

SCREENING

- process of client approaching the DEA with a project, DEA giving advice, determining what needs to be done.

Issue	Solution
Availability (Section 5.2 of regs)	More available staff to talk to, with insight to give answers and guidance.
Absence of a consistent screening process to determine what level and scope of EIA process is required. (Thus inconsistencies in scope and level of EIAs carried out).	Screening process Questionnaire Prompt feedback Consistency Guidelines, also for exemption. Fast track system for small projects. Delegation of authority .

SCREENING CONTINUED..

Issue	Solution
<p>Slow or no feedback to communication proposing a process (with applicable for clearance form in terms of Section 6 there is no feedback procedure from the DEA/other organs of state to the applicant/EAP), but the EAP requires agreement with the DEA on the process to be followed (Sections 12 - 14).</p>	<p>Guidelines for dedicated staff and competent authorities to use (Section 30 of the Act), and authority delegated, with only very difficult cases left to the Commissioner.</p> <p>For the difficult cases, the commissioner or whomever he appoints need to be available for guidance.</p> <p>Staff shortage needs to be addressed.</p>
<p>List of EAPS – uncertainty about the referral process</p>	<p>Updated list of EAPS</p>

SCOPING

Issue	Solution
<p>No feedback given on scoping reports (Section 14). Agreement on whether the DEA concurs with the TOR proposed in it.</p>	<p>Prompt feedback needed (Section 16 required feedback within 3 days), with specific issues listed in the letter. More verbal feedback needed.</p>
<p>No consistency as to when full EIA/scoping is required – currently there is much variation in the industry on this – some EAPS do scoping only, with specialists, others not at all, etc.</p>	<p>We need the input of the DEA – guidelines as to what is Scoping and what Full EIA.</p>
<p>Scoping reports sometimes given clearance when a full EIA is required, and even spelt out with TOR in scoping report.</p>	<p>Verify the recommendations of the EAP. Give confirmation that DEA is in agreement with the EAP, or highlight areas to be added/changed(Section 16)</p>

SCOPING CONTINUED...

Issue	Solution
<p>Clearance certificates are generic and not appropriate for the issues of the project, the conditions to be laid down are not listed. They are not auditable.</p>	<p>Verify the recommendations made by the EAP, and use these to draft project-specific clearance letters, which also give conditions of approval. Solicit help from SADC.</p>
<p>Involvement at public meetings, focal meetings with key stakeholders lacking.</p>	<p>The DEA cannot be expected to attend all public meetings, but the larger contentious ones need DEA representation, so that the EAP is better understood and the issues of the project better identified also by the DEA.</p> <p>When the DEA is particularly invited to attend a high level stakeholder meeting to resolve a particular matter in the EIA process, they need to attend.</p>

SCOPING CONTINUED...

Issue	Solution
Lack of control over documents, confusion about scoping reports, final EIA reports, etc.	Document management system to a)register and track docs and b) give feedback on the progress of clearance review process. (Section 27)
There is inconsistency in the time taken to process applications –some projects take very long, others extremely fast – also between different EAPS.	Ensure consistency with the time taken to review and approve applications.
Refusal letters – very generic without any reasons given for the refusal.	When documents are submitted, there needs to be better interaction between the DEA and the EAP – of small things are missing, the DEA needs to contact the EAP and request the small changes, in major cases, a meeting is still prudent, accompanied by a letter to explain the matter clearly.

ASSESSMENT (“FULL EIA”)...

Issue	Solution
External reviews - the proponent is not informed of the TOR of the review.	Better communication with Proponent regarding the TOR of the review process. Better guidelines needed for the process of external review.
Clearance certificates are generic and not appropriate for the issues of the project, the conditions to be laid down are not listed. They are not auditable.	Verify the recommendations made by the EAP, and use these to draft project-specific clearance letters, which also give conditions of approval. Solicit help from appropriate institutions.
Refusal letters – very generic without any reasons given for the refusal.	When documents are submitted, there needs to be better interaction between the DEA and the EAP – of small things are missing, the DEA needs to phone the EAP and request the small changes, in major cases, a meeting is still prudent, accompanied by a letter to explain the matter

Issue	Solution
Lack of control over documents, confusion about scoping reports, final EIA reports, etc.	Document management system (Section 27)
There is inconsistency in the time taken to process applications –some projects take very long, others extremely fast – also between different EAPS.	Ensure consistency with the time taken to review and approve applications. Proponents should never get the idea that some EAPS have the ability to “push things through quickly” – because all applications should take the same time, regardless of who the EAP is.