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Along with MVE's roles in EEPP of Verifying the achievement of policy reform and of Monitoring the environmental sector, there is the responsibility for Evaluation. MVE evaluates the impact of the reforms achieved and also conducts certain analyses of barriers and constrains to policy reform and recommends ways to overcome these. EIA was chosen because it is such a fundamental part of the management of the environment in Egypt that improving it will have an impact that is positive, immediate, and lasting. We believe that this report will contribute to this improvement.

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ACRONYMS

CAA	Competent Administrative Authority
CAPMAS	Central Agency for Public Mobilization and Statistics
CEO	Chief Executive Officer
DANIDA	Danish International Development Agency
DFID	UK Department For International Development
EEAA	Egyptian Environmental Affairs Agency
EPPP	Egyptian Environmental Policy Program
EGPC	Egyptian General Petroleum Corporation
EIA	Environmental Impact Assessment
EMU	Environmental Management Unit
EU	European Union
GOE	Government of Egypt
GEF	Global Environment Facility
METAP	Mediterranean Environmental Technical Assistance Programme
MVE	Monitoring, Verification and Evaluation Unit
OSP	Organization Support Programme, DANIDA
RBO	Regional Branch Office
SEAM	Support for Environmental Assessment and Management Project, DFID
TDA	Tourism Development Authority
USAID	United States Agency for International Development

Executive Summary

The objective of this study is to evaluate the performance of the Environmental Impact Assessment (EIA) review system in Egypt and recommend performance-based indicators that EIA system managers can use to monitor and strengthen performance. The study also addresses pre- and post- review aspects of the system, given the close connection among all its parts.

This study was conducted by the Monitoring, Verification and Evaluation (MVE) Unit of the Egyptian Environmental Policy Program (EEPP). EEPP is a joint Government of Egypt (GOE)/United States Agency for International Development (USAID) program.

Study Methodology

To fulfill the study objective, the study team identified criteria characteristic of an effective EIA system. During the study, these characteristics are used as a point of reference for conducting the assessment, formulating recommendations, and identifying indicators.

The study team investigated the system overall, looking at its history, the roles of all parties involved in EIA, and system performance. The team identified factors affecting system characteristics, and the Egyptian Environmental Affairs Agency (EEAA) response to these factors. The team used the following tools to conduct the assessment:

- Review of relevant documents
- Quantitative analysis of EIA records¹
- Interviews with selected Environmental Management Units (EMUs)
- Interviews with industry sector reviewers (the largest sector for EIAs)
- Meetings with EIA consultants, and EIA Central Department and EEAA legal department staff

Based on its investigations, analysis, and interviews, the study team compiled recommendations for improving the system. In addition to the review component, the recommendations touch on other phases of the EIA system as well given that all parts of the system are interrelated. Both short-term and long-term recommendations were proposed.

Flowing from the recommendations and the study analysis, the team developed proposed indicators to monitor system performance over time, and to provide a basis for making periodic adjustment to improve performance. The indicators consist of status indicators measuring system performance and response indicators measuring the response by EEAA to factors affecting system performance.

¹ Due to the limitations of the current EIA computer database, quantitative analysis was conducted manually, which constrained the type and extent of analysis performed.

An interim report was submitted to the EIA Central Department, including initial analysis of EIA data, preliminary recommendations, and performance indicators. The interim report formed the basis for discussion between the study team and the EIA Central Department about the report direction, and the need for additional analysis. These discussions and the resulting follow-up work became part of this draft final report.

The Basis for Performance Appraisal

Effective EIA is a key factor in maintaining and enhancing environmental conditions and conserving natural resources. Therefore, improving the ability of the EIA Central Department to monitor and adjust the EIA system over time is an important means of preserving the natural environment. However, it is difficult to quantify the environmental enhancement attributable to changes in the EIA system, because limited baseline information is available and it is difficult to control other factors affecting environmental conditions. In light of this, the study team identified criteria that characterize an effective EIA system. These criteria were then used as a framework for analyzing the current system, for making recommendations regarding system improvement, and for devising performance indicators to monitor the system over time.

An effective EIA review system should have the following characteristics:

- *Consistency* — The same rules and principles should be applied to decision making in all cases, with reviewer subjectivity kept to a minimum.
- *Comprehensiveness* — The decisions should take into consideration all factors relevant to the project, including the development objectives and whether EIA report recommendations (i.e., mitigation measures) are practical to implement.
- *Universal coverage* — EIAs must be prepared for all projects to which EIA requirements apply.
- *Timeliness* — The EIA process must have a limited and relatively predictable time span.
- *Credibility* — All participants must believe that the system is fair in its application and decision making.

System Overview and Evolution

In 1994, Law 4 introduced the legal requirements of preparing EIAs. According to the law, proponents for projects subject to the EIA requirements must submit an EIA to the relevant Competent Administrative Authority (CAA), under whose jurisdiction the project falls. The CAA should assess the EIA and send a copy to EEAA for review within 60 days, beyond which the study would be considered implicitly approved.

Although Law 4 was in place in 1994, it was not until 1995 that the executive regulations of the law were issued. These regulations detailed the EIA requirements, for example, the types of establishments subject to EIA, and the appeal system. Guidelines for Egyptian EIAs, published

in 1996, were based on the classification of projects into three categories, A, B and C, reflecting increasing levels of potential environmental impact, and requiring a corresponding increase in the rigor for the environmental impact assessment. The guidelines address the basis for preparation of an EIA for the three categories, and include the forms that should be completed for Category A and B projects. Moreover, the guidelines include a general outline for a C category EIA, as well as suggested outlines for a number of different projects.

In 1998, the Minister of State for the Environment, responding to the fact that no EIA was being prepared for most projects that are subject to EIA requirements, initiated a campaign promoting the preparation of EIAs when applying for a project license. This campaign resulted in a dramatic increase in the number of EIAs passing through the system during the last two years. From 7 cases in 1994 and 276 in 1998, the total number of EIAs prepared climbed to 10,315 in 2000. This increase presents a serious challenge to the ability of EEAA's EIA Central Department to conduct thorough and accurate reviews of all the EIAs received.

Review Process

The EIA system is predicated largely on the relationships between its participants: project proponents, environmental consultants (EIA preparers), Competent Administrative Authorities (CAAs), and EEAA.

The proponent, with assistance from environmental consultants, prepares the study according to available guidelines and submits the EIA to the CAA. Category A EIAs are reviewed by the CAA, and EEAA should be informed of the decision. In case the CAA is incapable of reviewing Form A, it is sent to EEAA for review. In most cases, Category B and C EIAs are sent directly to EEAA. All communication between EEAA and the proponent is made through the CAA. In some cases, field verification visits are conducted and meetings with proponents are held. The proponent is ultimately informed of the final decision through the CAA, and has the right to issue an appeal (within 30 days), to be investigated by the EEAA Permanent Review Committee.

EIAs received by the department are assigned to one of seven researchers who review most of the EIAs in Category B, especially those that are recurrent. All EIAs of Category C or those belonging to Category B but requiring special background are appointed to external reviewers.

External reviewers only review the EIA technically. Researchers address legal requirements, specifications, development plans, and other governing factors. The reviewers' inputs are discussed with the researchers, who integrate them for communication to the project proponent. EEAA has developed a substantial roster of external reviewers with varying technical expertise. However, since EIAs are assigned to the experts according to the nature of the project and experience of the expert, some reviewers are used far more frequently than others.

The EIA Central Department issues either an approval, which includes conditions the proponent should abide by and granting a temporary license, or an objection. Cases in which the EIA is not subject to a decision by EEAA include: a) EIAs reviewed by CAAs (i.e., Category A); and b) cases in which projects receive licenses without the submittal of EIAs (i.e., system leakage) or cases where EIA requirements do not apply.

EIA Tools

The EIA Central Department has developed the following tools to facilitate EIA preparation and review:

- *General guidelines* — Published in 1996, the guidelines are the basis for EIA preparation. The department identified the need for modification of the categorization system and a proposal for modifications is currently being finalized. The guidelines will be updated accordingly.
- *Sectoral guidelines* — These are necessary to reach a clearer understanding of the EIA process and help achieve a higher quality of submitted EIAs. These guidelines reportedly contribute to improving the quality of submitted EIAs, thereby facilitating the review process.
- *Standard conditions* — These are the basic measures that should be included in project design to minimize negative environmental impacts. In specific cases, standard conditions have taken the form of a protocol, which is an agreement between EEAA and a group of developers of the same type of projects. The protocol holds the developers to standards for project design and operation.
- *Completeness checklists* — Reviewers use these to check the completeness of the EIA. To date, only the tourism sector has a checklist, but others are currently being developed in conjunction with new sectoral guidelines.
- *Category B forms* — Forms for these two sectors, tourism and petroleum, are currently being developed.
- *EIA database of the EIA Central Department* — This database was designed to maintain almost all department data in an electronic form. However, it is currently used primarily to track the progress of the review activities for each study to ensure compliance with the 60-day period imposed by the law. The database, therefore, has serious shortcomings that prevent it from being an effective management tool.

Performance Assessment

Activities conducted both before and after the review affect the review system characteristics and accordingly its performance and effectiveness. These factors were investigated and are detailed in this report.

Based on qualitative analysis, it was concluded that the system performance has improved over time as a result of several interventions undertaken by EEAA. Although EEAA interventions seemed sporadic, they reacted to important signals concerning the system's performance. EEAA acted with remarkable success in meeting the pressures and special needs of a newly introduced system, addressing a newly introduced field of activity. However, it is not possible to fully support such a statement quantitatively because the available data are not in a format that makes

analysis practical. In addition to shortcomings in the EIA database utilization, many records are not computerized and are scattered in various project files.

EEAA interventions have included the following:

- Standardization of tools needed in both the preparation and review of EIAs.
- Insisting that CAAs assume their legal responsibility to review EIAs, at least for Category A. According to a decision by the EEAA CEO, EEAA will not accept Category A EIAs that have not been reviewed by the CAA.²
- Continuous capacity building of EIA Central Department researchers.
- Ensuring that the official approval letter includes conditions to which the project proponent is committed to developing the project.
- Establishing communication with concerned entities, including CAAs, project proponents, and EIA reviewers.
- Conducting meetings with proponents to clarify issues and avoid delay in the review process.
- Modifications concerning EIA categories, including the recategorization of some projects from Category B to Category A, modification of Forms A and B, and expansion of the lists of establishments belonging to each category.
- Incremental decentralization of review activities to EEAA Regional Branch Offices (RBOs), a decision that is currently being considered.
- A plan to classify projects in centrally planned development projects with multiple facilities as Category B, as long as a regional EIA has been approved.

In general, EEAA's interventions have had a positive impact on system performance. All system participants seem to be reacting positively to these interventions. Although the amount of leakage cannot be quantified, it is clearly declining, especially for Category B. The increased number of EIAs entering the system in 1998, 1999, and 2000 demonstrates this fact. Moreover, requests for information in Category B to which no response is received, representing a system leakage and a low credibility, have decreased dramatically in 2000.

Following are some additional observations demonstrating improvement in the review system over time:

² CAAs are legally responsible for reviewing all EIAs, Categories A, B and C, under their jurisdiction. However, in practice, most CAAs lack the technical staff to review Category B and C EIAs. In these cases, the CAA acts only as a conduit between the project proponent and EEAA.

- The number of “irrelevant” cases (i.e., those for which EIAs should not have been submitted, or for which the EIA is submitted after project construction has begun) has decreased in 2000.
- As reported by reviewers, the number of high-quality EIAs has increased in the Category C.
- Among the most important factors affecting the review system is the contribution of CAAs, whether in pre-review or post-review activities. The last two years has seen some improvement in CAAs’ contribution. For example, some CAAs have begun informing EEAA of the Category A EIAs they have reviewed, reflecting a new level of commitment.
- The majority of appealed decisions are not reversed, a possible indication of decision-making consistency. The appeal committee applies the same conditions as the EIA Central Department, especially those addressing project location.

Almost all EEAA interventions have focused on the timeliness of the system. However, several gaps concerning other parts of the system remain to be addressed:

- The majority of EIAs submitted are of low quality. As the system has developed, the demand for competent EIA consultants has increased; this has led to an improvement in quality over time, but there is still substantial room for continued improvement. The market seems to be heading toward equilibrium of average quality, defined by the interaction of supply of qualified consultants and the demand for quality outputs. EEAA interventions have so far targeted only one side of the equation, mainly consultants’ qualifications. EEAA has not yet focused directly on the quality of EIA reports.
- There is a high variation in the number of cases generated by different governorates. This variation does not relate to differences in the level of economic activity in each governorate, but rather reflects variations in the level of compliance with EIA requirements among different governorates
- Reviewers differ in their presentation of review results. There is no unified format for the justification or report prepared by reviewers. This lack of uniformity makes it difficult to accumulate knowledge and experience, record the decision-making approach, or conduct quality control.
- System leakage affects the coverage and credibility of the system. Although the project construction license should not be granted unless the EIA study is approved, some projects are either implemented without the preparation of EIAs or EIAs are prepared after construction begins.
- Moreover, system leakage resulting from “unresponded-to” requests for information by EEAA is still high for Category C projects. According to field investigations, a

number of these facilities have been constructed and have begun operation without reaching final decisions concerning their EIAs. Tourism was found to be the sector with the largest percentage of “unresponded-to” requests for information (69 percent).

- Technical weakness within many CAAs continues to a major concern. In the overwhelming majority of cases, CAAs do not review Category B or C EIAs but send them instead to EEAA for review. Moreover, the CAAs do not even conduct a cursory check of submitted EIAs to see whether they are incomplete. In addition, in general CAAs do not inform the EIA Central Department about whether projects have been granted a license or have been implemented.
- Limited financial and human resources constrain the system, particularly affecting EEAA’s ability to conduct field verifications of information in EIA reports. There is no systematic follow up by EEAA after project completion to ensure that all agreed upon mitigation measures and management plans are being implemented during both construction and operation phases of the project. Noncompliance is only discovered through public complaints. Therefore, developers have limited incentive to comply with EIA requirements, which seriously affects the credibility of the system.
- Because public consultation and participation are not mandatory by law, interaction with the public is extremely limited or nonexistent in the vast majority of cases. Only in rare cases, generally for major projects, is there any public consultation.
- Because of the challenge faced by the department in dealing with resource and time constraints, the management focus was on ensuring adequate system output rather than the quality of these outputs. This focus has been justified because system throughput is currently high. However, the anticipated decrease in system throughput at the EEAA level resulting from planned decentralization and recategorization of EIAs should allow management to focus on other aspects of the system.
- The expected reduction in pressure on EEAA with the planned decategorization and decentralization presents an exceptional opportunity to improve system performance. According to the new definitions of A, B, and C categories, the number of EIAs reviewed by the EIA Central Department will be reduced to a maximum of 50 percent of its current number (i.e., 5,000 cases) and will provide more time for other necessary activities, such as capacity building, and quality control.

Proposed Recommendations

To enhance the effectiveness of the review system, recommendations have been developed that complement other actions taken or planned as well as represent a shift in approach, both in the role of the EIA Central Department and in the review process overall.

In general, it is proposed that the EIA Central Department focus more on overall management of the EIA system, an important function not currently assumed by the department or any other party. It is also proposed that EEAA reevaluate its approach to the review process, reducing the

volume (and EEAA's reliance) of review-related work that is outsourced to external reviewers for Category C EIAs. To do this, it is proposed that the capacity of in-house EIA specialists to conduct these reviews be increased. This will facilitate adopting a uniform review methodology. EIA Central Department in-house reviewers will take the responsibility of reviewing EIAs and will only resort to external reviewers to review specific technical aspects of complex studies.

The recommendations are either short-term or long-term according to resource demand or whether other entities outside EEAA are involved. However, all information-related recommendations are considered as short-term recommendations because such information is crucial for system management. For each recommendation, the role of the EIA Central Department was identified. This role ranges from implementing the action, supervising it, coordinating with concerned parties, or promoting the action.

The recommendations were formulated to address all system characteristics. The expected effect of each recommended action on specific characteristics is detailed in the report.

Short-term Recommendations

- Make standard conditions available to proponents
- Establish information and knowledge exchange
- Investigate unresponsiveness of the tourism and petroleum sectors
- Formalize limited attendance hearings
- Increase sector specialization by researchers
- Make available review results to inspectors
- Develop the performance monitoring system
- Make improvements to the EIA database
- Attach a form to the EIA to indicate its status in the review system
- Divide industry sector into subsectors
- Develop data generation forms

Long-term Recommendations

- Develop more sector-specific EIA completeness checklists
- Adopt a unified systematic review approach
- Conduct quality control investigations
- Consider the alteration of law 435/1954 decrees
- Build capacity of CAAs and RBOs
- Reconsider respective roles of staff and external reviewers
- Identify projects granted licenses without EIA submission
- Recommend that EMUs contribute in the licensing committees
- Encourage the establishment of cooperative relations between the EMUs and districts
- Coordinate with CAAs to address "unresponded-to" requests for information
- Develop EIA guidelines for more sectors
- Develop more form B for specific sectors
- Develop EIA information resources

- Inspect facility construction and operation activities

Performance Indicators

Indicators have been developed to follow up on and evaluate system performance, and to detect the need for modification or improvement. Proposed indicators have been designed to measure all system characteristics. The application of the proposed indicators depends on the availability of the information required to calculate them. Some proposed indicators currently cannot be calculated, either because they will not be relevant until expected changes to the EIA system are made, or because the information needed to calculate them is not in the database or not easily accessible due to the inflexibility of the database.

The indicators are divided into those measuring the status of the system at a given point in time, and those measuring the effectiveness of EIA Central Department's response to a specific problem with the system. The report concludes with a demonstration for the applicability of indicators using available data.

SECTION I

Introduction

A. Background

This study was conducted by the Monitoring, Verification and Evaluation (MVE) Unit of the Egyptian Environmental Policy Program (EEPP). As part of its evaluation component, MVE is mandated to conduct evaluations to identify barriers and constraints to policy reforms to facilitate the EEPP agenda. This appraisal is directly related to EEPP's focus on improving the Environmental Impact Assessment (EIA) system and developing information and indicators for environmental management.

The EIA system has three principal components: preparation, review, and inspection (i.e., post-project monitoring). This study focuses on the review component of the EIA system. It is therefore distinguished from other recent studies of the EIA system in Egypt, which targeted other specific aspects of the system, or the system overall. These include a 1999 report titled "Policy and Procedures Manual for the EIA Review," which addresses the policies and guiding principles of the EIA system and was commissioned by the Organization Support Programme (OSP). Another is the 2000 study titled "Evaluation and Future Development of the EIA System in Egypt." This study was prepared by the Mediterranean Environmental Technical Assistance Programme (METAP) and looked more broadly at the entire EIA system in Egypt and its compatibility with the World Bank and EU systems to develop an action plan for institution strengthening.

B. Purpose of the Study

The purpose of this study is to evaluate the performance of the EIA review system and recommend indicators to monitor the performance of the review system over time. By creating a way to monitor performance, the EIA Central Department will be able to pinpoint weak links in the review system and direct resources at those weaknesses to improve performance. The study also provides recommendations to improve the system and suggests steps needed to implement improvements. The recommendations are divided into two categories:

1. Short-term measures that can improve the EIA review system performance using current EEAA resources
2. Long-term measures that will require additional resources to be implemented

C. Scope of the Study

This study focuses on the EIA review system and the opportunities for its improvement. Because all parts of the EIA system are closely linked, this study looks at more than just the review system and addresses issues of EIA preparation and inspection in general terms. Some issues,

such as the impact of public participation on the final decision, require further investigation beyond the scope of this general study.

D. Methodology

D1. Assessment of System Performance

The study team conducted a thorough investigation of the EIA review system components and an analysis of the system performance. The team identified key factors affecting system performance and assessed EEAA responses to identified problems with the system. A range of techniques was used to conduct this assessment.

