparency and accountability.
- **Adaptive Management:** The EMP should incorporate provisions for adaptive management. This allows for adjustments to mitigation measures based on ongoing monitoring results and establishes a process for responding to unexpected impacts or risks that may arise during the activity.

#### 12.5 Environmental Compliance and Auditing

- **Compliance Requirements:** Ensure that the EMP is in full compliance with national and international environmental standards, including those outlined in the **Environmental (General) Regulation 2025**. Compliance with country and/or industry-specific standards (e.g., IFC performance standards) should also be enforced.
- **Audits:** Periodic environmental audits should be conducted to ensure that the activity is meeting its environmental objectives. The results of these audits should inform ongoing activity management and be made available to relevant authorities.

#### 12.6 Public Involvement

- **Community Engagement:** The EMP should include mechanisms for ongoing, proactive and inclusive stakeholder engagement strategy to ensure transparent, meaningful, and continuous communication with all activity stakeholders, particularly local communities and affected parties. Effective stakeholder engagement is critical for identifying and addressing concerns early, fostering community trust, and aligning the activity with community interests and environmental goals. This engagement strategy should encompass the following elements:
  - **Stakeholder Identification and Analysis:** Conduct a thorough stakeholder mapping and analysis to identify all relevant groups and individuals impacted by the activity. This should include local communities, government agencies, non-governmental organizations (NGOs), and any vulnerable groups. Ensure a clear understanding of each stakeholder's interests, concerns, and influence on the activity.
  - **Engagement Methods:** Use diverse and culturally appropriate methods for engaging stakeholders, such as public meetings, focus groups, workshops, and information sessions. Engagement should be ongoing and adapted to the communication needs and preferences of each stakeholder group to maximize participation.
  - **Information Disclosure:** Provide clear, accessible, and timely information about the activity, including potential environmental and social impacts, mitigation measures, and updates on EMP implementation. Information should be shared in a format and language that is easily understood by the local community, allowing for informed participation.

- **Feedback and Dialogue:** Establish regular opportunities for two-way communication where stakeholders can provide input, ask questions, and express concerns. This includes holding consultation sessions during key activity phases and documenting all feedback to ensure it is considered in activity decision-making.
- **Inclusive Participation:** Ensure that vulnerable and marginalized groups are actively included in the engagement process, with measures to address any barriers to their participation. This could involve tailored communication strategies, additional outreach efforts, or scheduling meetings at convenient times for these groups.
- **Documentation and Reporting:** Document all stakeholder engagement activities, including participant feedback, action items, and follow-up actions. Regularly update stakeholders on how their feedback has been addressed and incorporated into the EIA, reinforcing the value of their input in activity decision-making.
- **Monitoring and Adaptive Management:** Monitor stakeholder engagement efforts and periodically review the effectiveness of the engagement process. Adapt the approach as necessary to respond to changing stakeholder concerns, activity developments, or feedback on the engagement process itself.
- **Continuous Improvement:** Regularly assess and enhance the engagement strategy based on activity progress and stakeholder feedback to ensure it remains effective and relevant throughout the project lifecycle. Continuous improvement allows the activity to build lasting relationships with the community and adapt to evolving needs or issues.

A well-structured stakeholder engagement process strengthens community relations and supports the activity's social licence to operate by ensuring that stakeholder voices are considered, valued, and integrated into activity planning and implementation.

- **Grievance Mechanism:** The EMP must include a robust grievance redress mechanism (GRM) that enables community members and other stakeholders to voice feedback, concerns or complaints during all stages of the activity. The GRM should ensure transparent, fair, and timely resolution of grievances to foster trust and maintain a positive relationship between the activity team and the local community. This mechanism should address the following elements:
  - **Accessibility:** Provide multiple, easily accessible channels for submitting grievances, including in-person, online, phone options and drop-boxes (that allow for anonymity). Ensure that all stakeholders are aware of these channels through clear and culturally appropriate communication.
  - **Process and Timeline:** Establish a straightforward process for handling feedback/grievances with defined steps for acknowledgment, assessment, and resolution. Include specific timelines for each step to ensure that feedback/grievances are addressed in a timely manner, reducing the potential for escalation.
  - **Confidentiality and Protection:** Guarantee confidentiality for complainants to prevent retaliation or discrimination. Ensure that individuals feel safe to voice their concerns without fear of negative repercussions.
  - **Resolution and Feedback:** Assign clear responsibilities for grievance resolution, ensuring accountability. Provide regular updates to complainants on the progress and outcome of their grievances and document how each issue was resolved.
  - **Monitoring and Reporting:** Regularly monitor the grievance process and outcomes, including the types of complaints received and their resolutions. Integrate grievance data into activity reports to track trends, identify recurrent issues, and make improvements to prevent future grievances.
  - **Continuous Improvement:** Periodically review and improve the grievance mechanism based on feedback from stakeholders and activity performance, ensuring it remains relevant and effective throughout the project lifecycle.

