

ORDER
tsenki of environmental impact

I. General

The present procedure for assessing the impact on the environment determines the general approaches to the organization and evaluation of the possible impact on the environment (hereinafter - EIA), taking into account the legislative and regulatory framework of the Republic of Tajikistan, as well as international experience, including the Convention on the assessment of the impact on the environment transboundary context.

The Regulations are considered the main stages of the EIA of proposed economic and / or other activities, and integrating environmental considerations in the preparation and decision-making. If the environmental assessment are subject to concepts, promising (general) plans and programs of socio-economic development of the country, the EIA is carried out as strategic environmental assessment.

EIA of the proposed activity must be accompanied not only predict the impact on the environment prior to the implementation of such activities, and impact assessment, both in its implementation and in the preservation or after the specified activity (post-project analysis).

For the purposes of these Guidelines, the following basic concepts:

- C thoron origin - means the Party under whose jurisdiction it is planned to carry out economic and / or other activities;

- Affected Party - means a Party that may be affected by transboundary effects of economic and / or other activities planned in the territory of the Party of origin;

environment - the environment in which the economic and / or other activities, including air, water, land, natural resources, flora. fauna, material objects and their interactions;

proposed economic and / or other activities (hereinafter - the planned activities) - any activity or any change in an activity, including the development of concepts, promising (general) plans and programs of socio-economic development of the country (administrative education sector, etc.) that may have an impact on the environment and requiring a decision on its implementation by the competent authority in accordance with the procedure established by the legislation of the Republic of Tajikistan;

impact - any aspect of the proposed activity, leading to changes in the environment, including health and safety, flora. fauna, soil, air, water, climate, landscape and historical monuments or other physical structures or the interaction between these factors, as well as effects on cultural heritage or socio-economic and other conditions resulting from alterations to those factors;

Environmental impact assessment (hereinafter - EIA) - an activity for the identification, analysis and evaluation of the direct, indirect and other effects of the environmental impact of the planned economic and other activities in order to decide on the possibility or impossibility of its implementation;

transboundary effects - any impact, not only the global nature, in an area under the jurisdiction of a Party caused by a proposed activity the physical origin of which is situated wholly or partly within an area that falls under the jurisdiction of another Party;

customer (originator, investor, the applicant) of the proposed activity (hereinafter - Customer) - legal or natural person responsible for the preparation of documentation for the implementation of planned activities in accordance with the regulatory requirements for this type of activity, and provide documentation on the proposed activity on the environmental impact assessment;

the contractor of the EIA (hereinafter - the performers) - legal or natural person carrying out an EIA, which the customer has provided the right to carry out this work;

EIA - a set of documents, prepared as a result of the proposed activity and the EIA is part of the documentation submitted for environmental impact assessment;

quality control materials EIA - mandatory conformity assessment procedures EIA materials planned activity with potential transboundary impacts and / or having a complex multifactorial effects of legislation of the Republic of Tajikistan, including obligations under the UNECE Convention on Environmental impact assessment in a transboundary context;

public - public organizations and the public;

public participation - a set of activities carried out within the framework of the EIA, aimed at informing the public about the proposed activity and its possible impact on the environment, in order to identify public preferences and take them into account in the process of impact assessment;

Environmental monitoring - a system of observation, assessment and prediction of the environment, sources of anthropogenic impacts and to identify trends in ecosystems for decision-making in the field of environmental protection and use of natural resources;

natural resource potential - the natural environment, estimated the possibility of utilizing the presence and status of geographical structures, landscapes, climatic conditions, mineral resources, soils, water, atmosphere, flora and fauna;

supporting documentation - documentation justifying the planned activities, content and scope of which is set by national legislation;

post-project analysis - comprehensive studies to determine the effectiveness and completeness of the materials provided for the implementation of the EIA and other environmental measures [making] in the implementation of the proposed activity (construction, operation and decommissioning) with a view to timely adjust and improve the EIA procedure.