D1a. Involvement of the EIA Central Department

During the study, the team held discussions and meetings with the head of the EIA Central Department, other department staff, and staff of the EEAA Legal Department. These discussions were highly beneficial in establishing a common understanding of the proposed indicators and recommendations.

D1b. Review of Documents

The study team reviewed reports and other background material regarding the EIA system in Egypt. These included the following:

- Reports prepared by METAP and OSP
- Documents establishing the EIA system (Law 4/1994, EIA procedures, EIA guidelines, etc.)
- Documents produced by the EIA Central Department

D1c. Quantitative Analysis

The number of EIAs submitted to EEAA increased significantly in 1999, the year that the EIA system became effectively operational. In 2000 the number of reviewed EIAs was close to those reviewed in 1999, which indicates that the system has begun to stabilize, taking into account modest changes in the number of new projects proposed for development. Moreover, 2000 was the first year that EIAs were grouped into sectors in the EIA database. Accordingly, analysis for this study was conducted using 2000 data.

Quantitative analysis was conducted for all Category C EIAs reviewed in 2000 because this category includes the projects with potential for significant environmental impacts. Analysis was also conducted for Category B EIAs. However, due to the relatively large numbers of Category B EIAs, the analysis was limited to the first quarter of 2000. Because there is no seasonality related to submission of EIAs, the sample is representative of the total EIAs for 2000. Data analysis was conducted manually due to the limitations of the current EIA database. The necessity of conducting analysis manually constrained the type and extent of analysis performed.

D1d. Interviews

To achieve the objective of the report, interviews were conducted with selected Environmental Management Units (EMUs) and industry sector reviewers as well as EIA consultants. Annexes B, C and D highlight key points made during these interviews. The interviews revealed that the review practices and problems encountered are not specific to a certain sector. Moreover, it was clear that the Central Department was aware of the potential inconsistency problems associated with Category C reviews and that such problems were addressed by appointing the same reviewer for specific subsectors such as the cement subsector. Accordingly, the report equally addresses all sectors, even though the previous plan had been to focus the analysis on a selected sector.

D2. Recommendations for Improvement

The team formulated two categories of recommendations to overcome factors affecting the review system and enhance system performance, as follows:

1. Short-term measures that can improve EIA review system performance using current EEAA resources
2. Long-term measures that will require additional resources to be implemented.

D3. Monitoring System

By creating a way to track performance indicators, the EIA Central Department will be able to assess its performance and identify the need for implementing specific interventions to promote continual system improvement.

Relevant indicators proposed for monitoring the system consist of *status indicators* measuring system performance and *response indicators* addressing the response of EEAA to specific problems related to system effectiveness.

E. Establishment of the EIA System in Egypt

Since its introduction in 1994, EIA practice in Egypt has progressed significantly. Efforts by EEAA have led to steady improvement of all aspects of the EIA system, including preparation, review, and decision-making.

In 1994, Law 4 was issued as the first Egyptian law to set the framework for environmental protection in Egypt. Among other things, this law introduced the legal requirement to prepare an EIA with the application for license of new projects and extension of existing facilities, thus integrating environmental requirements into the existing licensing system. According to the law, the EIA should be submitted to the CAA, under which jurisdiction the project falls.

The law further specifies that the CAA should assess the EIA and send a copy to EEAA for review. During the parliamentary discussions of the law in 1992 and 1993, concerns were expressed that the review system might hinder investment plans. Accordingly, a clause in the law

was added to limit the review period allowed by EEAA to 60 days, beyond which the study would be considered implicitly approved.

In 1994, the EIA Central Department was established as the department responsible for EIA review within EEAA. When EIAs began flowing into EEAA in late 1994, the department was not yet adequately staffed. To begin processing the EIA reports and meet their legal limit of 60 days for decision-making, EEAA established a pool of external experts to review the EIAs. The reviewers generally come from universities or research centers.

Although the requirement to prepare EIAs became effective in 1994, it was not until February 1995 that the executive regulations of the law were issued by the Prime Minister through decree No. 338/1995. The regulations detailed the EIA requirements (i.e., the type of establishments subject to EIA, the appeal system).

To address the demands of processing the EIAs and create a uniform structure for the submitted EIAs, EEAA developed the Guidelines for Egyptian Environmental Impact Assessment after discussions with the relevant ministries. The guidelines describe in detail the procedures for preparation of EIAs. Projects are classified into three categories, reflecting increasing level of potential environmental impact. These categories, which are generally consistent with international standards for project classification, include the following:

- *Category A* — white list with minor environmental impacts
- *Category B* — gray list, which may have substantial impacts
- *Category C* — black list, which have high potential impacts

For each category, lists are provided of projects typically falling within each and the CAAs with jurisdiction over each project type. The guidelines were published in 1996 and have since been available to investors through the CAAs. The Egyptian EIA system, guidelines, and procedures were designed with the support of the Danish International Development Agency (DANIDA).

F. System Evolution

The last two years have seen a dramatic increase in the number of EIAs passing through the system. This increase presents a serious challenge to the ability of EEAA's EIA Central Department to conduct thorough and accurate reviews of all the EIAs received.

In 1998, in an effort to reduce the level of noncompliance with Law 4 EIA requirements, the Minister of State for the Environment started a campaign promoting the preparation of EIAs when applying for a project development license. The minister contacted all governors and informed them of the necessity of submitting EIAs in conjunction with licensing documents.

This campaign resulted in a tremendous increase in the number of EIAs submitted, as shown in Table I-1 on the following page.

Table I-1. Temporal Evolution of EIAs Reviewed by EEAA

Year	Number of EIAs Reaching EEAA	Number of CAAs
1994	7	3
1995	26	4
1996	41	10
1997	87	13
1998	276	25
1999	11056	46
2000	10315	52

In preparation for the predicted increase of EIA numbers, in late 1998 the EEAA CEO issued a decision, stating that EEAA would not accept Category A EIAs without their first being reviewed by CAAs as mandated by law. In reality Category A EIAs were not reaching EEAA anyway. The decision was in fact intended as a preemptive move to avoid having CAAs submit Category A EIAs to EEAA. Moreover, 10 researchers were recruited in the EIA Central Department to process EIAs. This number appears to be the minimum necessary to deal with the increasing number of Category B and C EIAs entering the system.

During its relatively short existence, the system has undergone several improvements in response to the pressures encountered. The improvements are either due to major decisions taken by EEAA or incremental measures implemented by the EIA Central Department itself.

F1. Major Decisions

Based on experience, several major decisions have been taken to improve the EIA review system. These decisions include:

- *Pressuring CAAs to assume their legislative responsibility to review Category A EIAs.* This decision recognizes the increasing workload on the EIA Central Department from more technically demanding Category B and C EIAs. This decision has been implemented.
- *Modifications concerning EIA categories.* To alleviate requirements viewed by the EIA Central Department and EIA practitioners as unnecessarily onerous, a move is underway to reclassify some projects within Categories B and C. Discussions between EEAA and the CAAs regarding this issue have recently been concluded, and should soon be implemented. The modifications include:
 - Recategorizing some projects to reduce the number of projects being subjected to detailed EIA preparation and review. This means a subset of Category B projects will be recategorized as Category A and a subset of Category C projects will be recategorized as Category B. The recategorization is according to experience gained in the department concerning EIA review and the significance of impacts for which an EA is deemed necessary.
 - Modifying Forms A and B (the forms that project proponents must complete as part of the EIA process) to provide more environmental information about the proposed project so as to more effectively issue decisions.

- Expanding the lists for each EIA category to be more explicit about which kinds of projects fall into each category.
- Adding a list of projects exempted from EIA requirement.

F2. Incremental Improvements

In addition to the major decisions discussed above, the EIA system has undergone continuous improvement through the efforts of the EIA Central Department, including the refinement of methodologies, approaches, and techniques. Such improvements were implemented in response to changing circumstances to facilitate the review process.

The incremental improvements, detailed in Section II, include:

- Development of sectoral guidelines for different sectors of Category C to improve the quality of submitted EIAs and accordingly facilitate the review process
- Ensuring that the official EIA approval includes committing conditions for the development as well as reference to concerned governmental parties whose opinion is essential before granting the license
- Adopting the approach of setting meetings with the proponent to clarify vague issues and establish a common understanding
- Establishing communication with concerned entities, and occasionally the public, during both the EIA preparation and review

SECTION II

The Current EIA Review System

A. EIA Review Methodology

Given the differences among projects in each of the three categories, review procedures for EIAs vary for each category. In general, the CAA reviews Category A EIAs, while EEAA's EIA Central Department reviews both Category B and C EIAs. Figure II-1 on the next page provides an overview of the EIA review system. Detailed steps for each category are described below.

Category A EIA review procedures are as follows:

- For a Category A project, the developer completes Environmental Screening Form A and submits it to the CAA for review.¹
- Based on Law 4/1994, which states that the CAA should review the submitted EIAs, the EEAA Chief Executive Officer (CEO) issued a decision in 1998 that EEAA will not accept Category A EIAs that are not reviewed by CAAs. The CAAs should review the form and verify that it has been properly categorized. The CAA then makes its decision, either approving or objecting to the project, based on the available information and the conditions provided by EEAA for approval. The CAA then notifies the developer of its decision.
- Because of EEAA's legal responsibility to provide an opinion regarding all EIAs, it was agreed that the CAA should inform the EIA Central Department of the reviewed projects and decisions taken. Even if EEAA does not review each case, according to the law, if the agency does not express its opinion within 60 days, the CAA decision stands. However, this mechanism is not working because the majority of CAAs do not inform EEAA of their decisions concerning Category A projects.
- When the CAA is incapable of reviewing the form or when it is unclear whether the project belongs to Category A or B, the CAA sends the form to EEAA for review, according to the Category B review process described below.²

Category B EIA review procedures are as follows:

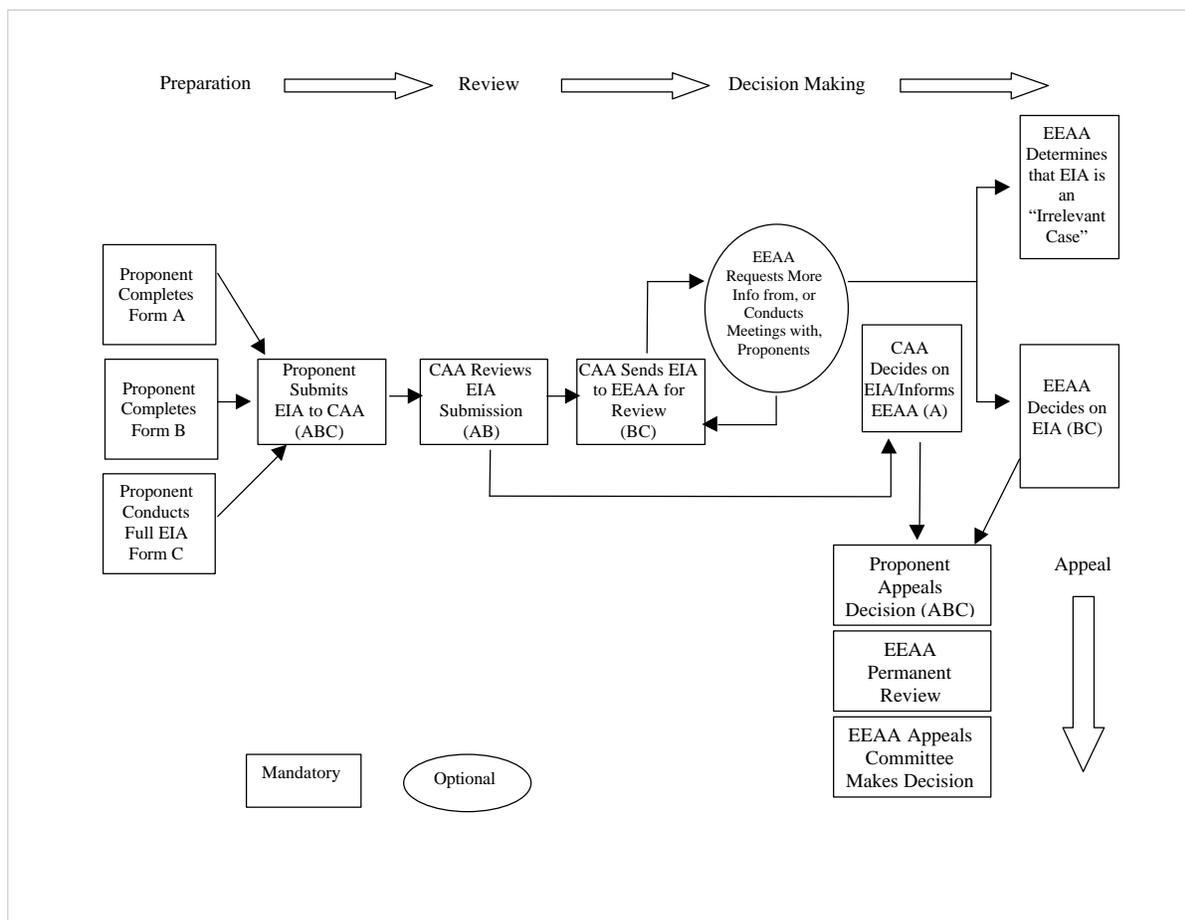
- In case of projects belonging to Category B, the Environmental Screening Form B is completed by the developer and submitted to the CAA.³ Often, a brief report or annex is attached to the form providing details about specific aspects of the project.

¹ Screening Form A was issued with the EIA Guidelines of 1996.

² This problem occurs because the list issued in 1996 for Category B projects was extensive and is a primary reason for the current revision of these lists.

³ Screening Form B was issued with the EIA Guidelines of 1996.

Figure (2.1): Current EIA Review System



- Although stated in the law that the CAA should review the submitted EIAs, the majority of CAAs do not review Form B. Instead, it is sent directly to the EIA Central Department in EEAA for review.
- In the past year, some CAAs began to conduct field investigations to the sites of Category B projects to fulfill Form B requirements for attaching an approved map of the project and its surroundings. The accumulated experience in some CAAs had allowed them to even start helping the proponents to complete their forms.
- In EEAA, the Category B EIAs are either reviewed internally by the researchers or externally by reviewers. The decision to appoint an external reviewer is taken based on the nature of the project, the severity of its impacts, the sensitivity of its location, and the frequency of its recurrence.
- Based on the results of the review, the department informs the CAA of its decision. Alternatively, as a result of the review, the developer could be requested to prepare a

scoped EIA study for certain impacts or components of the project in accordance with Terms of Reference prepared by the EIA department.

- Throughout the review, complementary information is sometimes sought through meetings with proponents and/or field visits.

Category C EIA review procedures are as follows:

- Category C projects require a complete EIA due to their potentially significant impacts. Project proponents send the EIAs to the CAAs, which seldom review them as stated by the law, but rather pass them along to EEAA for review.
- EEAA requires a clear approval from the CAA that the site allocated for the project is appropriate for the proposed activities. This requirement addresses past problems of EIAs being approved only to be later rejected by the CAA because the proposed site is inappropriate based on planning conditions.
- Due to the complexity and potential severity of impacts of Category C projects and consequently the required detailed analysis of the EIAs, Category C EIAs are reviewed by external reviewers.
- The EIA Central Department often requests meetings with the developer of a Category C project early in the review process to clarify any complex issues. This procedural innovation has yielded a reduction in the time needed for review.
- Sometimes the EIAs submitted do not cover all potential environmental impacts or are lacking required information. In this case, the department contacts the CAA, asking the CAA to inform the applicant about additional information needed to process the EIA. If the applicant resubmits the EIA without providing all required information, a meeting is arranged to clarify comments or information requirements. This approach has also reduced the time needed for review.
- Similar to Category B EIAs, complementary sources of information are sought, when needed.

B. System Inputs

B1. Submitted EIAs

The proponent prepares (or assigns a consultant to prepare) the study and conducts the required investigation, analysis, and assessment. The consultant acquires and collects baseline information on the project site and compiles relevant environmental regulations. Depending on the nature and location of the project, potential environmental impacts are assessed during both the construction and operation phases. Mitigation measures are recommended to minimize negative impacts and a monitoring plan is also formulated to ensure environmental protection.

For the preparation of the EIA, the general EIA guidelines or sectoral guidelines, if any, are followed.

Tables II-1 and II-2 below show the distribution of the EIAs received in 2000 by sector and CAA. The total number of EIAs in the tables also includes the Category A EIAs sent to the department. As shown in the two tables, the majority of reviewed EIAs belong to the industrial sector (about 70 percent). About 30 percent of the EIAs are sent from only two governorates: Dakkahelya and Gharbeya. It is remarkable that Alexandria has sent only 19 cases to be reviewed by EEAA in 2000. The high level of variation in EIAs submitted by different governorates cannot be explained by differences in the level of economic activity in each governorate.

Table II-1. Distribution of EIAs by Sector (Year 2000)

Sector*	Total # of EIAs	A Category EIAs	B Category EIAs	C Category EIAs
Industry	6873	167	6686	20
Services	2596	261	2335	----
Agriculture	403	6	397	----
Tourism	168	3	22	143
Energy/petroleum (production, processing, transportation)	71	----	7	64
Communications	37	18	19	----
Infrastructure (roads, potable water, wastewater)	30	1	23	6
Health	25	----	25	----
Energy/electricity	5	----	3	2
Housing and reconstruction	2	----	2	----
Ports	1	----	----	1
Transportation	1	----	----	1
Others	103	24	79	----
Total	10315	480	9598	273

Table II-2. Distribution of EIAs by CAA (Year 2000)

CAA	Total # of EIAs	A Category EIAs	B Category EIAs	C Category EIAs
Dakhahelya Governorate	1451	4	1447	----
Gharbeya Governorate	1353	79	1274	----
Sharkeya Governorate	1039	5	1034	----
Menia Governorate	929	135	794	----
Menofeya Governorate	799	139	660	----
Kaluobeya Governorate	593	14	579	----
Damietta Governorate	555	1	554	----
Giza Governorate	469	22	447	----
Sohag Governorate	395	1	394	----
Kafr El Sheikh Governorate	387	----	386	1
Beni Suf Governorate	345	1	344	----
Behera Governorate	255	----	255	----

CAA	Total # of EIAs	A Category EIAs	B Category EIAs	C Category EIAs
Fayoum Governorate	223	2	221	----
10 th of Ramadan City Council	190	1	189	----
Aswan Governorate	168	1	166	1
Cairo Governorate	156	18	135	3
Obour City Council	128	1	125	2
Tourism Development Authority (TDA)	100	----	1	99
Qena Governorate	97	----	95	2
Ismailia Governorate	84	4	80	----
Egyptian General Petroleum Corporation (EGPC)	69	1	3	65
Wadi ElGedid Governorate	60	4	56	----
Sadaat City Council	58	----	58	----
6 th of October City Council	51	----	51	----
Luxor Governorate	46	3	43	----
New Damietta City Council	45	5	40	----
Suez Governorate	43	----	40	3
Portsaid Governorate	39	----	38	1
Red Sea Governorate	33	1	8	24
South Sinai Governorate	28	1	10	17
Borg ElArab City Council	22	----	21	1
Alexandria Governorate	19	1	14	4
Others	86	26	46	14
Total	10315	480	9598	237

B2. Complementary Sources of Information

B2a. Meetings with Proponents

Comments or requests for missing information are sent to the CAA to be passed along to the proponent, who in turn sends his response to EEAA through the CAA. In most cases, this process is relatively lengthy.

To reduce the amount of time needed, the EIA Central Department has begun requesting meetings with the proponent, when needed, to clarify issues and achieve a common understanding of the approach to the project and associated environmental issues. The EIA Central Department Head has stated that this approach reduces the time needed for review, especially for Category C EIAs.