A well-structured grievance mechanism promotes community trust and social licence to operate by ensuring that all concerns are heard and addressed effectively.

## 12.7 Cost Estimates and Timeline

- **Cost of Mitigation Measures:** The EMP should provide a detailed budget for implementing the mitigation measures, including costs for environmental monitoring, auditing, and capacity-building initiatives. It is important to ensure that sufficient financial resources are allocated to carry out all activities outlined in the EMP.
- **Activity Timeline and Budget Alignment:** Provide a schedule for implementing the activity, including milestones for data collection, stakeholder consultations, civil works, operation, maintenance, monitoring and any necessary or follow-up actions. This schedule must align with the budget for mitigation measures, ensuring that all planned activities are feasible within the allocated resources.

## 12.8 Summary of the EMP in Matrix Form

- The EMP should include a summary table that consolidates the key elements of the environmental management plan. This matrix should provide a clear and concise overview of the following:
  - **Environmental Issues:** The specific environmental or social impacts identified in the EIA.
  - **Mitigation Measures:** Actions proposed to mitigate each impact.
  - **Location:** Where the mitigation measures will be implemented (e.g., construction site, water bodies, nearby communities).
  - **Responsible Parties:** The individuals or institutions responsible for implementing each measure.
  - **Monitoring Requirements:** The parameters to be monitored, frequency, and the person or entity responsible for monitoring.

### Example:

| Environmental Issue | Mitigation Measure                     | Location           | Responsible Party       | Monitoring Requirements                |
|---------------------|----------------------------------------|--------------------|-------------------------|----------------------------------------|
| Air Pollution       | Dust suppression (water spraying)      | Construction site  | Site Manager            | Daily air quality monitoring           |
| Water Pollution     | Wastewater treatment before discharge  | Local water bodies | Environmental Officer   | Monthly water quality tests            |
| Biodiversity Impact | No construction during breeding season | Sensitive habitats | Biodiversity Specialist | Periodic inspections of habitat health |

By fully integrating the Environmental Management Plan (EMP) into the Environmental Impact Assessment (EIA), applicants/proponents ensure that mitigation measures are not only proposed but also systematically implemented, monitored, and enforced. This process guarantees that environmental risks are managed efficiently throughout the project lifecycle, promoting sustainable and climate-resilient development.

## 13. Conclusion and Recommendations

- Summarize the key findings of the EIA, including major impacts, mitigation measures, and the activity's overall feasibility from an environmental and social perspective.

- Provide recommendations for further studies or additional mitigation measures if needed, particularly for complex or high-risk activities.
- **Commitment to Sustainability:** Reaffirm the applicant/proponent's commitment to implementing sustainable practices and adhering to climate resilience and environmental protection standards.

#### 14. Non-Technical Summary

- Provide a summary of the CEIA report in plain language, both in English and Kiribati, to ensure it is accessible to all stakeholders, including local communities. This summary should clearly outline the main environmental and social risks, the proposed mitigation strategies, and how the activity will achieve its environmental and social goals.

#### 15. References and Annexes

##### References

- **Sources:** Provide a comprehensive list of all sources, studies, scientific papers, government policies, and international guidelines referenced in the preparation of the CEIA report. Ensure citations are accurate and complete to allow readers to trace information back to the original sources.
- **Data and Technical Documents:** Include detailed references for any data sets, technical reports, environmental assessments, or modelling data used. Specify data origins, collection methods, and analysis techniques where relevant. This allows stakeholders to understand the foundations of the CEIA report and the reliability of its findings.
- **Maps:** Reference all maps that show the activity location, environmental conditions, or other spatial data used in the report. Specify the map scale, data sources, and publication date.