II. Purposes and principles of EIA

The purpose of the EIA is to prevent or mitigate the negative impacts of the proposed activity on the environment and the associated socio-economic and other consequences.

The basic principles of EIA are:

- Presumption of potential environmental risks of the proposed activity on the environment;
- Mandatory performance of national EIA procedure;
- Preventive;
- Objectivity;
- Alternative (including the rejection of the proposed activity);
- Comprehensiveness (review and consideration of the impact in the natural, social and technological environments);
- Publicity;
- Consideration of public opinion;
- Scientific validity;
- The accuracy and completeness of the information.

The level of detail and completeness of the EIA is determined based on the characteristics of the proposed activity and the complexity of the natural, social and technological conditions and should be sufficient to identify and assess potential environmental and related socio - economic and other impacts of the proposed activity.

EIA results are:

- Main findings of the nature and extent of the environmental impact of the proposed activity and alternatives for its implementation, the results Estimates of environmental and related socio-economic and other consequences of these impacts and their significance;
- A description of the activities envisaged for the maximum possible prevent, reduce and compensate for adverse impacts on the environment;
- Identification and registration of public preferences in decision-making by the Customer relating to the proposed activity;
- Customer's decision to determine the alternatives of the proposed activity (including the location of the object on the choice of technologies and otherwise), or abandon it.

EIA materials are part of the supporting documentation used in the future in the process of adopting administrative and other management decisions.

III. The legal framework and basic procedural aspects of EIA

The legal basis for EIA is the Law of the Republic of Tajikistan "On Environmental Impact Assessment", Presidential Decree Tadjikistan on May 20, 2002 № 827 «On approval Konventsii po organicheskim persistent pollutants Stokgolskoy Convention Program Organization Obedenennyh Natsion Environmental Protection Agency" as well as international treaties and agreements. Recognized by the Republic of Tajikistan.

Basic requirements for EIA, adjustable environmental legislation, the following:

- Mandatory EIA at all stages of the design;
- The responsibility of the customer (the Contractor) for the EIA;
- Adherence to requirements for content and structure of the EIA;
- Public participation in EIA and integrating sound suggestions and comments from the public;
- Compulsory coordination of the supporting documents and / or materials of the EIA with the interested state bodies.

EIA carried out in the development of:

- Draft program documents the socio-economic development;
- Projects of state and territorial complex schemes of nature protection and use of natural resources;
- Design and planning (urban planning) documentation;
- Predesign and design estimates (design, detail design) documentation of new construction, reconstruction, expansion, modernization, conversion, conservation and liquidation of existing facilities;
- Projects for the creation of protected areas, the introduction of species of flora and fauna, biodiversity and other environmental measures.

EIA materials are an integral part of the supporting documentation of the proposed activity and take the form of separate sections, the level of detail and completeness of which is determined by the laws and regulations of the Republic of Tajikistan, as well as the degree of impact of a proposed activity on the environment (Appendices 1, 2, 3).

Submission of the EIA of the proposed activity is required when considering the supporting documentation and decision-making, including at the state environmental and other statutory examinations.

For planned activities with potential transboundary impacts EIA procedure is mandatory and is conducted in accordance with the provisions of the Convention on Environmental Impact Assessment in a Transboundary Context, and in accordance with bilateral and multilateral agreements (contracts), to which the Republic of Tajikistan.

Materials EIA projects with potential transboundary impacts, as well as other complex projects undergo a mandatory quality control conducted by organizations or experts with experience in the framework of the UNECE Convention on Environmental impact assessment in a transboundary context, at least three years.

EIA documentation is developed in accordance with the requirements of normative legal acts of the Republic of Tajikistan companies, research groups, academia and industry organizations and institutions that do not conflict with the established order of the State Committee th and the Environment and Forestry of the Republic of Tajikistan.

The main requirements for training developers of the EIA documentation are the presence of the appropriate higher education, at least 5 years of professional experience, and attestation to the opportunity to engage in such activity. Terms certification and issuance of certificates of qualification for its results are established by a special commission by the State Committee for Environmental Protection and Forestry of the Republic of Tajikistan.