B2b. Field Verification

In some cases, field verifications are conducted at the project site given the sensitivity of the location, public complaints, importance of the project, or if the reviewer has doubts about some of the issues addressed in the EIA. Based on the geographical location and the nature of the project, field visits are conducted by members of the EIA Central Department staff, or by staff of other EEAA departments, such as the Environmental Quality Department, staff of the Regional Branch Offices (RBOs), or protectorate staff.

When other departments conduct field visits, information is not recorded in the EIA Central Department records. Instead, the reports are included in the files of the specific projects. Field visits undertaken by other departments also are recorded in EEAA files. However, they are filed together with information from other field visits conducted for other purposes and are thus difficult to segregate.

Generally, field verification is undertaken to check the information included in the EIA. However, in some cases, field verification visits are used to obtain information required to complete the EIA. In fact, this use of field verification visits shifts part of the effort (and cost) of EIA preparation to the review system and should decline as the quality of EIAs improves.

B2c. Consultation with Other Concerned Parties

The EIA Central Department communicates with other concerned parties to benefit from their opinions, contributions, and available information. The concerned parties are either agencies whose mandate relates to environmental issues or to the public.

The EIA Central Department establishes communication links with other entities inside EEAA such as RBOs and the Central Department for Nature Protection, or entities outside EEAA. Other links might need to be established with several entities such as the Egyptian General Authority for Shore Protection.

The EEAA CEO issued Decree Number 14/2000 organizing the relation between the central departments of EIA and Nature Protection concerning reviewing EIAs for projects within the protectorates, where the Nature Protection Department is considered the CAA.

The Central Department of Nature Protection keeps the EIA Central Department updated regarding the requirements and conditions for development within the protectorates and helps provide required information for the EIA review process for cases in the buffer zone around protectorates or in the vicinity of protectorates.

The EIA guidelines encourage public participation in discussing new projects to express public concerns and/or interests. However, public participation is not mandated by law. Accordingly, it is conducted in relatively few cases. Generally public participation is confined to major projects (especially those financed by international organizations), or projects that might affect the public in a populated area.

The EIA Central Department requests a limited attendance hearing as needed to resolve conflicts and when the conflicting parties are clearly identifiable. The invited parties include the project proponent, CAA representatives, members of the Central Department, members from related departments in EEAA such as the protectorates, and representatives of the affected public. Although rarely conducted, such hearings have been reported by the EIA department head to be highly beneficial, helping to avoid a more confrontational path in resolving issues.

C. Review Process

C1. Staff of the EIA Central Department

In addition to the department head, department staff consists of 10 staff members with technical backgrounds and 2 database operators. Three of these staff members are assigned other responsibilities and thus their contributions in the review activities are modest. In fact, each EIA received by the department is generally assigned to one of seven researchers. These researchers review most Category B EIAs, especially those that are recurrent. All Category C EIAs and Category B EIAs requiring special background are assigned to external reviewers.

Each researcher is responsible for several EIAs at the same time and helps the external reviewers if needed. A researcher participates in field visits to the project site when information is needed. Moreover, the researcher discusses the review findings with the external reviewer, and drafts the EEAA response for official communication to the CAA/developer.

All researchers are responsible for EIAs of different sectors, yet two sectors — tourism (two researchers) and petroleum (one researcher) — are only allocated to specific researchers (although these three researchers also review other sectors).

The two database operators on staff are responsible for updating the database with new EIAs and producing the required reports.

C2. Reviewers

The EIA Central Department maintains a list of external reviewers for EIAs. This list is updated according to recommendations from the CEO or the department head. Most of these experts are professors in Egyptian universities and research centers. For each expert, relevant information on personal history, plus field and previous working experience, is available.

For projects belonging to Category B, only one reviewer is assigned, and only as needed. The reviewer evaluates the study and assesses its completeness, the exhaustiveness of the impact assessment, and the appropriateness of the recommended mitigation measures and management plan.

The external reviewers only review the EIAs on technical grounds. After the technical review is completed, researchers address legal requirements, specifications, development plans, and other governing factors. This order of activities is prone to result in cases where considerable effort is directed at detailed technical review, while the decision might be based primarily on other controlling factors (e.g., proposed siting).

According to the review outputs, the reviewer issues his/her recommendations. The researchers often discuss the recommendations with the reviewers especially when the approval or rejection decision is not clearly justified.

External reviewers usually review Category B EIAs on EEAA premises on a weekly basis. As for Category C EIAs, the expert takes the study off site, for a 1-2 week review period, thereby allowing for consulting references, if needed.

For major projects, two reviewers are assigned. Factors influencing the decision to assign two reviewers include: a) the nature of the project; b) the sensitivity of the location; and c) the severity of potential impacts. The two reviewers are usually of different professional backgrounds required by the nature of the project. Their inputs are discussed with the researchers, who integrate them for communication to the project proponent.

The list of external reviewers accumulated throughout the life of the system includes 52 experts of different technical background. However, some experts are engaged with much greater frequency than others, based on the nature of the projects being reviewed.

D. System Outputs

D1. Decisions

Based on the EIA review findings, the department informs the CAA of its decision. In the past, EIAs reaching EEAA were reviewed, and either approved or objected to. The decision was taken with no reference to the requirements of environmental regulations, other than Law 4/1994, nor to the conditions for development of specific areas.

At present, the decision is issued with concurrence by other relevant GOE entities (i.e., the Shore Protection Authority for projects within the coastal setback). Obtaining the opinion of other agencies whose mission or jurisdiction is related to the proposed project is essential before granting the license. Moreover, the decision attempts to take into account the requirements of other environmental regulations, conditions for development for each sector, and the national development plans for specific geographical areas.

During the EIA review, the following options are available when contemplating a final decision:

1. Conditional approval

The department approves the EIA and compiles a list of all conditions and criteria that the developer should abide by in the design, construction, or operation phases. Some conditions reiterate what the study has committed to as mitigation measures, and others are added based on reviewer comments to ensure sound environmental management. If the project does not clearly contradict regulations and guidelines, any other aspect of the project is subject to discussion with the developer and modifications are sometimes required to ensure significant negative impacts are minimized. Modifications may include:

- Process modification
- Implementation of additional mitigation measures
- Modifications of management plans

The Department then sends the CAA a list of the suggested modifications. The CAA passes these along to the developer. Meetings are sometimes held with developers to reach agreement on required modifications. It would have been extremely useful to investigate the pattern for such modifications. However, EIAs approved after modifications are grouped with the other EIAs under the term “approved” in the database. Therefore, the only way to extract this information is by reviewing all approved project files, an extremely resource-intensive process.

2. *Temporary license*

A temporary license usually applies to industrial establishments within urban areas. Temporary licenses are issued to industrial establishments located in governorates where industrial estates have not yet been established outside urban areas (the preferred location). According to the urban planning law 3/1982, temporary licenses for such facilities may be renewed until a suitable industrial estate has been established, is adequately serviced and available for the relocation of facilities from urban areas.

3. *Objection*

EIAs are usually rejected when the project contains issues that contradict principles in environmental regulations or guidelines. For example, according to Law 4/1994, the location of the project should be appropriate to its activities. In case of the inappropriateness of the site to the project activities, EEAA rejects the EIA and recommends that the project be rejected.

In case of industrial establishments, the primary governing principle is to reject polluting industries in population centers, especially in densely populated cities and towns.

4. *Filed/reviewed by the CAA*

These are Category A EIAs that have been reviewed and cleared by the CAA and the decisions sent to EEAA for information only.

5. *Irrelevant cases*

The Department sometimes receives “irrelevant”⁴ studies such as compliance plans, EIAs prepared for projects to which EIA requirements do not apply, or EIAs submitted after project construction or operation has begun. These studies are directed to the concerned parties according to the following two criteria:

1. Project implemented without EIA
2. EIA requirements do not apply

Project implemented without EIA. In this case, a facility that was established after 1996 has either finished construction or even started operation without submitting an EIA.

⁴ “Irrelevant” is a term used in the Egyptian EIA system to describe the following: a) EIAs prepared for projects not subject to the EIA requirements; or b) EIAs submitted after project construction or operation has begun.

When these cases are discovered, mainly with the application for the operation license or with the renewal of the licenses, the license is not granted until the EIA issue is resolved. Submission of an EIA for the project was not accepted by the EIA Central Department because, by definition, an EIA should be prepared before construction begins.

A study prepared by EEAA (with OSP support) in 1999 addressed this issue in the industrial sector. According to the study findings, it was decided that facilities that were constructed without conducting an EIA should prepare an Assessment of Environmental Performance study to be reviewed first by the CAA and then sent to EEAA for evaluation.

Two types of cases were encountered. Some facilities began to submit compliance plans to EEAA to prove their compliance with relevant environmental laws and regulations. These studies were transferred to the concerned EEAA department (the industrial compliance unit in the case of industrial facilities). However, after this unit was restructured, the compliance plans were transferred to the CAAs to inspect the facility, check study credibility, and issue the license decision. These cases are labeled “compliance plans” in the EIA department outputs.

Other facilities submitted EIAs to EEAA, which inspected the facilities and for violating facilities recommended administrative closure to the relevant CAA. These cases were labeled “legal procedures” in the EIA department outputs. However, this approach had led to friction with the CAAs, especially if the establishment was a large employer. Accordingly, starting in mid-2000, CAAs were directed instead to inspect such facilities. According to the results of the field inspection, the CAA issues its decision on issuing an operation license or its renewal. Accordingly, the output label was changed to: “to be inspected by CAA.”

EIA requirements do not apply. The EIA requirements do not apply to these projects and no EIA should have been prepared.

The term “Information Requests” in the department’s records is used to describe all types of communications with the proponent concerning missing information, clarifications, recommendation for modifications, etc. Until the proponent sends his response or the meeting is held, the study is labeled “unresponded-to” Information Request.”

In response to such cases, the EIA Central Department sends follow-up letters to the CAAs informing them of the unresponsive proponents. However, this approach has proved to be ineffective to terms of getting proponents to provide information necessary to process the EIA.

Tables II-3, II-4, and II-5 show the distribution of the Category A, B, and C EIAs by review status, for the year 2000. The following key information can be gleaned from the tables:

- “Irrelevant” cases represent less than 2 percent of the total Category C EIAs, and about 3 percent of Category B EIAs, both relatively low percentages. Comparing Category B EIAs for the years 1999 and 2000, the percentage of “irrelevant” cases in Category B has decreased. The decrease likely reflects a change in practice by CAAs from 1999 to 2000. EIAs submitted by proponents after project construction has begun are classified as “irrelevant” by EEAA. EEAA sends these EIAs back to the

CAA for inspection and action. To avoid this additional burden, the CAAs are less likely to send “irrelevant” EIAs of this kind to EEAA in the first place.

- The number of cases for which EIA requirements do not apply has decreased from 1999 to 2000, reflecting an increase in awareness of the CAAs.
- The percentage of EIAs with “unresponded-to” requests for information in Category C is high compared with Category B. Comparing the number of “unresponded-to” requests in both 1999 and 2000, it is clear that for Category B, this number has decreased dramatically, reflecting a decrease in the system leakage in Category B (the figures are nearly the same for the Category C).
- For Category B, both the objection and temporary licenses have increased considerably in 2000 compared with 1999, an issue that requires more detailed study that is outside the scope of this report.
- As shown in Table II-5, some CAAs started to inform EEAA about Category A EIAs they reviewed and the number increased in 2000. This number, although small when compared with the number of Category A EIAs expected to be reviewed by CAAs, nevertheless reflects a new form of commitment and contribution from the CAAs.

Table II-3. Decisions for the C Category EIAs in 2000

Decision	# Cases in 2000	Percentage	# Cases in 1999	Percentage
Final Decisions				
Approval	88	37.3	97	41
Objection	2	0.8	2	0.9
“Irrelevant” Cases				
To be inspected by CAA	3	1.2	4	1.7
Compliance Studies	1	0.4	-----	-----
Legal Procedures	----	----	1	0.4
Others				
“Unresponded-to” Requests for Information	138	58.2	132	56
Under Study	5	2.1	-----	-----
Total	237	100	236	100

Table II-4. Decisions for the B Category EIAs in 2000

Decision	# Cases in 2000	Percentage	# Cases in 1999	Percentage
Final Decisions				
Approval	6344	65	6583	65.1
Temporary License	1937	20	1252	12.4
Objection	632	6.5	406	4
“Irrelevant” Cases				
Compliance Studies	121	1.2	184	1.8
EIA Requirements Do Not Apply	96	1	262	2.6

Decision	# Cases in 2000	Percentage	# Cases in 1999	Percentage
To be inspected by CAA	61	0.6	9	0.1
Legal Procedures	30	0.3	343	3.4
Others				
“Unresponded-to” Requests for Information	377	3.8	1067	10.6
Total	9598	100	10106	100

Table II-5. Decisions for the A Category EIAs in 2000*

Decision	# Cases in 2000	Percentage	# Cases in 1999	Percentage
Final Decisions				
Approval	132	28	212	42
Temporary License	3	0.06	1	0.02
Objection	2	0.04	2	0.04
Filed/Reviewed by CAA	239	50	27	5.3
“Irrelevant” Cases				
Compliance Studies	38	7.9	78	15.2
EIA Requirements Do Not Apply	32	6.7	62	12
To be inspected by CAA	1	0.02	1	0.02
Legal Procedures	-----	-----	16	3.12
Others				
“Unresponded-to” Requests for Information	35	7.28	114	22.3
Total	480	100	513	100

* These cases are sent to EEAA for review if the CAA is incapable of doing so, or to inform EEAA of the decisions.

D2. Appeal System

The CAA informs the applicant of the decision through a certified registered letter. Proponents have the right to appeal the EIA department’s decision, whether the decision is a rejection of the EIA, request for modifications, or conditions for approval, within 30 days after receiving the decision.

The appeal is submitted to EEAA, where a Permanent Review Committee made up of experts from inside and outside EEAA investigates the appeal. A technical subcommittee is formed to investigate the appeal as needed. The investigation might also require field visits to the project site.

Table II-6. Distribution of Appeals by Sector

Sector	No. of Cases
Industry	356
Services	258
Agriculture	58
Tourism	4
Health	2
Total	678

Based on the investigation, a decision is issued either to support the decision taken by the EIA Central Department or modify it. For the year 2000, the number of investigated appeals is 678. However, some of these EIAs were reviewed and granted final decisions in 1999, others in 2000. Because each list is in a different format, it would be extremely time consuming to determine which appeals originated in which year.

Table II-6 shows the distribution of appeals by sector, with the highest number of issued appeals coming from the industry sector. The pattern of appeals follows the same sectoral distribution of reviewed EIAs shown previously in Table II-1.

Table II-7 at right shows the distribution of appeals by CAA. The highest number of issued appeals is from the Dakahleya CAA, likely because Dakahleya sends the highest number of EIAs to EEAA. However, the pattern of appeals does not exactly follow the distribution of EIAs by CAA. For example, although Sharkeya usually sends more EIAs than Menofia, the number of appeals issued from Menofia is larger. This trend is similar for other CAAs, such as Damietta. Therefore, this issue needs to be further investigated.

Table II-7. Distribution of Appeals by CAA

CAA	No. of Cases
Dakahleya	140
Gharbeya	87
Menofia	81
Sharkeya	61
Kaluobia	60
Giza	54
Menia	31
Sohag	28
Damietta	27
Behera	23
Fayoum	22
Cairo	18
Kafr ElSheikh	17
Others	29
Total	678

As shown in Table II-8, the majority of proponent appeals are in response to conditions the EIA Central Department has imposed on them, especially the location of the activity. These conditions were first developed by the Permanent Review Committee and are tailored to actual cases by the EIA Central Department. In most cases, the committee applied the standard conditions used by the EIA Central Department. Table II-7 shows that 539 decisions (98 percent) were appealed based on conditions imposed by EEAA on the project location. Because the Review Committee uses the same criteria to evaluate appeals as the EIA Central Department reviewers employ to reach their decisions, the vast majority of appealed decisions are not reversed.

Table II-8. Reasons of Appeals Vs. Committee Decisions for the Year 2000

Reasons for Appeal	Decision							Total
	Conditions	Rejection	Approval	Temporary	To be inspected by CAA	Postponed until conditions are developed	Technical Committee	
Conditions related to location	539	8	2	5	1	13	94	662
Other conditions	3	2						5
Temporary license	4	2					1	7
Did not submit EIA					1			1
Pollution							2	2
Noise	1							1
Total	547	12	2	5	2	13	97	678

E. Tools

E1. General EIA Guidelines

In 1996, EEAA issued the general Guidelines for Egyptian Environmental Impact Assessment. According to the guidelines, projects are categorized into three categories (i.e., A, B, C), representing their relative potential for significant adverse environmental impact.

E1a. Contents of the General EIA Guidelines

The guidelines include the basis for the preparation of an EIA for the three categories and include the forms that should be completed for Category A and B projects. Moreover, they include a general outline for a Category C EIA as well as suggested outlines for different project types, including roads, industry, and other infrastructure projects.

E1b. Upgrading the Guidelines

In late 1999, EEAA identified the need to recategorize projects and modify the screening forms. Investigations had shown that:

- Form A was formulated based on the concept that EIA requirements do not apply to these projects. Thus, the form does not include the required environmental information on which the decision is based.⁵
- Information in Form B is not comprehensive and more information should be added.
- Some of the questions in Form B were confusing and should be clarified.
- A fourth list should be developed for exempted projects.
- EIAs will be recategorized such that parts of Category B EIAs will become Category A or C depending on their potential for significant impacts, and part of C would be recategorized as B.
- The lists of establishments belonging to each category should be expanded to include additional facilities not originally listed.

These adjustments to the EIA system are based on actual experience during the first few years of the system's implementation. The suggested changes were cleared by EEAA and distributed to the CAAs for review and approval. All CAAs have responded and the proposal is currently finalized.⁶

E2. Sectoral Guidelines

E2a. Contents of the Sectoral Guidelines

With the development of the EIA system, it was clear that detailed sectoral guidelines are necessary to reach a clearer understanding of the EIA process and to improve the quality of submitted EIAs. These guidelines provide guidance for all steps of EIA preparation. They introduce the proponent to important issues such as the following:

⁵ Currently, proponents are granted the license after they sign an agreement to abide by a list of measures and conditions during both the construction and operation phases of the project.

⁶ During the production of this report, the last CAA, Ministry of Health, has concurred with the proposal.

- Background of consultants needed to prepare the EIA and conduct the required investigations
- Key environmental issues to be addressed
- Activities to be undertaken
- Suggested tools to be used during the investigation
- Baseline information needed
- Contents of the formal report

Based on the interviews conducted with EIA reviewers, the guidelines were reported to have contributed to improving the quality of EIAs submitted and facilitating the review process.

E2b. Sectors for which Guidelines Have Been Developed

Sectoral guidelines have been developed for the preparation of EIAs in sectors belonging to C-category projects. They include guidelines for the following:

- Development of coastal areas, Environmental Management Sector, March 1996
- Coastal projects in the Red Sea, GEF-World Bank, September 1998
- Development of harbors and ports, SEAM, June 1999
- Industrial estates development, SEAM, January 1999
- Municipal wastewater treatment works, SEAM, January 1999
- Land reclamation, OSP, May 2000
- Cement industry, OSP, April 2001
- Urban development, OSP, May 2001

Other sector guidelines are currently being developed, such as those developed by OSP for:

- Petroleum industry (under print)
- Pharmaceutical industry (currently being developed)

These guidelines set the framework for conducting an EIA for each sector and provide guidance to investors and consultants to enhance the quality of the EIA. The sector guidelines currently being developed will also include checklists for reviewers.

E2c. Selection of Sectors

The selection of sectors for guidelines development depends on factors such as the following:

- Importance of the sector
- Severity of potential impacts
- National development plans
- Number of submitted EIAs

The decision is usually taken when several similar projects are being developed according to a national plan or economic trend. In this situation, a general framework for EIA would be useful

to achieve uniform investigation of potential impacts and improve the quality of the submitted EIAs. This has been the case with the guidelines for coastal areas and the cement industry.