##### Annexes

- **Detailed Maps and Diagrams:** Include maps with sufficient detail to illustrate activity components, site boundaries, sensitive areas (e.g., protected zones, cultural heritage sites), and proximity to communities or natural resources. For instance, a map showing vegetation cover, water bodies, and proximity to local settlements may be useful.
- **Activity-Specific Figures and Technical Diagrams:** Add any figures or diagrams that clarify activity design, engineering details, or environmental management structures. Diagrams of wastewater treatment processes, stormwater management plans, and other technical elements should be provided where relevant.
- **Supporting Studies and Specialized Reports:** Include annexes of key supporting studies or specialized reports not covered in the main document (e.g., soil erosion control plans, biodiversity studies, hydrology assessments). Summarize these studies in the main report and include full versions in the annex.
- **Stakeholder Engagement Details:** Provide documentation of stakeholder consultations, such as meeting minutes, attendance lists, feedback received, and evidence of community engagement efforts, as part of a detailed annex. This enhances transparency and shows how local input was considered in project planning.

The References and Annexes section should be thorough and well-organized to ensure readers have access to all necessary background and supporting materials for understanding the CEIA report in full detail.

Schedule 8. Format for an Environmental Licence



**GOVERNMENT OF THE REPUBLIC OF KIRIBATI**  
**MINISTRY OF ENVIRONMENT LANDS AND AGRICULTURAL DEVELOPMENT**  
P.O. Box 234, Bikenibeu, Tarawa, Republic of Kiribati. Phone: 686 752 28000/28212. Fax: 686 28334

**ENVIRONMENT LICENCE**  
**is hereby issued in accordance with Section 57 and 62 of the Environment Act 2021**

|                                                                 |                                                                                                                                          |
|-----------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Licence Holder:</b>                                          | <i>Name address and contact details of licence holder</i><br><br><i>If company, name address and contact details of person in charge</i> |
| <b>Description of allowed activity:</b><br><br><br><b>Site:</b> | <i>Description of the activity, including reference to the ESA category</i><br><br><br><i>Location of site</i>                           |
| <b>Licence Number:</b>                                          | <i>ELA 00X/year</i><br><br><i>Valid from [date] to [date]</i>                                                                            |

**This Licence is issued subject to the attached Conditions.**

Signed this .....day of .....2025.

.....  
Secretary-MELAD

## **CONDITIONS OF THE ENVIRONMENT LICENCE ISSUED TO LICENCE HOLDER**

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**The conditions attached to this Environment Licence (EL) are as follows:**

*Insert conditions to be included in the EL here.*

*Conditions should be clear, precise and capable of being enforced.*



## Schedule 9. Registration Form for EIA Consultant

*The Environment and Conservation Department of MELAD requires all environmental impact assessment (EIA) consultants to be registered with the Department.*

*The registration is valid for three years and may be renewed.*

*Only registered EIA consultants shall be acceptable by the Department for preparing any EIA Report required under the Environment Act 2021.*

*Registered EIA consultants shall only be acceptable for the areas of science or technical expertise specified in the registration.*

*The Secretary may request the services of EIA consultant(s) in reviewing any application for an Environment Licence for which an EIA report was required, subject to any conflict of interests.*

NOTE Application fee - 100 AUD

Renewal fee - 50 AUD

Registration valid for 3 years and may be renewed

Please specify if this is a new application for registration or an application to renew an existing registration

### **Part 1 Personal details**

Name

Address

Phone

Email

Website (if any)

Company name (if any)

Nationality

Country of residence

### **Part 2. Area of expertise**

Provide information on your areas of expertise, as relevant

Air quality and pollution

Water quality and pollution

Biodiversity (flora and fauna)

Solid waste

Liquid waste

Hazardous waste

Waste water and sewage

Hazardous chemicals

Climate change

Nature based solutions (NbS) and/or ecosystem-based assessments

Marine environment

Noise and vibration

Engineering (specify which type)

Socio - economics  
Health  
Landscape and visual assessment  
Soil resources  
Gender and Development  
Energy management  
Risk assessment  
Laboratory services  
Urban and regional planning  
Terrestrial and coastal development  
Land use and resettlement planning  
Social impact assessment  
Stakeholder engagement including public consultation

Other (please specify)

*Attach a copy of your Curriculum Vitae.*

*Attached proof of compliance with all other relevant Kiribati legislation, including that on businesses.*

*Please provide proof of payment of the relevant fee.*

### **Part 3 Declaration**

I declare that the information provided is true and accurate

Signed

Name

Date

It is an offence to provide false or misleading information.