IV. Status of EIA in decision-making system

EIA is mandatory in the preparation of economic and other decisions that may have an impact on the environment. In the development of the supporting documentation of the proposed activity in several stages of the EIA is carried out for each of these stages, taking into account the types of detail, sources and levels of impact of a proposed activity on the environment.

EIA is carried out by the Customer or on his behalf by the Contractor (hereinafter, where the

customer combines the functions of the Contractor - Customer (Artist)) simultaneously with the development of the supporting documentation for the planned activities.

Supporting documentation, including EIA, it is the customer for review to the state ecological expertise and other state bodies in accordance with the legislation of the Republic of Tajikistan.

V. The participants of the EIA

In the EIA procedure involves:

- Customer (Artist) and other legal entities and individuals that are interested in the implementation of the proposed activity;
- Public;
- Specially authorized state bodies in the field of environmental protection and use of natural resources and their local authorities, as well as other state and local government and administration, which by law provide the licensing activity.

VI. The main functions of the Customer (Contractor) works on EIA

When EIA Customer (Artist):

- To ensure that the terms of reference for the EIA and coordinates it with the organizations concerned;
- Identifies all sources of possible negative impact on the environment, including in a Transboundary Context;
- Provides for the use of complete and reliable source of information, methods and means of measurement, calculations and estimates;
- Set objects effects, the scale and intensity of the impact on them of the proposed activity;
- Conducts comprehensive research and studies, allowing to provide accurate figures on the quality and quantity of hazardous substances to be released into the environment during the proposed activity (air emissions, discharges of polluted (inadequately treated) wastewater, waste disposal, noise, and electromagnetic radiation exposure, etc.), as well as data on the development of hazardous processes and phenomena (flooding, flooding, karst, suffusion, drawdown. landslides, erosion, formation of corrosive media, etc.);
- Provide for public participation in the EIA process at all stages of the process;
- Considers proposals for reasonable alternatives (including the rejection of the proposed activity) to achieve the goal of the proposed activity, taking into account environmental, socio-economic and other, related consequences of these options;
- Developing a program of environmental measures (security and defense), the implementation of which will help minimize the negative impact of the object of the proposed activity on the environment;
- Develop proposals for the organization of the environmental monitoring system and plan for the post-project analysis of the impact of the object of the proposed activity on the environment during construction and after its commissioning;
- Ensure the accuracy, completeness or quality of the EIA materials;
- Provides the necessary approvals and expertise with the relevant authorities, management and control:
- Promoting the participation of the media in covering the results of the EIA;
- Provides funding for all stages of the EIA and associated with their implementation of surveys and studies.

The customer is obliged to provide all participants an opportunity to EIA timely receipt of complete and accurate information relating to the proposed activity and the environment and natural resources in the intended location of the proposed activity.

VII. The main functions of governing bodies

Specially authorized state bodies and their territorial bodies which, in accordance with the laws of the Republic of Tajikistan regulate use of natural resources and monitoring of their condition:

- Provide information at their disposal on the environmental condition of the territory and the effects of existing facilities and similar activities on the environment of the proposed activity to the EIA;
- Participate in reviewing supporting documentation provided by the proposed activity;
- Determine the conditions of nature and other local features;
- Assist the Customer (Contractor) in the organization of public participation in the EIA process;
- Oversee the process of and compliance with the EIA procedure, including the timely inform the Customer (Contractor) to the public through the media about the planned activity;
- Take a decision on a preliminary reservation of plots of land;
- Give an expert opinion on the results of the EIA on the feasibility of the proposed activity;
- Provide information to the public about the decision on the proposed activity.

Specially authorized state bodies in the sphere of environmental protection and use of natural resources and their territorial bodies taking part in the consideration of the terms of reference for the EIA.