Guidelines also are being developed for sectors in which the volume of EIAs submitted is significantly below the known volume of projects. This is the case with guidelines for land reclamation, urban development, and industrial estates development. For most projects in these sectors, the CAAs themselves are the proponents and usually do not prepare EIAs for the projects. These guidelines provide proponents with the required background and are a necessary basis for promoting the preparation of EIAs in these sectors.

E3. Standard Conditions

EEAA has developed standard conditions with which project developers must comply when proposing projects in specific sectors. These conditions, which apply to both the construction and operation phases of the projects, have been developed based on experience gained during the life of the EIA system. The standard conditions are intended to address environmental impacts that are typical of certain types of projects (i.e., frequently proposed projects).

In some cases, these conditions have been compiled in the form of lists that can be used to review similar projects. These lists ensure consistency of decisions and allow for a more efficient distribution of resources such that external reviewers are only involved in reviewing major projects with severe impacts, while researchers review cases with standards conditions.

The standard conditions are based on the general specifications for industrial and commercial facilities issued in the form of decrees complementing Law 435/1954. The standard conditions include some general specifications together with general requirements to comply with Law 4/1994.

Currently, standard conditions have been developed for various types of projects, including carpentry workshops, weaving and knitting facilities, tile manufacturing facilities, metal painting and welding workshops, bakeries, gas stations, and other facilities defined as industrial, agriculture, and services sector.

In specific cases, standard conditions have taken the form of a protocol, which is an agreement between EEAA and a group of developers of the same type of projects. The agreement contains the precautions that should be taken in the formulation of the project to avoid negative impacts. The review will thus focus on ensuring that these precautions are in place. The development of such protocols for some projects, namely mobile phone towers, has proven successful.

This protocol was primarily developed as a list of standard conditions, based on which communication links were established with the developers and the Ministry of Communications to upgrade the list and agree on the standard conditions. The meetings yielded a protocol between EEAA, the Ministry of Communication, and the mobile phone network operators, which is now followed for the construction of new towers. Another protocol concerning mobile towers micro-cells will also be developed.

E4. Completeness Checklists

These checklists are used to ensure that the EIA addresses all relevant issues. They are not designed to ensure that issues are adequately addressed. To date, the only checklist is for the tourism sector. Similar checklists are currently being developed for the pharmaceutical and petroleum industries. However, in case of other industry subsectors, the reviewers reported that they depend on the table of contents included in the guidelines as a completeness checklist.

E5. EIA Forms for Category B Projects in Specific Sectors

Currently, forms for Category B sectors are being developed for proponents. Two forms already have been developed: for the tourism and petroleum sectors. Although, as shown in Table II-1, the number of Category B EIAs that falls in these two sectors is limited (29 out of 9,598 in 2000), the forms were developed in preparation for transferring some Category C EIAs to Category B.

E6. Database

The database in the EIA Central Department was designed to maintain almost all department data in an electronic form. It stores data about projects whose EIAs are reviewed, EIA consultants, EIA reviewers, EIA guidelines for different sectors, and appeals. However, its capabilities have not yet been put to full use. Currently, it mainly tracks the progress of review activities for each study to ensure compliance with the 60-day period allowed by law for EEAA to review the EIA and issue a decision.

Currently, only the following fields are being populated within the database:

- Name of project
- Name of investor
- Sector
- CAA
- Address
- Category
- Activity
- Date of EIA first receipt at EEAA⁷
- Date of EIA last receipt at EEAA (when missing information is requested and the proponent sends it in)
- Review status/decision (approval, under study, etc.)
- Name of researcher
- Date of final decision issuing

The database includes the following fields that are not currently being used:

- Appeals

⁷ The data in this field can be seen on the computer screen only; it can neither be printed nor taken as a reference in analysis, unless it is also the last receipt date.

- Name of reviewer
- Guidelines
- Standard conditions

The following shortcomings have been noted concerning the current database system:

- The database records the date contacts are made with the investor to obtain information missing from the EIA submission. However, this information can neither be printed nor analyzed as it is recorded in the form of remarks. Moreover, the database reference does not indicate the type of information that has been requested.
- In all printable reports, the most recent date on which EEAA has received information from the CAA is taken as a reference to ensure compliance with the 60-day limit for processing the EIA, instead of the date of first receipt by EEAA.
- The database does not keep track of appeals issued; instead, those can be found in the files stored in the EIA Central Department and at EEAA legal department, in hard copy files.
- Software analysis capabilities are not being fully utilized. In particular, electronic reports can only be produced for one variable at a time. This makes it difficult to conduct detailed quantitative analysis of the current performance of the review system.

F. Conclusion

The EIA system depends to a great extent on the interrelationship between its components — project proponents, environmental consultants (advisors), Competent Administrative Authorities (CAAs), and EEAA (see Figure II-1). An effective EIA system requires cooperation between the components in the review loop, according to their defined roles and responsibilities. The relationships among the components can be summarized as follows:

- The proponent prepares the study according to available guidelines and submits the EIA to the CAA.
- Category A EIAs are reviewed by the CAA. EEAA should be informed of the decision. If the CAA is incapable of reviewing Form A, it is sent to EEAA for review.
- In the majority of cases, Category B EIAs are sent directly to EEAA, where they are reviewed by one of the researchers or external reviewers according to the several criteria. Some CAAs do not send Form B unless it is complete and the site map is approved through field investigation.
- Category C EIAs are sent directly to EEAA, where they are reviewed by external reviewers.

- The proponent is informed of the final decision, information request, or request for meetings through the CAA.
- The proponent has the right to appeal the EEAA decision. In this case, the decision is investigated by the Permanent Review Committee in EEAA.

Since the inception of the EIA system, EEAA has addressed all its components to some extent. Although EEAA interventions have at times seemed sporadic, EEAA has reacted to important signals concerning the system's performance and has had good success addressing the pressures and special needs of a newly introduced system and a new technical discipline in Egypt. Further analysis of these interventions is included in Section III of our report. This analysis, following a more systematic approach to assessing system performance, reveals that several gaps still need to be addressed.

SECTION III

Assessment of the EIA System

A. Characteristics of an Effective System

An effective EIA system will enhance environmental conditions and the conservation of resources. Appraisal of EIA system performance is critical to achieving this objective. However, due to the lack of baseline information, and that it is hard to control for factors outside of EIA that affect environmental conditions, it is hard to quantify environmental improvements that result from better EIA system performance. Instead, the study team has identified system characteristics that contribute to the objective of environmental enhancement.

An effective EIA review system should have the following characteristics:

- *Consistency* — The same rules and principles should be applied to decision-making in all cases, with reviewer subjectivity kept to a minimum.
- *Comprehensiveness* — Decisions should take into consideration all factors relevant to the project, including the development objectives and whether EIA report recommendations (i.e., mitigation measures) are practical to implement.
- *Universal coverage* — EIAs must be prepared for all projects to which EIA requirements apply.
- *Timeliness* — The EIA process must have a limited and relatively predictable time span.
- *Credibility* — All participants must believe that the system is fair in its application and decision-making.

All of these characteristics are related and affect one another. For example:

1. A credible system will reduce system leakages and contribute to universal coverage.
2. Consistent decisions, in turn, increase system credibility.
3. Timely decisions reduce disincentives to proponents to join the system and thus decrease a barrier to universal coverage.

Moreover, a characteristic such as comprehensiveness of decisions is related to other important factors, such as the quality of the study (i.e., exhaustiveness, clarity, scientific robustness) and systematic review.

B. Factors Affecting the Review System

Activities conducted before and after EIA review affect the system's characteristics as well as the system's performance and effectiveness. Prereview activities include preparation of the EIA study and submission to the CAA. Postreview activities include granting the licenses and implementing the project. The following sections detail the main factors affecting the system. These factors were identified through interviews as well as the system investigation and quantitative analysis that can be currently conducted.¹

B1. Technical Factors

B1a. Quality of Submitted EIAs

The quality of the EIAs submitted affects EIA review system effectiveness. The EIA reports are the principal system input. Their quality affects the time needed to reach a decision and the ability of EIA reviewers to make informed decisions.

Reviewers have reported that the quality of EIAs has increased in Category C. This change can be attributed to the accumulated experience of project proponents and EIA consultants. A cadre of EIA consultants is beginning to form, bringing better quality to EIAs submitted. Consultants have learned by their experience preparing EIAs and not through formal training or education.

The quality of the prepared study depends largely on choosing the appropriate consulting team to undertake the study, both in terms of their technical expertise as well as their familiarity with legislative and regulatory requirements.

The demand for EIA consultants in Egypt has increased as EIA requirements are more rigorously enforced. The resulting high demand has introduced inadequately qualified consultants into the market, which, in turn, has resulted in many low-quality EIAs. Because there are no standards for the qualifications of EIA consultants, no certification process, and no minimum requirements for a comprehensive and scientifically sound EIA, these consultants have been assimilated in the market with limited filtering.

A key factor affecting the quality of EIAs is the lack of thorough field investigation during EIA preparation. Many project proponents, due to cost and other considerations, conduct little or no fieldwork. Without having conducted a field investigation, many EIA reports submitted lack a solid grounding in quantitative data collection and analysis, which reduces the credibility of proposed mitigation measures and other conclusions. A related factor that is undermining the quality of EIAs submitted is that EIA preparation fees have declined, leading some EIA consultants to invest less time in EIA preparation. Despite these shortcomings, there is evidence that the market for quality EIA preparation is beginning to stabilize.

The quality of EIA reports depends greatly on the selection of appropriate EIA consultants. To facilitate such selection, EEAA has collected and compiled information on environmental consulting entities (i.e., firms, institutes, individual consultants) with the experience to conduct

¹ As will be explained in Sections V and VI, currently only a few of the status indicators can be calculated.

EIAs. These entities will be registered with EEAA. EEAA had planned to publish a directory of information about EIA consultants to be made available to investors, but shelved the idea after finding that the number of qualified consultants was extremely limited. Indeed, the pool of qualified consultants was so small that restricting project proponents to using only them would have unrealistically restricted the market. The directory would have guided selection of the consultant based on the nature of the project and experience of the consultant.

To bring continuity to the environmental consulting profession, the GOE is considering a law establishing standards for environmental consultants and the procedures to certify them. Theoretically, this would improve the quality of the studies submitted, as consultants will have to develop their approaches, methodologies, and resources to conform to defined standards.

It is important to note that the above interventions target only one side of the equation — the adequate supply of consultants. Increasing the demand for qualified environmental consultants by investors requires that investors see the benefit of producing higher quality EIAs. Several factors affect investor incentives in this area. First, investors must see that producing low-quality EIAs will slow project approval or possibly lead to rejection of the project itself. Without a viable enforcement regime to ensure that mitigation measures and other conditions placed on the project are implemented, investors will have limited incentive to pay for higher quality EIA consultants. Another factor is the need to educate investors to see the long-term economic benefits that accrue to them from constructing and operating environmentally sound facilities.

B1b. Public Participation

Public participation is an integral part of the EIA process. The benefits to including the public in the process are clear. First, the public will be aware of all measures required to minimize negative impacts, thereby avoiding a public backlash during project construction or operation. Second, in the project development process, a sense of ownership is created among public constituencies. This sense of ownership can make the public an active and effective partner in monitoring projects to improve compliance with agreed-upon conditions and mitigating measures by detecting visually obvious violations.

However, because public participation is not mandated by law, it only occurs in rare cases of major projects, particularly those financed by international organizations whose procedures require a more participatory approach. It is difficult to determine whether public participation, in those cases, has had a significant impact on the project approval decision or the quality of the EIA itself.

To evaluate impact, a thorough analysis would be needed of decisions in the cases where the public has been able to participate, but even then the results would be inconclusive given the limited size of the data set. However, the general impression at the EIA Central Department is that public participation in EIA preparation has not had a significant impact on EIA decision-making.

B1c. Focus on Project-Level EIAs

Although industrial or tourism sector centers with multiple facilities in a defined area have been developed in the last few years, a regional EIA for the center as a whole has been prepared only in a few cases. The law does not require such EIAs, in spite of the clear benefits of creating a comprehensive environmental management plan for the entire planned development. Thus, regional EIAs are prepared only in cases where the principal developer is aware of the benefits the EIA will have on the project.

Typically, individual projects within each center submit separate EIAs, whose preparation and review represent a high load on investors and on EEAA, respectively; this load could be substantially relieved if more regional EIAs were prepared. Costs associated with mitigation measures and environmental management planning might also be reduced if the proposed center is viewed as a single project, rather than a set of smaller projects. Moreover, in some cases the mitigation measures address impacts caused by limitations of the project site (i.e., a steep slope). These kinds of impacts, and the need for mitigation measures, could be avoided if environmental guidelines were established for development in different areas.

B1d. Absence of a Unified, Systematic Approach to Review

EIA review tools available include guidelines, completeness checklists, meeting with proponent, and field verification visits. However, there is no unified format for review of EIA reports or criteria for the decision justification. The lack of standards makes it difficult to accumulate knowledge and experience, record the decision-making approach, or conduct quality control on the decisions, especially when decisions are made at the CAA level or, in the future, by RBOs.

The reviewers differ in the way they present their review results. Some include a report with recommendations for alternate mitigation measures, while others include the decision with justification. Some give their decisions with no justification and are requested afterwards by the department to present justification, a process that delays EIA processing.

A report prepared by OSP in 1999 entitled “Policy and Procedures Manual for the EIA Review” includes proposed guidelines for review, providing reviewers with a framework for review and enabling them to assess the quality of the EIA and make an objective, defensible judgment of the study. However, these guidelines are used neither by the EIA Central Department nor external reviewers. The general impression is that the guidelines are too detailed and impractical for use on each review. Moreover, the review procedures included in the guidelines are based on a specific scoring technique, an approach that reviewers find too rigid. They feel that the criteria for review should be more flexible, according to the specifics of the project case.

Currently, external reviewers only use the table of contents for the relevant sectoral guidelines or the general EIA guidelines as a sort of checklist to ensure that the EIA report is complete. Reviewers have recommended that formal checklists be produced, given their usefulness, especially for external reviewers new to the process. While production and use of such checklists clearly would be a step forward, further action would still be needed to bring consistency in the review process.

B2. Institutional Factors

B2a. System Leakage

The EIA is a study performed in the design stage of a project to assess its potential environmental impacts during both construction and operation phases, and to recommend appropriate mitigation measures to minimize negative impacts. The EIA recommendations EIA should then be incorporated in project design. Therefore, a project construction license should not be granted unless the EIA study is approved.

As the system matures, and EIA and environmental management in general gain greater acceptance in the business community and among economic planners, it is possible that EEAA will have the leverage to more vigorously enforce EIA legal requirements. If noncompliance with EIA requirements presents a bona fide threat to the approval of a proposed project, investors will be forced to consider their decisions more carefully. However, given the current status of the system, leakage is not uncommon. Typical examples of system leakage include the following:

1. *EIA prepared after construction begins*

In some cases, the CAAs grant the investors a construction license before the EIA study is prepared. Often, the EIA is prepared during construction, or before the facility is granted an operation license.

This seriously undercuts the effectiveness of any EIA that is ultimately completed because the option does not exist to: 1) reject the project on the basis of the siting or other factors that make it inappropriate; or 2) recommend mitigation measures for the construction phase. Further, EEAA is left with little leverage to influence the design and operation of the facility to improve environmental soundness. In this case, the review can at best only result in recommendations to add mitigation measures for the operations phase.

2. *Project is implemented without preparing an EIA*

Some projects are granted the license without preparing an EIA study. There is no way to quantify the number of cases, but it is clearly decreasing, especially for Category B. This trend is seen in the growing number of EIAs from 1998 to 2000, as shown in Table III-1. This increase is significantly higher than the number of new projects being proposed in Egypt.

Table III-1. Pattern of Reviewed EIAs (1994-2000)

Year	Number of C Category EIAs	Number of B Category EIAs
1994	7	---
1995	26	---
1996	41	---
1997	86	1
1998	197	77
1999	237	10112
2000	237	9761

These cases may be attributed to the lax attitudes of some CAAs concerning the EIA process or their lack of awareness of the process and its requirements. In some cases, the CAAs are not sensitive to the environmental impacts resulting from both the construction and operation phases of the project. Possible lack of awareness on the part of investors regarding the legal requirements should also be addressed by CAAs.

As shown in Table III-2 on the next page, there is great variation in the number of EIAs generated by the governorates. A high number of EIAs in a particular governorate might indicate that some EIAs that should be reviewed by the governorates have been sent to EEAA for review. The current plans for recategorization address this issue. Low figures for EIA submission in a governorate reflect a lax attitude toward the EIA process. Both extremes need to be addressed to improve the efficiency of the system and ensure that EIAs are being prepared for projects for which EIA requirements apply.

In governorates such as Dakhahekyia, there is a strong, cooperative relationship between the Environmental Management Unit (EMU) and the districts and licensing department of the governorate.² This relationship and the periodic meetings attended by all parties have led to a decrease in system leakage. In governorates such as Alexandria, the absence of such a relationship between parties with responsibilities in the EIA process has affected system credibility and coverage. Compared to Alexandria, Dakhahelya is privileged in that it enjoys advantages that may be explained by the activities of the U.K. Support for Environmental Assessment and Management Project (SEAM) project in the governorate. It has a large staff in the EMUs, a strong institutional arrangement in the districts where environmental units exist, and a higher profile EMU within the governorate.

B2b. Response of the Proponent

Project proponents sometimes do not respond to requests for missing information from the EIA submission by the EIA Central Department. No final decision is made concerning these EIAs. In 2000, there were 550 requests for missing information to which no response has been received. Of this number, 138 are Category C (58 percent of the total C EIAs), 377 are Category B (4 percent of the total B EIAs) and 35 are Category A (8 percent of the total reviewed A EIAs).

This high percentage in Category C affects EIA system credibility, as some proponents likely have implemented their projects without a final decision concerning their EIAs. A field investigation was undertaken in Obour city, where three of seven projects with “unresponded-to” requests for information (and consequently no approved EIA) are in operation. These facilities might have been already constructed when they submitted their EIAs. These facilities have also passed an inspection by the EEAA auditing team. This example underscores the problem of system leakage and credibility, and points to inefficient coordination between two departments of EEAA (i.e. Auditing and EIA) in the same building.

This problem of “unresponded-to” requests for information needs more investigation to get a better picture of the reasons why project proponents sometimes do not respond to requests for information. In some cases, such as when financial constraints delay the project, there may be

² The head of Dakhahelya EMU reported this cooperative relationship in an interview.

legitimate reasons for the lack of response. Still, it is clear that a number of these facilities have been implemented. This investigation could be undertaken by exchanging information with other EEAA departments, especially inspection departments, and with CAAs. Table III-2 shows the distribution of the “unresponded-to” information requests by sector for Category C.

Table III-2. Distribution of “Unresponded-to” Information Requests by Sector (C-Category)

Sector	# EIAs with “Unresponded-to” Information Requests	Total # of EIAs	Percentage of EIAs in the Sector
Tourism	98	143	69
Petroleum	29	64	45
Industry	7	20	35
Infrastructure	2	6	30
Ports	1	1	100
Transportation	1	1	100
Electricity	0	2	0
Total	138	237	

The tourism sector has the largest percentage of “unresponded-to” requests, where proponents for 98 out of 143 EIAs (69 percent) have not responded to information requests. The petroleum sector also has a high percentage of “unresponded-to” information requests. Other sectors do not have significant numbers of “unresponded-to” requests.

B2c. CAA Contribution

The CAA contribution, whether in pre-review or post-review activities, is among the most important factors affecting the review system. The involvement of CAAs is also key in the EIA process as they are the principal interface with project proponents and the logical point of contact for proponents to obtain guidance on the EIA process. However, most CAAs do not take an active role in the EIA process; rather, they act simply as conduits, passing the EIA reports from proponents to EEAA. This began to change in the last two years, probably due to capacity building programs organized by EEAA. However, it is difficult to relate the improvement of their performance to capacity building alone.