VIII. Ecological and economic evaluation of the proposed activity for EIA

At all stages of the preparation of supporting documentation and the EIA is mandatory performed a comprehensive analysis of the economic efficiency of the proposed activity.

Carrying out economic evaluation of the proposed activity impacts on the environment should include the implementation of the following calculations:

- Calculation of complete costs and evaluation of the financial benefits of the proposed alternatives and planned activities in view of perceived environmental and socio-economic impacts of the proposed activity;
- Calculation of economic feasibility of the planned environmental protection measures and measures for the rational and integrated use of natural resources (in value terms summarized the "pros" and "cons" of the planned measures, including payments for emissions (discharges) of pollutants into the environment and waste disposal, compensation payments, the use of third party services for the processing and disposal of waste, ensuring the rational use of natural resources involved, etc.).

The results of these calculations are used, taking into account the public interest and the use of indicators, did not find the value of expression.

The main methods of economic evaluation in the EIA include an objective evaluation method (the ability to objectively measure the direct and indirect damage caused by the proposed activity) and the method of subjective assessment (subjective Armillaria possible direct or indirect damage, which is expressed (found) in the behavior of a real or hypothetical market). In turn, these methods are divided into generally applicable (used in circumstances where a change in environmental quality affects the actual output or productivity), selectively applicable (based on the indirect use of information about the state of the market and an additional method of determining the valuation impact of the proposed activities on the environment), and potentially useful (used in cases when it is not possible to estimate the benefits associated with preservation (improved in terms of value) of environmental quality).

IX. Public participation in the EIA procedure

Public participation is carried out at all stages of EIA in accordance with the provisions of national legislation and other legal documents and of this Regulation.

Public participation in the preparation and discussion of the EIA materials organized by the Customer (Contractor).

Informing the public about the proposed activity is an integral part of the EIA process. In all stages of EIA public information and other participants in the EIA provides Customer (Contractor). Information about planned activities is spread through the media (radio, television, printed media, Internet, and other methods), on whose territory the planned realization of the object of the proposed activity, as well as in the territories to which the proposed activity may have a transboundary impact.

The information specified:

- The name, purpose and planned location of the object of the proposed activity;

- The name and details of the Customer (Contractor) or his representative, who is responsible for providing information to the public;
- The approximate dates of the EIA;
- The expected shape and timing of public comment (survey, hearings, referendums, etc.), as well as the form of comments and suggestions;
- Date and place where you can get acquainted with the draft terms of reference for the EIA;
- other information.

Customer (Contractor) receives and documents the comments and suggestions from the public and stakeholders in the terms established by the legislation and other normative legal acts of the Republic of Tajikistan. These comments and suggestions are advisory in nature and are accounted for in the preparation of (clarify) the terms of reference for the EIA, the EIA process and should be reflected in the materials (report) of the EIA.

Customer (Contractor) based on the results of public hearings of the protocol, which records the main issues of discussion, as well as the subject of disputes between the public and the Customer (Contractor), if it has been revealed. The protocol signed by the representatives of the Customer (Contractor) and public organizations (associations) and / or other parties. The protocol used in the preparation of the EIA Report and a mandatory part as one of the applications of the materials of the EIA of the proposed activity.

A preliminary version of the EIA materials represented by the Customer (Contractor) for public review and conduct public environmental review in the manner and terms established by national legislation and other legal documents. Prior to making a decision on the proposed activity. Customer (Contractor) informs the public about what proposals and public comments were taken into account and in what form, and what - is not taken into account, and on what basis.

Customer (Contractor) provides public access to the final version of the EIA materials.