Another factor affecting the review system is the rising interest in the process since CAAs began reviewing Category A EIAs. Since that time, several CAAs began helping investors complete Form B before sending it to EEAA and conducting field investigation to produce an approved map of the project location and its surroundings. It has also been reported that the Ministry of Housing (a CAA) has adopted a policy of not allocating land for housing projects unless proponents have an approved EIA. Despite this anecdotal evidence of improvement, several areas require significant attention.

- *Review* — According to the law, CAAs review all EIAs before sending them to EAA to express its opinion. However, this is not the current situation. CAAs review all Category A EIAs but do not, in the overwhelming majority of cases, review Category B or C EIAs.

- *Initial checking of EIAs* — Not only do CAAs currently not review Category B and C EIAs, they do not even conduct initial checking of submitted EIAs to identify incomplete ones and make sure that the EIA reports cover all relevant issues. EEAA has made attempts to encourage the CAAs to make these cursory checks but without success. In fact, some proponents have begun bypassing the CAAs and contacting EEAA directly, placing an additional burden on EEAA's already strained resources. The EIA Central Department attempted to perform this check itself, identifying EIAs with information gaps and establishing contact with developers to complete the EIAs before starting the review process. However, this attempt has failed because developers complained that the time needed to communicate between EEAA and the developers (using the CAAs as a conduit) was too lengthy.
- *CAA coordination after decisions are made* — After the EIA review is completed, the project is returned to the CAA. The EIA Central Department is not informed whether the project was granted the license or implemented. Such information would be useful in case follow-up activities are conducted.

B3. Resources Factors

These factors include the shortage of financial and human resources.

B3a. Limited Number of Reviewers

Approximately 52 reviewers are registered in EEAA. Reviewers include experts in a range of fields, and most have hard science or engineering backgrounds. Given the nature of the projects proposed, only a few experts have been called on to review EIAs in a given year.

In 2000, 17 of 52 experts reviewed 92 percent of the total EIAs that were reviewed by external experts. Some sectors, such as tourism and petroleum, are able to call on a relatively high number of reviewers — five for tourism and three for petroleum — other sectors rely on only one or two external reviewers.

Moreover, time constraints, the diversity of projects, and the limited list of reviewers make it difficult to mobilize all needed backgrounds for some EIAs, thereby increasing the probability of biased decisions. For example, EIA consultants have reported that reviewers are sometimes biased toward their own field of specialization. Therefore, the review might focus predominantly on technical or engineering issues familiar to the reviewer, or suggest mitigation measures based on technology or processes with which the reviewer has experience. This is not a problem as long as that perspective is balanced with other information. However, social impacts and others not directly related to facility operations are seldom adequately addressed. This fact makes a strong case for having EIAs reviewed by a multidisciplinary team.

B3b. Limited Budget

The limited budget of the EIA Central Department has a direct impact on EIA review activities. Budget limitations hamper the department's ability to assign multidisciplinary teams for EIA

reviews, conduct higher numbers of field verification visits, or provide training to department researchers to increase their technical capacity.

B3c. Lack of Systematic Follow-up Activities

During project implementation, there is no systematic follow-up to ensure that mitigation measures and management plans agreed to are implemented during the construction and operation phases. Project inspection occurs in response to public complaints due to emissions, noise, or other pollution problem. Other noncompliance cases are also discovered occasionally.

EEAA lacks a clear vision on follow-up activities and the entities responsible for them, especially during the construction phase. The EIA Central Department is overloaded with large numbers of EIAs and has neither the capacity nor the time to follow up on the implementation of approved projects.

Currently, the only follow up during construction occurs in cooperation with CAAs for the tourism sector through organized campaigns.³ However, the department is still responsible for transferring information in the most efficient way possible to the inspecting entities to follow up on projects during construction and operation. The general lack of follow up on project implementation as specified by the EIA review system encourages potential noncompliance by developers and affects system credibility.

Table III-3 shows how factors affecting the review process influence the characteristics of the review system. In addition to the mutually reinforcing influence of these characteristics, one factor can directly affect several other characteristics. Table III-3 also points to the need for interventions to protect system integrity. Some of these interventions are already being undertaken or have been commissioned by EEAA (see next section).

Table III-3. Factors Affecting the System Characteristics

Factors Affecting Inputs to the Review Process	System Characteristics				
	Consistency	Comprehensiveness	Universal Coverage	Timeliness	Credibility
Quality of submitted EIAs		•		•	
Public participation		•			•
Focus on project-level EIAs				•	
Absence of a unified, systematic approach for review	•	•			
System leakages			•		•
Response of the proponent			•	•	•
CAA contribution		•		•	•
Limited resources		•		•	•

³ The construction phase is considered important in tourism, especially in the Red Sea, because of the sensitivity of the environment and possibility of landfilling. It was reported that weak enforcement does not lead to the results desired from such an inspection campaign.

C. Management Response

The EIA review system has undergone several incremental modifications that reflect a commitment to continual improvement and an awareness of performance gaps. These modifications have improved review system performance, especially in terms of reduced review time. Moreover, a major modification currently being considered is the incremental decentralization of review activities.

EEAA has concentrated its management efforts on review system timeliness. As will be discussed below, other factors, such as system leakage, have not been adequately addressed through the adoption of new management procedures. Instead, political pressure has been the primary impetus for change.

C1. Decentralization

There is a clear vision in the EIA Central Department concerning decentralization of EIA review. EEAA's policy has its roots in a late 1998 EEAA CEO decision that EEAA would not accept Category A EIAs without being reviewed by CAAs as mandated by law. The next most appealing candidates for decentralization, and therefore EEAA's next target, are recurrent Category B projects. These are EIAs for projects with similar design and operational characteristics (i.e., recurrent projects), and consequently similar environmental impacts. As discussed earlier, EEAA has developed standard conditions by subsector to guide review of EIAs for these projects. Although reviewing these EIAs generally is not demanding, their sheer numbers represent a very high load on the department, justifying their review at the CAA level.

EEAA will recategorize Category A and B projects such that recurrent Category B projects will become part of Category A and thus will be reviewed by the CAAs. Another subset of Category B that does not require a scoped EIA will be delegated to the respective RBOs in time. The decentralization of review activities to RBOs should significantly decrease system leakage as the RBOs, being closer to the field, are in a better position to investigate EIAs and implementation of projects without the submission of EIAs.

C2. Standardization

C2a. Development of Completeness Checklists

Review checklists are used to check EIA completeness. They help identify information gaps that should be addressed by proponents. Currently, only the tourism sector has a checklist. Checklists for other sectors, including petroleum and the cement industry, are being prepared.

C2b. Guidelines for Preparation

Sectoral guidelines have been developed or are being developed for various subsectors. According to the reviewers, these guidelines have had a positive impact on the quality of the submitted EIAs and have also provided a guide for review.

C2c. Standard Conditions

As described earlier, standard conditions are basic conditions that should be satisfied for certain types of projects. Lists of standard conditions will be available for all Category A projects after recategorization and will provide guidance to CAAs in their review of EIAs.

C2d. Form B for Specific Sectors

The EIA Central Department is currently developing tailored versions of Form B for the tourism and petroleum sectors. These special forms will contain all information needed to assess the impacts of projects in these sectors and should have a positive impact on the quality of the EIA itself and the review process.

C3. Field Verification

Field visits are conducted either to obtain information missing from a submitted EIA or to check the credibility of the EIA analysis and/or conclusions. However, little time and limited financial resources can be allocated to field verification visits. To overcome this problem, the department sometimes relies on other EEAA departments, such as protectorates and RBOs, to conduct these visits.

Once the latest decentralization and recategorization initiatives have been implemented, more time can be allocated to field verification, both by the EIA Central Department and by the RBOs. This should improve the quality of review. CAAs are encouraged to conduct field investigations for Category A and B projects.

C4. Capacity Building

EEAA provides occasional technical training for the EIA Central Department research staff. However, time and budget constraints prevent more frequent capacity building from taking place. With the decentralization of review activities, more time could be allocated for staff capacity building. Field training in operating facilities may be organized such that the researchers are more familiar with expected impacts and effective mitigation measures for similar new projects.

This will improve the quality of Category B review and minimize the use of external experts for the review of Category B EIAs. External reviewers will only be appointed as needed to review specific parts of the complex Category C EIAs.

C5. Facilities Within a Wider Development

In connection with the pending recategorization, projects included in an industrial or tourism center will be classified as Category B as long as a regional EIA for the center has been submitted and approved. This will encourage developers to prepare regional EIAs, a positive development in the practice of EIA in Egypt.

C6. Review of Category A EIAs by CAAs

In 1998, the EEAA CEO issued a decision that EEAA would not accept Category A EIAs unless these EIAs have been reviewed by CAAs as mandated by law. In fact, Category A EIAs were never received by EEAA, and the decision was taken as a preemptive move to avoid their submittal to EEAA. Table III-4 shows the impact of current and planned improvements to the system, in the context of the system characteristics devised by the study team.

Table III-4. Effects of the Improvements on the System Characteristics

Management Response	System Characteristics				
	Consistency	Comprehensiveness	Universal Coverage	Timeliness	Credibility
Decentralization			•	•	
Standardization	•	•		•	
Field verification	•				•
Capacity building	•	•		•	
Facilities within a wider development				•	
CAA's review of Category A EIAs				•	

D. Conclusion

Based on this study's qualitative analysis, it was concluded that EIA system performance has improved over time as a result of several interventions. However, it is not possible to fully support such a statement quantitatively because the available information is not in the required form for analysis.

1. Consistency

There is no clear indication for system consistency. Although EEAA did not investigate this issue, awareness exists of the need to avoid inconsistencies that resulted in the production of standard conditions lists, appointing the same reviewer for a specific subsector, etc. However, due to the lack of important tools such as a unified review methodology or procedures for quality control, especially for Category A EIAs, questions remain as to the extent to which system consistency is achieved.

2. Comprehensiveness

EIA comprehensiveness must be judged by looking at a combination of factors that together demonstrate whether the review process is covering all the issues that should be covered, and on a consistent basis. The quality of EIAs and the lack of a unified review methodology clearly undercut the comprehensiveness of decisions. The use of standard conditions, although bringing a measure of consistency, also risks diverting reviewer attention away from project-specific factors that may negatively affect the environment and are not covered by the list of standard conditions for that sector or subsector. In addition, "nontechnical" issues such as the social environment are not given enough investigation in most EIAs, thus neglecting social impacts.

3. *System Coverage*

As mentioned earlier, available figures indicate that system leakage has decreased in Category B, although not in Category C compared to the growth of economic development in Egypt. Of particular concern is the substantial discrepancy in EIAs being generated by different governorates, indicating disparate levels of management capability among CAAs. Moreover, system leakage is also evident when the CAAs themselves are the proponents and do not prepare EIAs, a situation that also strongly affects system credibility.

4. *Timeliness*

The 60-day limit set by law for EEAA to reach an opinion for each EIA has had an impact on review times in EEAA. However, it has had little or no effect on the total time of review. Because EEAA “resets the clock” every time there is communication back and forth between the EIA Central Department and the project proponent (using the CAA as a conduit), generally to obtain necessary information not contained in the original EIA report, the 60-day review period actually begins only once the Department has a complete EIA submittal to review.

5. *Credibility*

System credibility is directly related to development of a reliable enforcement regime. It is therefore critical that follow up takes place after project implementation (i.e., long-term monitoring) and enforcement, including sanctions, are undertaken in case of noncompliance with EIA-approved conditions. These two aspects are now missing from the system, deeply affecting system credibility and encouraging noncompliance by investors. The low probability of any sanction resulting from noncompliance is also reflected in the proponents’ responsiveness to information requests. It is not unusual for proponents to start construction and operation prior to a final EIA decision.

In general, the incremental improvements adopted thus far by EEAA and discussed in this section have had positive effects on the review system. CAAs have begun to inform the EIA Central Department regarding decisions on Category A EIAs. Some CAAs have begun to contribute to the review of Category B EIAs by conducting field verification visits (i.e., to produce approved maps of the project site).

However, the impact of some interventions cannot be easily assessed. For example, as mentioned earlier, the numbers of EIAs reaching EEAA for projects that either do not require an EIA or after project construction has begun (both cases are classified as “irrelevant” EIAs in the terminology of the Egyptian EIA system) has actually declined in 2000. The reason for this decrease could be due to an increase in system coverage or that some CAAs no longer send these cases to EEAA as they know that they would be returned for inspection. If the latter is true, the intervention has had a negative effect on the availability of information, even though it contributed to the reduction of throughput in the review system.

Most interventions undertaken by EEAA to date have focused on system timeliness. Tables III-3 and III-4 show an inconsistency between major factors affecting system performance and

corresponding management response. The focus on timeliness is evident in other aspects of the management of the EIA system.⁴ While the focus on timeliness has meant that other system characteristics have not gotten substantial attention, interventions aimed at improving timeliness have had secondary benefits for other aspects of the system.

Because the challenges faced by the department in dealing with pressure and time constraints has been the focus of most interventions, management focus was diverted to system outputs rather than the impacts of these outputs. This focus is justified because system throughput is currently high. However, the decrease in throughput at EEAA resulting from current decentralization and recategorization efforts will free up EEAA management to address issues that could enhance other system characteristics and allow for more control on the overall EIA system.

⁴ Section II(E6) explains that the EIA database is used mainly to track EIA review time to ensure compliance with the 60-day time limit.

SECTION IV

Recommendations for System Improvement

Based on its investigation of the EIA review system, including interviews with representatives of all parties involved in the system and analysis of EIA records, the study team has identified factors that affect system performance and effectiveness. In most cases, EEAA is aware of these factors and has taken steps to alleviate bottlenecks and improve the system. The following recommendations are intended to build on the work that EEAA is already doing.

The recommendations are divided into short-term and long-term recommendations, according to resource demand or whether entities outside EEAA are involved. All suggestions that involve improving capture of information about system performance have been included as short-term recommendations because such information is crucial to system management. This will be discussed in more detail in Section V.

A. Opportunities for Improvement

The planned decategorization and decentralization represents an exceptional opportunity to improve system performance. The new project lists for Categories A, B, and C are currently in their final draft form. About 70 percent of the total Category B EIAs from the industry sector, currently reviewed by the EIA Central Department, will be reclassified as Category A and will be reviewed by the CAAs. Moreover, a part of the remaining 30 percent also will be delegated to the RBOs (Annex E). This will substantially reduce the number of EIAs reviewed by the EIA Central Department to a maximum of 50 percent of its current number (i.e., 5,000 cases) and will provide more time for other necessary activities such as capacity building, quality control, and other measures suggested in this section. In addition to being complementary to actions being undertaken or planned by the EIA Central Department, these recommendations suggest a shift in approach, both in the role of the EIA Central Department and the review process.

A1. Shift in the Role of EIA Central Department

Although the EIA Central Department plays the primary role in the EIA review system, the department's responsibility for reviewing EIAs does not leave adequate time to actively manage the overall workings of the system. The department's main objective is reviewing EIAs and making sure that the review process does not exceed 60 days. For the system to show significant improvement in other areas, the EIA Central Department must assume active management of all its aspects. In practical terms, expanding the department's role in this way will require improved access to and management of information and other aspects of each project outside the specific review phase, even if other parties undertake the direct action. To this end, measures that could be undertaken include capacity building of other system partners, acting as an information node, and carrying out quality control activities.

A2. Shift in the Review Process

One recommendation suggests that the EIA Central Department consider reducing its reliance on external reviewers. By using external reviewers more selectively and only when specific technical expertise is needed to review particular aspects of EIA reports, the department could improve the consistency of the review process.

In-house EIA specialists, adopting a uniform review methodology, could take the responsibility of reviewing EIAs and use external reviewers on an as-needed basis. This approach would have the following benefits:

- Improve the institutional capability within the department
- Decrease the likelihood of biased decisions
- Allow the department to control the review process itself

B. Short-term Recommendations

The following recommendations can be implemented in the short term with very limited additional resource demands on EEAA and other involved entities.

B1. Recommendations to Enhance Consistency

1. Make standard conditions available to proponents

Standard conditions — the conditions necessary for approval of the project in a particular subsector — should be provided to proponents at the start of the EIA preparation process. In addition, certain projects may require additional measures to mitigate potential impacts. These conditions will serve as screening for the reviewed EIAs. If the project does not satisfy these conditions, the EIA is rejected. This recommendation also enhances timeliness.

2. Establish information and knowledge exchange

The EIA Central Department should hold regular meetings with external reviewers of the same sectors. In these meetings, experiences and comments could be shared about the reviewed EIAs. These sessions would contribute to consistency in the review process, and could be attended by EIA Central Department researchers as a capacity building activity.

B2. Recommendations to Enhance Comprehensiveness

1. Formalize limited-attendance hearings

Although not required by law, public input serves two constructive purposes:

1. Identifies problems with project design and environmental soundness early in the project cycle
2. Helps facilitate public acceptance by providing information about project construction and operation

By seeking limited public input, communities could intervene in issues affecting their welfare and help monitor compliance for implemented projects. The department should set criteria for such hearings, such as large projects in populated areas, complex projects with multiple facilities (i.e., industrial parks), or projects in sensitive areas.

B3. Recommendations to Enhance Universal Coverage

1. Investigate unresponsiveness of the tourism and petroleum sectors

Tourism and petroleum — key sectors to the Egyptian economy — had the highest nonresponse rate for information requests. Projects in these sectors also have a high potential for significant environmental impacts. These two sectors represent a very high percentage of the Category C EIAs. Therefore, more detailed analysis is needed to explain the relatively low response rate and to form an action plan to address the problem. Such analysis was beyond the scope of this study.

B4. Recommendations to Enhance Timeliness

1. Make standard conditions available to proponents

The EIA review process is slowed considerably when EEAA has to request missing information from investors after initial EIA submissions. Providing investors with as much information as possible about the requirements of the EIA process will help alleviate this problem. This recommendation would also enhance the consistency of decisions.

2. Increase sector specialization by researchers

Currently, only certain researchers are responsible for reviewing EIAs in particular sectors. By increasing the number of sectors certain researchers may review, “specialist researchers” would be created for key sectors and subsectors. Increasing sector specialization in this way would reduce the time researchers need to become familiar with the technical details and typical environmental impacts of certain kinds of projects. This initiative would shorten the learning curve for researchers when they are assigned a project and would speed EIA processing.

B5. Recommendations to Enhance Credibility

1. Make available review results to inspectors

As an important information node, the EIA Central Department is responsible for transferring relevant information to environmental inspectors who inspect projects and check compliance with environmental regulations and approved requirements in the EIA. This information should be made available to the relevant inspection body in the most useful form, identified after discussions with inspection entities. It is proposed that inspectors be provided with the review decision including conditions that would apply during project construction and operation. Proponents should be encouraged to include a copy of the EIA and the review decision in the environmental register to be available for inspectors during field inspection.

Table IV-1 summarizes the short-term recommendations and their impact on different system characteristics.

Table IV-1. Summary of Short-term Recommendations

Short-term Recommendations	System Characteristics				
	Consistency	Universal Coverage	Comprehensiveness	Credibility	Timeliness
Make standard conditions available to proponents	•				•
Establish information and knowledge exchange	•				
Investigate unresponsiveness of the tourism and petroleum sectors		•			
Formalize limited attendance hearings			•		
Increase sector specialization by researchers	•		•		•
Make review results available to inspectors				•	

C. Long-term Recommendations

The following long-term recommendations will require additional resources from EEAA and other agencies involved in the EIA system to implement.