Annex 1

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P E R H E E N L
facilities and activities for
which required the development of the EIA documentation

1. Hydroelectric power plants, thermal power stations and other combustion installations with a heat output of 300 megawatts
2. Installations for the extraction of asbestos and processing and transformation of asbestos and products containing asbestos: for asbestos-cement products- with an annual production of more than 20,000 tonnes finished product; for friction materials- with an annual production of more than 50 tonnes of finished products; and for other uses asbesta- using more than 200 tons per year.
3. Chemical plants
4. Construction of motorways, express roads, rail routes long-distance, airports with the length of the main runway of 2100 m or more.
5. Oil and gas pipelines with large diameter pipes.
6. Crude oil refineries (excluding undertakings manufacturing only lubricants from siroy oil) and installations for the gasification and liquefaction of coal and bituminous shale production capacity of 500 tonnes or more per day.
7. Large dams and reservoirs.
8. Deforestation of large areas.
9. Waste-disposal installations for the incineration, chemical treatment or landfill of toxic and hazardous waste.
10. Major storage facilities for petroleum, petrochemical and chemical products
11. Major installations for the blast furnace and open hearth furnaces and non-ferrous

metallurgy.

12. Activities Groundwater abstraction in cases where the annual volume of water to be abstracted amounts to 10 million cubic meters or more.
13. Major mining, extraction and processing in place of metal ores and coal.
14. pulp and paper production to give a day or more than 200 metric tons of product air-dried.

Appendix 2
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standard contents
materials to assess the impact of proposed
of the environmental
Wednesday in investment planning

Materials on the environmental impact assessment of planned economic and other activity in the investment design must include, as a minimum:

General information;

- Customer activity, indicating the official name of the organization (legal, natural person), address, phone, fax;

- Name of the property investment planning and the planned location of its implementation;

- Last name, first name, employee phone - contact person.

- Characteristics of the type of supporting documents: an application (declaration) of intention, investment feasibility study, feasibility study (project), design (approved part).

Explanatory note on the supporting documentation.

The purpose and need for the implementation of the planned economic and other activities.

Description alternatives achieving the planned economic and other activities (various locations of the object, technology and other alternatives within the powers of the customer), including the proposed and the "zero option" (abandonment of activities).

A description of the types of environmental impact of planned economic and other activity on the alternatives.

Description of the environment that may be affected by the planned economic and other activities as a result of its implementation (as alternatives).

Environmental impact assessment of planned economic and other activity on the alternatives,

including the assessment of the reliability of the predicted effects of the planned investment.

Measures to prevent and / or reduce the possible negative impact of the planned economic and other activities.

Revealed during the evaluation of uncertainty in determining the impact of the planned economic and other activity on the environment.

Summary of monitoring and post-project analysis software.

Rationale for the option of planned economic and other activities of all the considered alternatives.

Materials of public hearings held in research and training in the evaluation of materials of the environmental impact of planned economic and other activities, which states:

- Method of informing the public about the place, time and form of public discussion;

- List of participants in the public debate, indicating their full names, surnames and names of organizations (if they are represented by the organization), and - addresses and telephone numbers of these organizations and the panelists themselves.

- Questions considered by the participants of the discussion; talking points, if they are submitted panellists; Protocol (s.) holding public hearings (if any).

- All made in the course of the public debate comments and proposals, indicating their authors, including on the subject of possible differences between the public, local authorities and the customer.

- Findings of the public discussion on the environmental aspects of the planned economic and other activities.

- Summary of public comments and proposals, indicating which of these proposals and comments were taken into account by the customer, and in what form, what - is not taken into account, the basis for the refusal.

- Mailing lists relevant information, directed the public at all stages of the impact assessment on the environment.

- Non Technical Summary. "

Appendix 3
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EIA in the organization of specially protected
natural areas

Overall conservation value and features of the territory under consideration, including:

- Particular characteristics of geographical, botanical and zoological aspects (as well as others - if required), are key to resolving the issue of granting the selected area "specially protected" status;
- Originality of the landscape (feature) addressed areas of their visual appeal and aesthetic value;
- The scientific significance of the studied areas: geographical, geological, hydrological, hydrogeological, zoological, botanical and other (depending on the task);
- Recreational and tourist value (in case of the creation of protected areas with zones recreation, national parks, etc.);
- Historical and archaeological study and significance;
- the prospects and feasibility of further expansion of the protected area;
- The possibility of territorial organization, where appropriate, security (buffer) zone at a location nearby.