C1. Recommendations to Enhance Consistency

1. Develop more sector-specific EIA completeness checklists

Many environmental impacts that are identified for a project are characteristic of projects in that sector or subsector. Therefore, developing sector-specific checklists for use by the EIA Central Department, external reviewers, and eventually CAAs for the review of EIAs would minimize the possibility that key impacts are overlooked or that required information is missing from the submission.

2. Adopt a unified and systematic review approach

In the future, with the planned decentralization of review activities, it will be essential to establish systematic procedures for review. Standardizing the review system will help institutionalize the process, facilitating uniform recording of the decision-making process. Decisions should be reached through a consistent approach applied by all reviewers, whether from the CAAs, RBOs, or EEAA.

A unified format for review results, including adequate justification for decisions and information requests, will help build a comprehensive baseline data set. With these data, which

should be integrated into the EIA database, EEAA will be able to better track system performance and make necessary adjustments over time. The review report format should be designed to be easily completed by the reviewer and should include all needed information. It should include the decision, its justification, and conditions that apply to the project.

The form could be used to inform the proponent about the decision and the attached conditions. The form also would improve transparency. Given that the decision, whether approval with conditions or rejection, will be well justified, conscientious use of the form should eliminate a substantial number of appeals.

3. Conduct quality control investigations

Quality control should be an integral part of the system, especially for cases reviewed by CAAs and RBOs, when the latter are delegated part of Category B in the future. Quality control could be performed by selecting samples from the reviewed EIAs and examining those with no justification for decisions. The form that would be developed for the review would play an important role in such investigation. It may be efficient to let the RBOs perform such investigation for EIAs reviewed by the CAAs and the EIA Central Department to do the same for those reviewed by RBOs. The quality control procedures would be important to identify needs for capacity building, administrative interventions, or modifications in the review approach.

4. Consider the alteration of Law 435/1954 decrees

The standard conditions developed by the EIA Central Department are based on decrees implementing Law 435/1954. The decrees are specifications by which investors in commercial and industrial facilities should abide. EEAA may require such decrees be modified to include environmental aspects so that proponents are not confused by two sets of conditions governing their activities. Especially for Category A projects, this would represent a formalization of the responsibility for licensing authority because this law actually represents the cornerstone of their licensing activities.

5. Capacity building of CAAs and RBOs

Investigation has shown that a large number of CAAs are not aware of EIA requirements and procedures or their responsibilities regarding EIA processing. This problem will be magnified with the future recategorization of EIAs unless the CAAs undergo well-organized training courses and an awareness campaign.

The CAAs must become more proactive in the EIA process, taking on the role of true partners in making the system work. They must have the capability to guide proponents, investigate unresponsive proponents, and work to minimize system leakage. Both the RBOs and CAAs should be introduced to the unified decision format and the standard conditions they will use in review activities. CAAs should be acquainted with the role of the RBOs and the value of interaction with the RBOs regarding Category B EIAs and quality control activities for all EIAs in their jurisdictions.

6. Reconsider respective roles of staff and external reviewers

It is essential that Category C EIAs are reviewed by a multidisciplinary team to avoid biased decisions. The department should have “chief-reviewers” in-house who are not specialized in any one area but who are well experienced in the field of EIA. The “chief reviewers” will serve as the manager for the EIA review, review the EIA in general, and retain external reviewers only when specific technical expertise is needed. This approach is similar to the EIA preparation process where several consultants participate in the study, each in his field of specialization, while the team leader integrates their inputs into the study.

Adopting this approach may require a shift in EIA Central Department recruitment policy to hire individuals with solid management experience and a generalist EIA background. In addition, qualified researchers currently on staff could be trained to undertake this new role.

C2. Recommendations to Enhance Comprehensiveness

1. Develop EIA guidelines for more sectors

Providing proponents with EIA sectoral guidelines increases their ability to address the EIA requirements and minimizes the possibility of EIAs being submitted with information missing. As mentioned earlier, the development of sectoral guidelines has been reported by EIA reviewers to contribute to improving the quality of EIAs.

2. Develop more Form Bs for specific sectors

Developing sector-specific Form Bs tailored to particular types of projects will increase the ability of proponents to address all impacts and increase the quality of EIAs.

3. Develop EIA information resources

All parties involved in the EIA system need access to information. For example, RBOs need access to legal and regulatory considerations relevant to a given project, applicable development plans, and other governing factors. It is also critical that this kind of data be accessible to the EIA Central Department to make informed decisions regarding EIA reports.

Due to the effect these data might have on the final decision concerning the EIA, researchers should investigate these issues before the study is given to the reviewer for technical review. In fact, it is recommended that the role of external reviewers be limited to examination of technical issues (not legal, regulatory, or planning requirements). Moreover, because the CAAs have direct access to laws and other governing factors, it is suggested that they conduct such an investigation or give the EIA Central Department such information along with the EIA report.

4. Reconsider respective roles of staff and external reviewers

This recommendation also addresses consistency. Two factors have a positive impact on the comprehensiveness of the review:

1. For each type of project, the researchers will be aware of all issues that should be addressed in the study as well as potential significant impacts that require careful investigation.
2. The reduction of the role of external reviewers would allow, within budget constraints, to use a more diverse pool of expertise when needed.

C3. Recommendations to Enhance Universal Coverage

1. Identify projects granted licenses without EIA submission

System leakage is a key factor affecting system credibility and coverage. It is difficult to identify leakage without the help of the CAAs because they have access to license records. CAAs should be encouraged to check licensing records to identify projects, to which EIA requirements apply, that have been granted a license without submitting an EIA. With hard numbers detailing the extent of the problem, it could be possible to fund EIA training for CAA staff and increase resources for enforcement of EIA requirements at the governorate level.¹

It has been previously suggested (East Delta RBO, First Year Work Plan, Environics, July 2000) that the RBO be responsible for reviewing all licenses granted in its region and identify violators. Actions will be taken in coordination with the concerned governorates against violators of EIA requirements focusing on Categories B and C. EMUs would be involved in these activities, as relevant.

2. Capacity building of CAAs and RBOs

In addition to the benefits previously discussed, this recommendation will also enhance universal coverage. The CAAs need to become more aware of the legal requirement that EIAs be prepared and approved before granting a project a license and before the start of project construction.

3. Encourage participation of EMUs on licensing committees

A number of governorates have already adopted this approach. EMU participation in the licensing committee is important because the EMUs represent the governorate (the governorate is, in this case, the CAA) in reviewing EIAs and could thus have a major role in reducing system leakage and ensuring that projects will not be granted licenses before they submit EIAs.

4. Encourage the establishment of cooperative relations between the EMUs and districts

A cooperative relationship between the EMUs and district officials has been shown to reduce system leakage by encouraging communication. Such relations should be encouraged in all governorates. Although it is outside the control of EEAA, the agency has a clear interest in promoting such relations.

¹ In the report titled "East Delta RBO, First Year Work Plan, Environics, July 2000," a recommendation was made that licensing records should include identification of the project EIA category to facilitate future follow up on EIA compliance.

5. Coordinate with CAAs to address “unresponded-to” requests

The problem of “unresponded-to” information requests affects both the coverage and credibility of the review system. Therefore, coordination between EEAA and the CAAs to identify their respective responsibilities should be a priority.

C4. Recommendations to Enhance Timeliness

The following recommendations address developing EIA guidelines for more sectors and have already been made in the context of other system characteristics. However, these recommendations will also help to improve timeliness and therefore are repeated as follows:

- Develop more sector-specific EIA completeness checklists
- Develop more Form B for specific sectors
- Develop EIA information resources
- Reconsider respective roles of staff and reviewers

C5. Recommendations to Enhance Credibility

1. Coordinate with CAAs to address “unresponded-to” requests

The problem of “unresponded-to” information requests affects both the coverage and credibility of the review system. In some cases, the project proponent’s failure to respond to EIA Central Department requests for information is an indication that the proponent has moved ahead with project construction or operation. Lack of a rigorous enforcement regime to punish proponents for proceeding without an approved EIA does serious damage to the credibility of the EIA system. More consistent follow up by CAAs and better coordination between the department and the CAAs to quickly determine the reason for proponent unresponsiveness, possibly through a field visit or a phone call to the proponent, is necessary.

2. Inspect facility construction and operation activities

It is critical to the viability of the EIA system that monitoring takes place to ensure that environmental mitigation measures are implemented and that only anticipated environmental impacts are encountered. EEAA should consider seeking the additional resources necessary to undertake more field inspection visits during construction and once facility operation begins, in coordination with CAAs. Coordination should be achieved with inspection entities to direct the EIA data to the relevant inspection entity.

It was recommended previously (East Delta RBO, First Year Plan, Environics, July 2000) that follow-up activities be conducted by the RBOs. The follow-up will ensure compliance with conditions stated in the EIA approval and will include a training component to prepare RBOs for assuming responsibility for reviewing selected EIAs. Moreover, as explained in Section III(B1), it will feed back into the demand for quality consulting services.

Table IV-2 on the following page summarizes the long-term recommendations and their impact on system characteristics.

Table IV-2. Summary of Long-term Recommendations

Long-term Recommendations	System Characteristics				
	Consistency	Universal Coverage	Comprehensiveness	Timeliness	Credibility
Develop EIA guidelines for more sectors			•	•	
Develop more sector-specific EIA completeness checklists	•			•	
Develop more Form B for specific projects					
Adopt a unified review approach	•				
Conduct quality control investigations	•				
Consider the alteration of Law 435/1954 decrees	•				
Identify projects granted licenses without EIA submission		•			•
Recommend that EMUs contribute in the licensing committees		•			
Capacity building of CAAs and RBOs	•	•			
Encourage the establishment of coordination between EMUs and districts		•			
Coordinate with CAAs to address "unresponded-to" requests		•			•
Develop EIA information resources			•	•	
Reconsider respective roles of staff and external reviewers	•		•	•	
Inspect facility construction and operation activities					•

D. Recommendations Addressing Information

1. Develop a performance monitoring system

A monitoring system should be in place to continuously monitor and evaluate system performance. The indicators will enable the EIA Central Department to assess its performance and identify the need for implementing specific interventions to promote continual improvement of the system. Recommendations for specific indicators and new fields for the database are discussed in recommendation 2 and 2(a, b and c) below, while specific indicators are discussed in Section V.

2. *Make improvements to the EIA database*

Currently, the EIA database is used primarily to ensure that EEAA complies with the requirement to process EIAs in 60 days. By populating fields that are part of the database but for which data are not being entered, adding additional fields, and creating queries that can generate reports that track performance indicators, the database can become a more useful tool for EEAA to identify problem areas and improve system performance.

2(a). *Populate unused fields in the database, including the following:*

- Appeals and decisions of the committee
- Name of reviewer
- Guidelines (whether or not guidelines have been prepared for the subsector and the requirements of those guidelines)
- Standard conditions (i.e., required mitigating measures)

2(b). *Add more fields*

- Type of missing information (from the original EIA submitted)
- Name of consultant (who prepared the study)
- Field investigation undertaken (yes/no/date)
- Meetings with proponents undertaken (yes/no/date)
- Types of modification requested from the proponents
- Chronological history of each case

2(c). *Make the necessary modifications in the database*

The database should be modified to allow for indicator calculation and data analysis (as specified in Section V). This recommendation is aimed at giving the EIA Central Department the ability to generate regular reports that show how the system is performing when measured by different performance indicators.

3. *Attach a form to the EIA to indicate its status in the review system*

This form would serve as a written record showing the time taken by the CAA and EEAA as well as by the proponent to provide EEAA with information missing from the initial EIA. As discussed earlier in this report, the current system does not record the total time elapsed from the minute the EIA enters the system until a decision is rendered. Currently, the system only records the time taken by the EIA Central Department to review the EIA, once it has all the information needed. Having an accurate record of the total time needed to process EIAs will increase transparency and put pressure on all concerned parties to expedite EIA processing.

4. *Divide industry sector into subsectors*

Currently, the industry sector covers a wide range of projects with diverse technical requirements in terms of design, construction, operation and environmental impact potential. By disaggregating disparate project types, EEAA can accomplish the following:

- Track projects in the EIA system more specifically by project type to determine whether some project types present the same kind of environmental impact repeatedly or EIAs are submitted with the same missing information on a regular basis
- Create focused EIA guidelines for particular project types
- Identify and train researchers to handle specific project types

All these measures should lead to significant efficiency improvements in the review process. It might make sense to use an existing project classification system such as that used by the Central Agency for Public Mobilization and Statistics (CAPMAS).

5. Data generation forms

Forms should be developed to record all actions taken during the review of the EIA. Data included in these forms will be integrated in the database. Forms would be used for the following purposes:

- For meetings conducted with proponents to record the reason for the meeting and its outputs
- For field verification activities to record the reason for the visit and its outputs
- By reviewers to include their decision, justification, and additional conditions imposed
- To indicate the type of missing information requested from the proponent

E. Role of the EIA Central Department Concerning Implementation of Recommendations

The actions recommended above will require different levels of involvement and roles to be played by the EIA Central Department, including that of implementer, supervisor, coordinator, and promoter.

E1. Implementer

In this role, the EIA Central Department will assume complete responsibility for implementing the recommended measures as well as for allocating human and financial resources needed for implementation. For example, the department will establish information and knowledge exchange, conduct quality control investigations on RBOs, and develop EIA guidelines.

E2. Supervisor

The department will supervise the execution of a proposed action. For example, the CAAs will provide the proponents with standard conditions and the department will supervise this action. It will also supervise the quality control activities undertaken by RBOs on EMUs.

E3. Coordinator

For these recommendations, all activities will be conducted by other parties such as the CAAs, in coordination with the EIA Central Department. These activities include identifying system

leakage, coordinating with CAAs to address “unresponded-to” requests for information, and inspecting facilities during construction and operation phase. For these activities, the department will either provide information or support.

E4. Promoter

The department will promote and initiate certain activities that are beyond the department’s management interests. These activities include encouraging the establishment of coordination between EMUs and districts and recommending that EMUs contribute in the licensing committees.

Table IV-3 identifies the role of the EIA Central Department in implementing the suggested recommendations.

Table IV-3. Role of the EIA Central Department in Implementing Recommendations

Recommendations	Role of the EIA Central Department			
	Implementer	Supervisor	Coordinator	Promoter
Short-term Recommendations				
Make standard conditions available to proponents		•		
Establish information and knowledge exchange	•			
Investigate unresponsiveness of the tourism and petroleum sectors			•	
Encourage limited attendance hearings	•			
Increase sector specialization by researchers	•			
Make review results available to inspectors	•			
Information-specific recommendations	•	•		
Long-term Recommendations				
Develop EIA guidelines for more sectors	•			
Develop more sector-specific EIA completeness checklists	•			
Develop more Form B for specific projects	•			
Adopt a unified review approach	•	•		
Conduct quality control investigations	•	•		
Consider the alteration of Law 435/1954 decrees				•
Identify projects granted licenses without EIA submission			•	
Recommend that EMUs contribute in the licensing committees				•
Capacity building of CAAs and RBOs	•			
Encourage the establishment of coordination between EMUs and districts			•	•
Coordinate with CAAs to address “unresponded-to” requests			•	
Develop EIA information resources	•			
Reconsider respective roles of staff and external reviewers	•			
Inspect facility construction and operation activities			•	

SECTION V

Performance Indicators (Monitoring System)

Previous sections of this report have examined the EIA review system and identified factors affecting the system along with actions undertaken to address those factors. Additional actions were recommended to contribute to improving system performance. Accordingly, indicators were developed to continuously follow up on and evaluate system performance as well as detect needs for modification or improvement. By using these indicators, the EIA Central Department will have an objective record of system performance, the ability to identify trends, and a basis on which to make periodic adjustments to the system.

The implementation of the proposed indicators will establish a baseline level of system performance. Periodic analysis in the future must be conducted to determine what additional interventions are needed to reverse negative trends and preserve or enhance positive trends.

Of course, calculating the proposed indicators means the required information must be available. Some indicators currently cannot be calculated, either because they assess factors that will not be relevant until after the recategorization process is complete, or because the information needed to calculate the indicator is not available or readily accessible. For indicators that require the collection of additional information, recommendations were presented in Section IV.

The indicators are differentiated depending on what they measure (i.e., system status or system improvement). *System status indicators* provide a “snap shot” of the EIA review system by calculating status at a given time (i.e., the state of the variable). *System response indicators* calculate the effectiveness of measures introduced to the system to enhance its effectiveness in response to an identified system deficiency. The indicators are also divided using the system characteristics introduced earlier in the report.

A. Consistency

For the system to be consistent, the same rules and principles regarding decision-making should be applied to all cases. Decisions should be reached using a methodological approach applied by all reviewers, whether from the CAA, RBOs, or EIA Central Department. The decisions should be clearly justified. Quality control should be performed by both the CAAs and the RBOs, when a subset of Category B EIAs are delegated to these entities in the near future.

As shown in Table V-1 on the next page, perceived inconsistency can be quantified by calculating the percentage of cases for which appeals were issued.

Consistency should also be evaluated by identifying: 1) cases in which decisions were issued without clear justification; or 2) cases in which analysis shows the decision cannot be justified. Both types of cases would be detected through quality control activities. To achieve system consistency, review tools are being standardized by developing completeness checklists and establishing standard conditions for recurrent cases.

Table V-1. Summary of the Indicators Measuring Consistency

Indicator	Currently Calculated	Currently Cannot be Calculated		
		Unavailability	Data scattered in individual files	Future indicators, currently irrelevant
Status Indicators				
% of appealed decisions			•	
% of decisions reversed on appeal	•			
% of cases with unjustified decision				•
% of cases with unjustifiable decisions				•
Response Indicators				
% of cases for which completeness checklists have been developed	•			
% of cases for which standard conditions have been developed	•			

A1. Status Indicators**A1a. Can Be Calculated Currently**

Indicator: Percentage of decisions reversed on appeal

The number of cases in which the appeal committee reversed decisions reflects, in part, the inconsistency of the system. It may also reflect the lack of comprehensiveness of the system in not taking the proponent's legitimate interests into account when issuing the decision. This indicator is measured by dividing the number of EIAs with reversed decisions by the total number of appealed EIAs. A high percentage of reversed decisions reflects a low level of consistency. Ideally, the percentage would be zero.

A1b. Cannot Be Calculated Currently

Indicator: Percentage of decisions appealed

An increase in the percentage of decisions appealed corresponds to an increase in the awareness of the proponents regarding their rights granted by the system. The indicator is calculated for both Category B and C EIAs by dividing the number of appeals by the total number of B or Category C. For each category, the percentage of appealed decisions can be divided by sector to determine the sector with the highest number of appeals submitted. This indicator cannot be calculated for 2000 because the data are in incompatible formats. Ideally, the percentage would be zero.

Indicator: Percentage of cases with unjustified decision

This indicator is calculated by dividing the number of cases for which there is no justification for the decision by the total number of EIAs reviewed by the CAA, RBO, and EIA Central Department, respectively. It is necessary to develop a systematic and consistent methodology for justifying decisions to calculate this indicator. This indicator currently cannot be calculated because there is no systematic approach to review. Ideally, the percentage would be zero.

Indicator: Percentage of unjustifiable decisions

To calculate this indicator, a representative sample of the cases reviewed by each entity (i.e., CAA, RBO) will be investigated to verify the validity of the decisions. The indicator will be calculated by dividing the number of cases with unjustifiable decisions by the number of EIAs investigated. It is not currently possible to calculate this indicator due to the absence of quality control procedures. Ideally, the percentage would be zero.

A2. Response Indicators**A2a. Can Be Calculated Currently***Indicator: Percentage of cases for which completeness checklists have been developed*

This indicator applies to Category C EIAs. It is calculated by dividing the number of EIAs for which review checklists have been produced by the total number of reviewed Category C EIAs. A high percentage would reflect a high level of consistency and comprehensiveness in the system. Ideally, the subsectors with checklists would approach 100 percent.¹

This indicator will be relevant in the future with the development of completeness checklists for a wider range of Category C EIAs. Currently, there is only one completeness checklist (tourism sector).