The main natural features of the territory, causing the feasibility of giving it a "specially protected" status, including;

- The projected state of the natural features as a result of the expected consequences of giving a selected area "specially protected" status;
- Preservation of landscapes, natural monuments typical of ecosystems, rare and endangered species of flora and fauna;
- The development of recreational and tourism opportunities in cases of zoning;
- The prospects for the development of the natural features of the relevant scientific research.

Possible consequences of giving the territory of "specially protected" status for the state of the environment in the surrounding areas, including:

- Changes in economic conditions and livelihoods of people in these and adjacent areas, and their implications;
- Change in the administrative district of natural-resource potential of the placement of a new protected area;
- Public opinion on the subject;
- The position of the territorial bodies of state power;
- The impact on land resources (reduction of the areas agricultural land and forest management, slowing down and weakening of erosion and soil degradation, reduction of land pollution of chemicals in

agricultural production);

- The impact on water bodies (the termination or reduction of water abstraction from water bodies and groundwater aquifers located in a protected area, the reduction of water pollution, including planar flush fertilizers and pesticides, limiting the use of water transport, etc.);
- The impact on the atmosphere (reduction or termination of the pollution from stationary and mobile sources, the increase in oxygen concentration, etc.);
- The impact on vegetation (spread beyond the protected area habitat of species of flora, fauna enriched species composition of the surrounding areas);
- Impact on wildlife (species composition of fauna enrich the surrounding areas, the increase in the number and diversity of species of animals listed in the Red Book, the strengthening of the characteristic and the formation of new zoocenoses).

Possible (expected) effects of the environment on the adjacent areas created specially protected areas, including:

- The impact of adverse geological and other natural processes with neighboring areas to protected objects (water, air and soil erosion, karst processes, floods and flash floods, mudslides, avalanches, rock falls, landslides, salinization, rise of the groundwater level, desertification, filling nomadic sand, etc. .P.);
- The spread of forest fires;
- Receipt of contaminated wastewater into the upper D to flow through the protected areas;
- Contamination of groundwater by the migration of harmful substances within the protected areas (primarily of the places of storage of fuels and lubricants and waste dumps);
- Receipt of contaminated air;
- The spread of weeds howling characteristic of technogenic -Change area, vegetation;
- The spread of harmful rodents, feral animals.

In addition, information used:

- Typical areas for certain physiographic zones and nen arushennost technological activity (or minimally damaged) a reference area of forest, steppe, desert and other zones.
- Originality, aesthetic appeal of landscapes, uncharacteristic for me surrounding area of special natural holistic complex stand out against the background of the surrounding areas of the richness and diversity of flora and fauna;
- The presence of well-localized, high-value rare natural formations natural monuments (geological, hydrological, and others.);
- The presence of rare, threatened, drugs and other similar types of fauna or flora in need of constant protection to survive and maintain their optimal number;.
- The availability of resources in protected areas: sources of the rivers, including upland marsh areas, zones of formation of fresh groundwater, catchment areas of water bodies, which are the main sources of drinking water supply of cities and towns, a place of constant mass wintering, nesting and migrating birds and other wildlife and birds;
- The prospects for the organization and development of regulated tourism and recreation (special zones as part of the territories of natural national parks, etc.);
- The ability to save a significant scientific, historical, cultural, ethnographic, religious and other values of the territory;
- The preservation of health and recreation potential of the territory, which has a complex of natural healing factors that make it promising for the development of the resort;
- Economic assessment of the creation of protected areas (total economic value of biological resources, including hunting, fishing, gathering forest products, collection of medicinal plants, honey, peat, sustainable forestry, recreational activities, etc., as well as indirect costs -. The binding of carbon dioxide by forests and marshes, swamps water treatment functions, the health of the population from the effects of recreation).

OVERVIEW the EIA process

brief
project description