Indicator: Percentage of EIAs for which standard conditions have been developed

This indicator applies to Category B EIAs. It is calculated by dividing the number of EIAs for which standard conditions for approval and protocols have been developed by the total number of EIAs. An increase in percentage reflects an increase in the system consistency. Moreover, standard conditions affect the timeliness of the review, as they are the basic conditions that should be satisfied for EIA approval. This indicator is not calculated for the Category A because standard conditions exist for all Category A projects.

B. Comprehensiveness

The comprehensiveness of the review is highly dependent on the comprehensiveness of the EIA itself. Moreover, system comprehensiveness is achieved through the adoption of a systematic

¹ There are some subsectors in which very few projects are proposed. For these subsectors, the resources needed to prepare a checklist likely are not justified.

review approach that takes all relevant factors into consideration.

As shown in Table V-2, the comprehensiveness of the study is measured by calculating the number of cases in which the EIA submission is missing required information. These cases only include EIAs with missing parts, not those that require clarification of information contained in the EIA or scientific justification. Comprehensiveness is also measured by calculating the percentage of rejected EIAs, which reflects the quality of EIAs.

To promote high EIA quality, the department has adopted several approaches, including development of sectoral guidelines for EIA preparation. Other measures include conducting field verification visits, meetings with proponents, or consultation with other concerned parties. These measures are used at the discretion of the EIA Central Department, rather than in all cases.

Field verification visits are conducted for two main reasons: 1) to obtain information that should have been included in the EIA; or 2) to verify the credibility of the study. The latter type of field verification should be used to achieve comprehensiveness of the review, while the former is conducted to compensate for a low-quality EIA. Some CAAs conduct field verifications for Category A and B EIAs, while the EIA Central Department conducts them for Category C and some Category B.

Meetings with proponents are conducted either: 1) in the beginning of the review to reach a common understanding of the EIA approach and clarify vague issues (reducing the review time); or 2) when proponents are not able to provide all information requested by EEAA after issuing two requests. It is thus very important to identify the reason for these meetings to determine their effectiveness vis a vis EIA approval or rejection. It is also essential to set the criteria for conducting these meetings, to make the best use of limited human and financial resources and ensure that these meetings are only undertaken when necessary.

Table V-2. Summary of Indicators Measuring Comprehensiveness

Indicator	Currently Calculated	Currently Cannot be Calculated		
		Unavailability	Data scattered in individual files	Future indicators, currently irrelevant
Status Indicators				
% rejected EIAs	•			
% EIAs with missing information		•		
% of noncomplying cases due to the approval of Inadequate mitigation measures		•		
Response Indicators				
% cases for which sectoral guidelines for preparation have been developed	•			
% field verification undertaken for review-specific reasons			•	
% meetings with proponents held for review-specific reasons			•	

B1. Status Indicators

B1a. Can Be Calculated Currently

Indicator: Percentage of rejected (objected to) EIAs

Ideally, the project design should integrate the inputs of the environmental consultant early in the process. EIA rejection reflects a lack of awareness of the environmental constraints to which the project should be responsive. Accordingly, this indicator measures the minimum quality required of the submitted EIA. It is calculated for Categories B and C. For each category, the indicator is calculated by dividing the number of rejected EIAs by the total number of reviewed EIAs.

B1b. Cannot Be Calculated Currently

Indicator: Percentage of EIAs with “missing information.”²

For each category, the number of EIAs for which there were requests for missing information will be calculated as: 1) a percentage of the requests to which proponents responded; and 2) a percentage of requests for which no response has been received.³ Currently, it is not possible to determine the number of “responded-to” requests. The percentage of EIAs with missing information should decrease with an increase in EIA quality.

Indicator: Percentage of projects not in compliance due to the approval of inadequate mitigation measures

In some cases, EIAs are approved, but when facility operation begins, public complaints or inspection activities show that the implemented mitigation measures, approved by the EIA Central Department, are insufficient and that environmental impacts are not adequately addressed. This indicator identifies cases of inadequate review and is a managerial tool to enhance the performance of the system. It is calculated by dividing the number of noncomplying cases of this type by the total number of inspected cases for which EIAs were submitted.

B2. Response Indicators

B2a. Can Be Calculated Currently

Indicator: Percentage of cases for which sectoral guidelines for preparation have been developed

This indicator applies to Category C EIAs. It is calculated by dividing the number of EIAs, for which there are sectoral guidelines by the total number of EIAs. A high percentage would be reflected in an increase in quality of prepared EIAs, which will reduce the workload on the reviewers.

² “Missing Information” is a term used in the EIA database that refers to the absence of required information from the EIA report.

³ The aggregation of several communication types under the label “information requests” in the EIA Central Department’s records should also be addressed. Otherwise, the meaning of this indicator will remain vague.

B2b. Cannot Be Calculated Currently

Indicator: Percentage of field visits undertaken for review-specific reasons

This indicator is calculated for Categories B and C by dividing the number of EIAs for which field visits are undertaken into groups according to the reason of the field verification: 1) whether verifying information in the EIA report; or 2) obtaining required information missing from the EIA report. The indicator is calculated by totaling the number of each type of visit as a percentage of the total number of field verification visits. This requires that records be kept of all field visits by the department and RBOs, preferably electronically, and clearly indicating the reason for the field visit.

It is expected that with the increase in the EIA quality, field visits will be used primarily to verify the information in the EIA report rather than obtain missing information. This indicator cannot be currently calculated as the data are scattered in individual project files.

Indicator: Percentage of meetings with proponents held for review-specific reasons

This indicator is calculated for Category B and C EIAs. It is calculated by dividing the number of meetings held with proponents for a specific reason by the total number of meetings. This indicator cannot be currently calculated as the data are scattered in individual project files.

C. Universal Coverage

The system should achieve universal coverage such that all projects applying for licenses, and to which the EIA requirements apply, should submit EIAs to the relevant CAA. Other system leakage, such as “unresponded-to” information requests, should also be eliminated. As shown in Table V-3, universal coverage is thus measured by calculating the percentage of licensed projects without EIA submittal and the percentage of cases whose information requests have not been responded to respectively.

Table V-3. Summary of Indicators Measuring Universal Coverage

Indicator	Currently Calculated	Currently Cannot be Calculated		
		Unavailability	Data scattered in individual files	Future indicators, currently irrelevant
Status Indicators				
% Licensed projects without submitting EIAs		•		
% Cases of unresponded-to information requests	•			
Response Indicators				
% EIAs delegated to the RBOs				•

C1. Status Indicators

C1a. Can Be Calculated Currently

Indicator: Percentage of cases of “unresponded-to” information requests

This indicator addresses post-review leakage due to “unresponded-to” requests for missing information. For both Category B and C EIAs, the indicator is calculated by dividing the number of “unresponded-to” requests for information by the total number of reviewed EIAs. This indicator is calculated for all EIAs outstanding in 2000. Information requests for some EIAs submitted in 2000 may still work their way through the system in a reasonable timeframe. Therefore, it makes sense to refine this indicator in the future by setting time limits regarding when an information request should be considered as system leakage. Alternatively, the indicator could be divided into a series of time ranges for “unresponded-to” requests (i.e., <30 days, 30-60 days, 60-120 days, >120 days).

C1b. Cannot Be Calculated Currently

Indicator: Percentage of licensed projects without submitted EIAs

This indicator measures the leakage resulting from granting investors a project license without submission of an EIA for the project. The information needed to calculate such indicator is either provided by CAAs from their files or from the results of inspection activities by inspection entities. This would require a high level of coordination and cooperation between the different entities involved. This indicator cannot be calculated at present because the necessary data are not available.

C2. Response Indicators

No response indicators to measure universal coverage are proposed because universal coverage can only be achieved through discrete institutional interventions taken by EEAA, in coordination with other CAAs. It would thus be difficult to measure the impact of these actions. An example is the recommendation for involving the EMUs in the licensing committee and the expected reduction in the system leakage. However, an indirect indicator would be the percentage of EIAs delegated to RBOs. Because the RBOs are closer to the actual projects, their direct involvement in EIA review should reduce system leakage.

D. Timeliness

The review system should be timely in the sense that time (and resources) should not be expended with excessive communication and information requests going back and forth between the different system participants (e.g., project proponent, CAA, and EIA Central Department). The timeliness of the system is measured by calculating the time taken for review by EIA Central Department and the CAA, as well as the time taken by the proponents to respond to requests issued by the EIA Central Department. These indicators are shown in Table V-4 on the next page.

To reduce the time taken for review, some Category B EIAs will be delegated to the RBOs, thereby increasing the number of reviewing personnel for the system overall, and at the same time making field verification more realistic for these EIAs. Moreover, sectoral guidelines have been shown to reduce the time necessary for review. Likewise, holding meetings with project proponents at the beginning of the review to reach a common understanding and clarify vague issues reduces review time.

Table V-4. Summary of Indicators Measuring Timeliness

Indicator	Currently Calculated	Currently Cannot be Calculated		
		Unavailability	Data scattered in individual files	Future indicators, currently irrelevant
Status Indicators				
Period taken for review within the department		•		
Period spent at CAA		•		
Proponent response Period		•		
Total taken in the review loop		•		
Response Indicators				
% Cases for which meeting with proponents were held at the beginning of the review			•	
% Delegated EIAs to the RBOs				•
% Cases for which guidelines have been developed	•			
Number of EIAs per reviewer per year	•			
Number of EIAs per researcher per year	•			

D1. Status Indicators

D1a. Can Be Calculated Currently

Indicator: None

D1b. Cannot Be Calculated Currently

Indicator: Period taken for review within the department

This indicator is calculated by summing the period, or periods, taken for review within the EIA Central Department. This indicator is especially telling in cases where missing information is requested from the proponent, and is represented by the relevant statistical measure, such as mean and standard deviation. For Category B and C EIAs, this period is calculated per EIA. This indicator cannot be currently calculated due to unavailability of data. Only the period from the time the EIA last arrived in EEAA until a final decision is issued can be calculated. This

number will include both EIAs for which a final decision was issued without the need to request any additional information and those that required communication with proponents.⁴

Indicator: Proponent response period

This indicator is calculated by summing the period taken for proponent response to missing information requests. For Category B and C EIAs, this percentage is calculated per EIA and is represented by the relevant statistical measure, such as mean and standard deviation. To calculate this indicator, the time taken for the EIA Central Department review and time taken in CAA (can be estimated from the dates of the request of information from the EIA Central Department to the CAA and that from CAA to the proponents and vice versa) should be subtracted from the total time of the review. This indicator cannot be currently calculated as the data are scattered in project files.

Indicator: Total period taken in the review loop

The period (s) is calculated using the dates of receipt of the EIA at the CAA whether from EEAA or proponent, and the dates at which it is sent to either of them. This indicator can be calculated by adding up the number of days each EIA spent at the CAAs, at the EIA Central Department, and with the proponents. This indicator cannot be calculated at present because the data are not available.

D2. Response Indicators

D2a. Can Be Calculated Currently

Indicator: Percentage of cases for which guidelines for preparation have been developed

A high percentage would reflect an increase in quality of prepared EIAs. Better quality EIAs generally will take less time to review.

Indicator: Number of EIAs per reviewer per year

For each reviewer, this indicator is calculated as an annual average of the reviewed EIAs. Currently, this indicator can only be calculated for Category C, as data for Category B are scattered in individual projects files.

Indicator: Number of EIAs per researcher per year

This indicator is calculated for each researcher as the number of EIAs reviewed per year. This indicator currently cannot be calculated for the total number of EIAs reviewed by researchers, because it is difficult to segregate EIAs reviewed by researchers from those assigned to external reviewers and followed-up by researchers. The total number of EIA for which researchers are solely responsible (i.e., there is no input from external reviewers) can not be calculated.

⁴ For demonstration only, the distribution for this indicator will be included in Section VI. Given the limitations of the available data, the actual number calculated does not represent the recommended indicator.

D2b. Cannot Be Calculated Currently

Indicator: Percentage of EIAs delegated to RBOs

This indicator measures the degree to which the system is being decentralized. It will be measurable in the future, with the delegation of some Category B EIAs to RBOs. It is calculated for the Category B only (Category C EIAs will still be reviewed by the EIA Central Department) by dividing the number of EIAs reviewed by RBO by the total number of submitted EIAs. To calculate this indicator, the RBOs should inform the EIA Central Department of information regarding the EIAs that they review.

Indicator: Percentage of cases for which meetings with proponents were held at the beginning of the review

This indicator is calculated by dividing the number of meetings held with proponents at the beginning of the review by the total number of meetings held.

E. Credibility

Credibility of the review system is achieved when the decisions taken in the EIA review are enforced. As shown in Table V-5, such a characteristic could be measured through the calculation of the percentage of the noncomplying facilities due to the inadequate implementation of approved conditions. Moreover, the percentage of cases for which there are no responses to information requests reflects the credibility of the EIA system.

Table V-5. Summary of Indicators Measuring Credibility

Indicator	Currently Calculated	Currently Cannot be Calculated		
		Unavailability	Data scattered in individual files	Future indicators, currently irrelevant
Status Indicators				
% noncomplying facilities due to inadequate implementation of EIA approved measures				•
% cases with unresponded to information requests	•			
Response Indicators				
% of cases for which inspection is conducted				•

E1. Status Indicators**E1a. Can Be Calculated Currently**

Indicator: Percentage of EIAs with “unresponded-to” information requests

This indicator, previously described in the Universal Coverage section, also is applicable to system credibility. A decrease in “unresponded-to” requests for information shows an improvement in system credibility.

E1b. Cannot Be Calculated Currently

Indicator: Percentage of facilities found noncompliant due to inadequate implementation of EIA-approved conditions

This indicator targets facilities that have inadequately implemented mitigation measures prescribed in approved EIAs. It is calculated by dividing the number of noncomplying facilities by the total number of inspected facilities that have submitted EIAs. This indicator currently cannot be calculated due to unavailability of data.

E2. Response Indicators

E2a. Can Be Calculated Currently

Indicator: None

E2b. Cannot Be Calculated Currently

Indicator: Percentage of cases for which inspections are conducted

This indicator is calculated by dividing the number of inspected facilities that submitted EIAs by the total number of projects that submitted EIAs and were approved. This indicator currently cannot be calculated due to unavailability of data.

Table V-6 summarizes the proposed indicators and their impact on system characteristics.

Table V-6. Summary of Indicators

	Consistency	Universal Coverage	Comprehensiveness	Credibility	Timeliness
Status Indicators					
% of appealed decisions	•				
% of decisions reversed on appeal	•				
% of cases with unjustified decisions	•			•	
% of cases with unjustifiable decisions	•			•	
% of rejected EIAs			•		
% EIAs with missing information			•		
% of noncomplying cases due to the approval of inadequate mitigation measures			•	•	
% licensed projects without submitting EIAs		•			
% cases of unresponded to information requests		•			
Period taken for review within the department					•
Period taken for review at the CAA					•
Proponent response period					•
Total period taken in the review loop					•
% noncomplying facilities due to the inadequate implementation of EIA approved measures				•	
Response Indicators					
% of cases for which completeness checklists have been developed	•				•
% of cases for which standard conditions have been developed	•				•
% of cases for which sectoral guidelines for preparation have been developed			•		•
% field verification undertaken for specific reasons			•		•
% meetings with proponents held for specific reasons			•		•
% delegated EIAs to the RBOs		•			•
Number of EIA's per reviewer per year					•
Number of EIA's per researcher per year					•
% of cases for which inspection is conducted				•	

SECTION VI

A Demonstration of Applicability of Indicators

As explained in Section V, a large number of proposed indicators currently cannot be calculated because information needed to calculate them either does not exist or is not readily available. Section IV of this report makes recommendations to facilitate generation and collection of the data necessary to calculate all the proposed indicators. Information derived from the few indicators that can be calculated has been factored into the assessment of system performance included in Section III. This section, therefore, is not part of the EIA review system assessment. Instead, it is a partial demonstration of the envisioned internal monitoring system.

For this demonstration, the indicators will be calculated with data from the year 2000. All Category C EIAs reviewed in 2000 will be considered. Due to the relatively large number of Category B EIAs and shortcomings in the database that necessitate manual analysis of the data, consideration will be limited to the first quarter of 2000. Further, because there is no seasonal variation associated with EIAs submitted, all Category B EIAs submitted in the first quarter of 2000 were selected for analysis. Further analysis could always be undertaken to interpret the value of a specific indicator and therefore direct response and interventions to control and/or revise negative trends as well as preserve positive ones.

A. Current Indicators Related to Category C

Indicators for Category C are calculated for the year 2000, where a total number of 237 Category C EIAs were reviewed. Table VI-1 shows the distribution of EIAs by sector and decision.

Table VI-1. Distribution of the C Category EIAs by Sector and Decision

Decision	Sector														Total
	Tourism		Petroleum		Industry		Infrastructure		Ports		Electricity		Transpt'n		
	#	% of sector	#	% of sector	#	% of sector	#	% of sector	#	% of sector	#	% of sector	#	% of sector	
Compliance study	—	—	1	1.6	—	—	—	—	—	—	—	—	—	—	1
Approval	41	29	31	48.6	10	50	4	67	—	—	2	100	—	—	88
To be inspct'd by CAA	—	—	2	3.2	1	5	—	—	—	—	—	—	—	—	3
Objected to	1	0.7	—	—	1	5	—	—	—	—	—	—	—	—	2
Unresp'd-to info requests	98	68	29	45	7	35	2	33	1	100	—	—	1	100	138
Under study	3	2.3	1	1.6	1	5	—	—	—	—	—	—	—	—	5
Total	143	100	64	100	20	100	6	100	1	100	2	100	1	100	237

A1. Consistency Indicators

Indicator: Percentage of EIA decisions reversed on appeal

This percentage is equal to zero because no appeals were issued for Category C EIAs during the sample period.

Indicator: Percentage of cases for which completeness checklists have been produced

Only one checklist has been developed, namely for the tourism sector. The checklist applies to 60.3 percent of cases (143 of 237).

A2. Comprehensiveness Indicators

Indicator: Percentage of rejected EIAs

The percentage of rejected EIAs is 0.84 percent, which is very low. Only two Category C EIAs were rejected. The first was from the tourism sector (the CAA is the South Sinai governorate) and the second from the industry sector (the CAA is the North of Gulf of Suez Development). Although the percentage of rejected cases is low, there are many outstanding EIAs for which requests for additional information remain “unresponded-to.” Therefore, the number of cases that could be rejected might be higher.

Indicator: Percentage of subsectors for which guidelines for preparation of EIAs have been produced

Sixty-two percent of Category C EIAs fall in subsectors for which sectoral guidelines have been produced. Subsectoral guidelines currently are being developed for another 30 percent of the sectors, raising the total to 92 percent. This high percentage should encourage the EIA Central Department to investigate subsectors for which there still are no guidelines. In cases where such subsectors show high rates of noncompliance with EIA requirements and/or low report quality, the department should consider creation of guidelines to improve performance in these subsectors. For example, it would make sense to produce guidelines for a range of industrial subsectors.

Table VI-2 shows the number of EIAs prepared in sectors for which sectoral guidelines have been developed and for which guidelines are being developed.

Table VI-2. Number of Cases Corresponding to Sectoral Guidelines (C Category- 2000)

Sectoral Guidelines	Number of Reviewed Cases for Which There Are Preparation Guidelines	Percentage of Total C Category EIAs
Already Developed Guidelines		
Development of coastal areas	143	60.3
Coastal projects in the Red Sea	138*	—*
Municipal wastewater works	3	1.3
Development of harbors and ports	1	0.4
Total	147	62
Guidelines Currently Being Developed		
Cement industry	6	2.6
Petroleum industry	64	27
Pharmaceutical industry	1	0.4

Total	71	30
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* Also included in those for which the Development of Coastal Areas Guidelines apply, and thus is not added to the total

A3. Universal Coverage Indicators

Indicator: Percentage cases of “unresponded-to” information requests

There are 138 “unresponded-to” requests for information, representing 58 percent of the total Category C EIAs. This is a relatively high percentage. As shown earlier in Section III, the tourism and petroleum sectors have a high percentage of “unresponded-to” information requests. The number of “unresponded-to” requests in other sectors is relatively modest.

A4. Timeliness Indicators

Indicator: Percentage of cases for which guidelines for preparation have been produced

This indicator is already included in the comprehensiveness indicators (see subsection A2 above).

Indicator: Time taken for review by EIA Central Department

The time taken for review in the EIA Central Department could not be calculated because the actual total time spent in reviewing the EIAs inside the department is difficult to calculate. As discussed earlier, only the period from the time the EIA last arrived in EEAA until a final decision is issued can be calculated. Therefore, the numbers derived by calculating this indicator with the data available are included for demonstration purposes only.

This distribution includes both EIAs that did not require any communication with the proponents and those for which there was one or more communication with the developer to obtain missing information or clarify issues. Each time the proponent responds to the request of information or a meeting is held, the time allowed for the EIA review is reset at 60 days.

Figure VI-1 shows the distribution over time of reviewed EIAs. For 50 percent of the EIAs, the final decision is issued within 28 days from the time the EIA is last received by the EIA Central Department. Figure VI-2 shows a similar distribution by sector. The curves approximate normal distribution curves, and could therefore be described by relevant statistical measure.

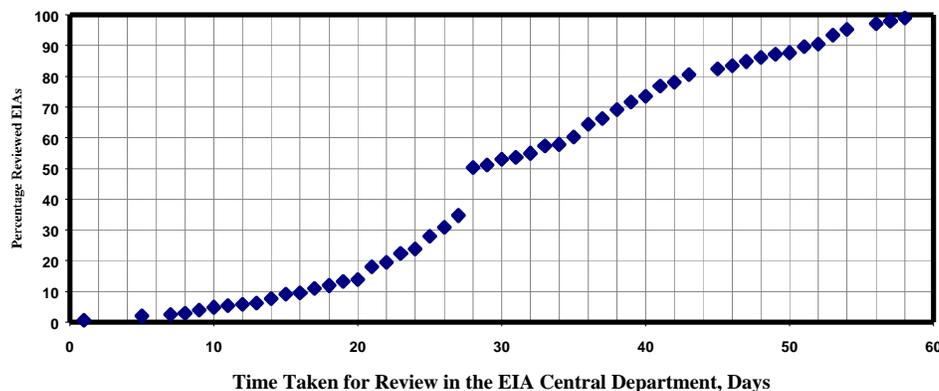


Fig VI-1. Cumulative Distribution of Review Time for Category C EIAs

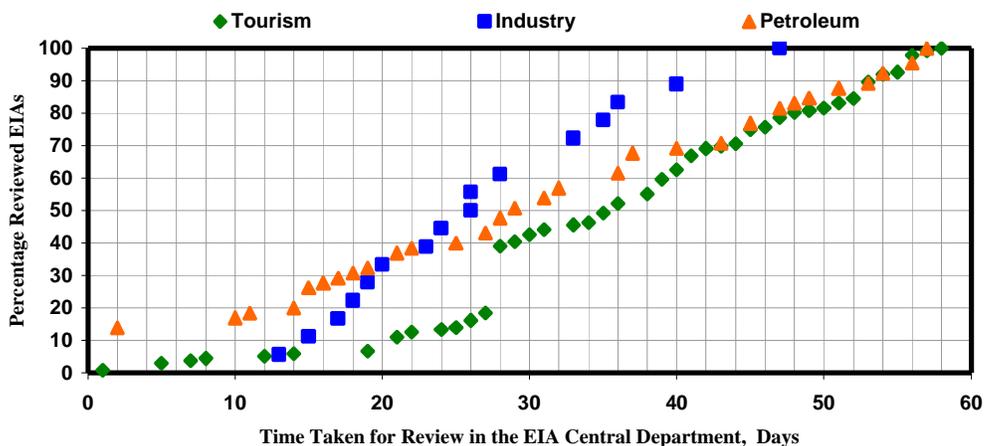


Fig VI-2. Cumulative Distribution of Review Time for C Category by Sector

Indicator: Number of EIAs per reviewer per year

On average, each reviewer reviews 15 EIA reports per year.

A5. Credibility Indicators

Indicator: Percentage cases of “unresponded-to” information requests

This indicator is already included in the universal coverage indicators (see subsection A3 above).

B. Current Indicators Related to Category B

The indicators are calculated for the chosen sample of Category B EIAs (the first quarter of 2000). Table VI-3 shows a distribution of the EIAs in this period by decision and sector.

Table VI-3. Distribution of B Category EIAs by Sector and Decision

Decision	Sector														Total
	Tourism		Petroleum		Industry		Agriculture		Services		Communication		Health		
	#	% Sector	#	% Sector	#	% Sector	#	% Sector	#	% Sector	#	% Sector	#	% Sector	
Compliance Study	—	—	—	—	13	0.9	5	2	7	1	—	—	1	25	26
Approval	2	50	6	67	889	61.9	228	84	471	78	1	100	—	—	1597
Legal Procedures	—	—	—	—	8	0.05	—	—	5	0.8	—	—	—	—	13
Objected To	—	—	—	—	71	4.9	17	6	33	5	—	—	—	—	121
Unresponded-to information requests	2	50	3	33	59	4.1	8	3	14	2	—	—	3	75	89
Reviewed by CAA	—	—	—	—	16	1.1	—	—	25	4	—	—	—	—	41
Temporary License	—	—	—	—	391	27	15	5	29	4.7	—	—	—	—	435
EIA requirement	—	—	—	—	7	0.05	—	—	27	4.5	—	—	—	—	34

do not apply															
Total	4	100	9	100	1454	100	273	100	611	100	1	100	4	100	2356

B1. Consistency Indicators

Indicator: Percentage of EIA decisions reversed on appeal

Less than 1 percent (.3 percent) of decisions were reversed on appeal when the conditions concerning location were removed. This percentage is quite low and reflects a consistency of the review decision and appeal system. As stated in Section II, the majority of proponents who appeal EIA decisions are contesting the conditions the EIA Central Department have imposed on them, especially those addressing the location of the activity. Because the Review Committee uses the same criteria as the EIA Central Department, very few decisions are reversed.

Indicator: Percentage of cases for which standard conditions have been developed

For the chosen sample (first quarter of 2000), the percentage of cases for which standard conditions have been developed is 55 percent. This percentage is quite high and thus reduced the time needed for review for such cases.

Table VI-4 shows the number of EIAs for which standard conditions have been developed. The table shows that standard conditions apply to 54 percent of industry sector projects, 55 percent of service sector projects, and 62 percent of agriculture sector projects during the sample period. This percentage will no longer be relevant after recategorization of EIAs takes place.

Table VI-4. Number of EIAs for Which Standard Conditions Have Been Developed (B Category – 1st Quarter of 2000)

Sector	Existing Standard Conditions	Number of Cases	Percentage of Sector
Industry	Animal Fodder	13	0.9
	Carpentry Workshops	312	21
	Welding Workshops	177	12
	Knitting Workshops	30	2.1
	Weaving Facilities	33	2.3
	Plastics Processing	83	6.4
	Ice Manufacture	7	0.48
	Tiles Manufacture	77	5.3
	Metal Painting	20	1.3
Dairy	36	2.5	
Total		788	54.28
Agriculture	Grains Grinders	85	31
	Rice Hull Separators	85	31
Total		170	62
Services	Soap and Detergents Mixing and Selling	20	3.3
	Service Gas Stations	45	7.4
	Selling and Slaughtering Poultry	52	8.5
	Bakeries	195	32
	Storing Refrigerators	21	3.4
Total		333	54.6

B2. Comprehensiveness Indicators

Indicator: Percentage of rejected EIAs

The overall percentage of rejected Category B EIAs in 2000 is about 7 percent (632 out of 9,598 EIAs). Rejected EIAs likely reflect a lack of awareness on the part of Category B project proponents (and their consultants) of the environmental requirements that must be addressed to insure approval. The percentage of EIAs rejected increased in 2000. In 1999, it was 4 percent or 406 of 10,106 EIAs. This increase supports the need for providing project proponents with better guidance in general for EIA preparation, and specifically with standard conditions for projects in their sector.

For the study sample, 5 percent (121 of 2,356 EIAs) were rejected. As well as being higher than the rejection rate in 1999, this percentage is higher than the Category C rejection rate for 2000. Distribution of rejected EIAs by sector for the study sample is shown in Table VI-5. It is clear that the agriculture sector has the highest percentage of rejected EIAs. However, only a closer analysis of the rejected cases will reveal whether this is a reflection of a specific characteristic of the sector.

Table VI-5. Distribution of Rejected EIAs by Sector (B Category – 1st Quarter of 2000)

Sector	Number of EIAs	Percentage of EIAs of Sector
Industry	71	4.9
Services	33	5.4
Agriculture	17	6.3
Total	121 of a total of 2356 EIAs	

Table VI-6 gives a distribution of the rejected EIAs by CAA.

Table VI-6. Distribution of Rejected EIAs by CAA (B Category – 1st Quarter of 2000)

CAA	Number of EIAs	Percentage of Cases of EIAs
Dakaheliya Governorate	38	9.6
Gharbeya Governorate	15	4.5
Sharkeya Governorate	10	4.4
Giza Governorate	8	7.4
Sohag Governorate	8	8.8
Kaluobia Governorate	7	5.1
Menia Governorate	7	2.9
Damietta Governorate	5	3.8
Fayoum Governorate	5	6.5
Kafr ElSheikh Governorate	5	4.5
Menofeya Governorate	5	3.4
Cairo Governorate	4	10.5

CAA	Number of EIAs	Percentage of Cases of EIAs
Behyera Governorate	1	4.8
Beni Suef Governorate	1	1.4
Salehia City Council	1	33
Qena Governorate	1	12.5
Total		121 of 2356

B3. Universal Coverage Indicators

Indicator: Percent cases for “Unresponded-to” information requests

In 2000, there are 377 cases of “unresponded-to” information requests in Category B, which accounts for 4 percent of the total reviewed Category B EIAs (9,598). For the selected sample, there are 89 cases of “unresponded-to” requests for information, which represent 3.7 percent of the sample. Compared to the 58 in Category C, this percentage is low. It is clear that this problem is more prominent for Category C, which is expected due to the more complex nature of the full-fledged EIAs required in Category C.

The Category B numbers were calculated based on data from a January 31, 2001 printout from the EIA database. Given the significant lag time between information requests and the analysis (8-13 months), proponents are not expected to respond to requests.

Table VI-7 shows the distribution of the cases of “unresponded-to” information requests by sector. From the table, it is clear that most of these cases come from the industry sector. However, in terms of percentages, the tourism and petroleum sectors, similar to the Category C, represent the high nonresponse rate, exceeded only by the health sector.

**Table VI-7 Distribution of Unresponded-to Requests for Information by Sector
(B Category - 1st Quarter of 2000)**

Sector	Number of EIAs	Percentage of EIAs of Sector
Industry	59	4.1
Services	14	2.3
Agriculture	8	2.9
Health	3	75
Petroleum	3	30
Tourism	2	50
Total	89 of a total of 2356 EIAs	

Table VI-8 shows the distribution of cases of “unresponded-to” requests by CAA. Although the number of EIAs from both Gharbeya and Dakahleya is large, the percentage of cases in which there has not been a response to information requests is not high when compared to the Obour City Council, where 20 percent of a total 35 proponents have not responded.

Table VI-8. Distribution of Cases of Unresponded-to Requests for Information by CAA (B Category – 1st Quarter of 2000)

CAA	Number of EIAs	Percentage of EIAs of CAA
Gharbeya Governorate	15	0.3
Dakahlya Governorate	8	2
Menofeya Governorate	8	5.5
Kaluobia Governorate	7	5
Obour City Council	7	20
Kafr ElSheikh Governorate	6	5
Sharkeya Governorate	6	3
Menia Governorate	5	2
Damietta Governorate	4	3
Others	33	----
Total	89 of a total of 2356 EIAs	

B4. Timeliness Indicators

Indicator: Period taken for review by the EIA Central Department

As discussed earlier, the total time taken for review by the EIA Central Department cannot be calculated because the actual time spent in reviewing the EIAs is not recorded. Only the period from the time the EIA last arrived in EEAA until a final decision is issued can be calculated.

Figure VI-3 shows the distribution of reviewed EIAs by time. It is clear from the figure that for 50 percent of the EIAs, the final decision is issued within 10 days from the time the EIA is last received. Figure VI-4 shows a similar distribution by sector. Both curves correspond to a normal distribution.

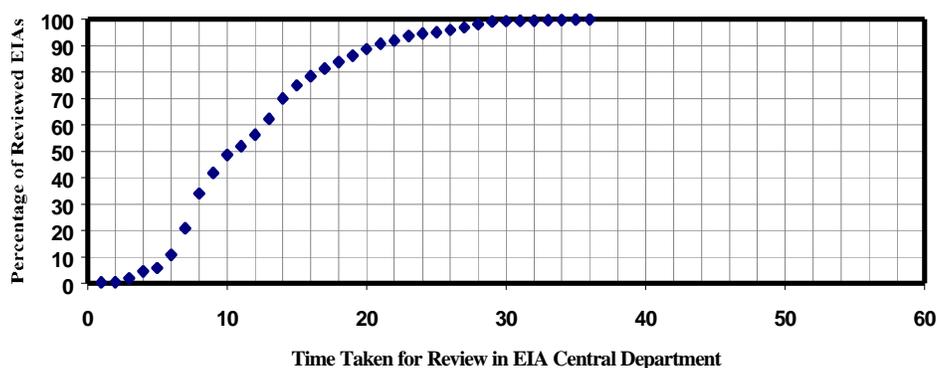


Fig VI-3. Cumulative Distribution of Review Time for B Category EIAs

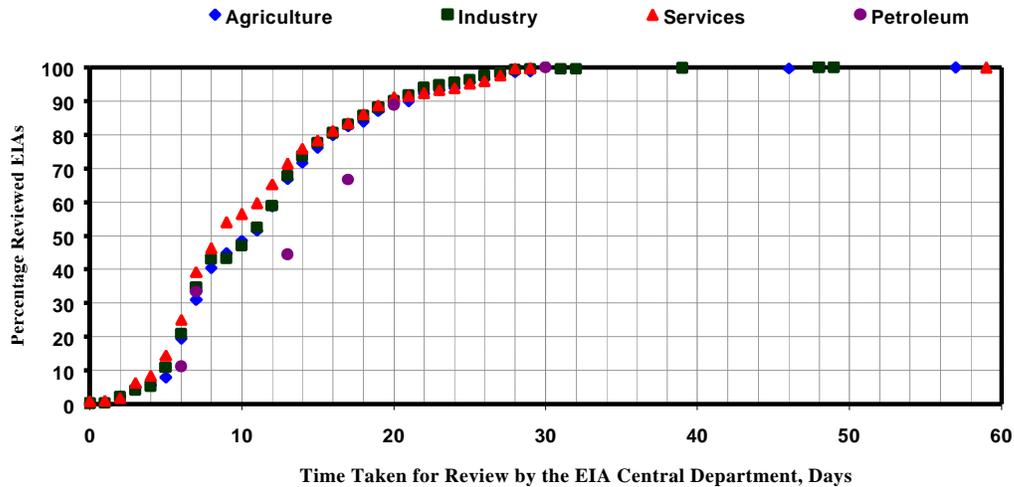


Fig VI-4. Cumulative Distribution of Review Time for Category B by Sector

B5. Credibility Indicators

Indicator: Percentage cases of “unresponded-to” information requests

This indicator is already included in the universal coverage indicators (see subsection B3 above).

C. Current Indicators Related to the Total Number of Reviewed EIAs

C1. Timeliness Indicators

Indicator: Number of EIAs per researchers per year

The EIA Central Department has seven researchers. For the year 2000, the department reviewed 10,315 EIAs. The average annual number of EIAs per researcher is 1,474. It should be noted that this number includes both EIAs reviewed by researchers themselves or reviewed by external reviewers, with subsequent follow up by researchers.

ANNEX A

References

1. Ahmed Abul Azm, EIA: The Egyptian Experience, Tunis METAP Meeting, 1999.
2. CEO Decree No. 14/2000 Organizing the Relation Between the Central Departments of EIA and Nature Protection, July 2000.
3. EEAA, Guidelines for Egyptian EIA.
4. Environics, East Delta RBO, First Year Work Plan, July 2000.
5. Law 4/1994 and its Executive Regulations.
6. METAP, Evaluation and Future Development of the Egyptian EIA System, March 2000.
7. OSP, Outline of an Environmentally Integrated Licensing System for Industrial Establishments, April 1999.
8. OSP, Policy and Procedures Manual for the EIA Review, April 1999.

Key Points from Meetings with Selected CAAs

- In governorates such as Dakhahekya, there is a strong cooperative relationship between the EMU and the districts of the governorate. This strong relationship and periodic meetings attended by all parties have contributed to a decrease in system leakage.
- In other governorates like Alexandria, the absence of such a strong relationship has affected the system credibility and coverage.
- All CAAs review Category A EIAs. Some even conduct field visits for Category B EIAs to produce an approved map of the site. This map is sent with Form B to EEAA.
- Most CAAs do not provide notification to the EIA Central Department regarding issued decisions.
- For most governorates, the project sites are investigated before granting operation licenses.
- There is no follow up after implementation of projects regarding proponent compliance with conditions contained in the approved EIA.
- A number of CAAs, especially governorates, have attended several training workshops addressing EIA requirements.

Key Observations Based on EIA Consultants' Meeting

Preparation Phase

- Consultants should be held responsible for technical input in the EIA, including the appropriateness of suggested mitigation measures.
- Although several consultants produce high-quality EIAs, the number of low-quality EIAs is very high. This can be attributed to the lack of clear direction or definition on minimum requirements for a comprehensive EIA. Often consultants concentrate their efforts on addressing all issues required by the EIA guidelines rather than undertaking meaningful analysis and developing appropriate mitigation measures.
- Most proponents do not understand the importance of the EIA. From their perspective, the process is only one of the licensing requirements they must fulfill. Therefore, they often fail to invest adequately in selecting experienced consultants to undertake the study.
- Proponents need to understand that abiding by mitigation measures and conditions stated in the EIA or any other condition imposed during the review process is their legal responsibility. They should be aware that follow-up activities will be conducted and if violations are detected, enforcement measures will be implemented.
- In some cases, the suggested mitigation measures address impacts deriving from site limitations. These impacts would have been eliminated if the site were different. These cases are encountered especially in the tourism sector, and can often be avoided if there are planning guidelines related to acceptable uses in particular areas.

Review Process

- The review process is slowed by time-consuming communications between the proponent and EEAA (through the CAA) as EEAA seeks required information not contained in the EIA report or to clarify information in the report. Direct contact between EEAA and project proponents is recommended to speed this process.
- Reviewers are sometimes biased toward their own field of specialization, concentrating their review on areas related to their own discipline. Therefore, it is essential that the EIA be reviewed by a multidisciplinary team. The EIA Central Department should have chief reviewers that are in house, not specialized in any particular field, and well experienced in the field of EIA. The chief reviewers will manage the process, reviewing the EIA in general and appointing external reviewers to give their technical opinion on specific issues. This will ensure unbiased decisions. Indeed, this approach corresponds to the EIA preparation process, whereby several

consultants participate in the study, each in his field of specialization, and the team leader integrates their inputs in the study.

- In the case of Category B EIAs planned for delegation to the RBOs, it is suggested that CAAs interact directly with RBOs.
- Consultants have an impression that the review tends more toward technical and engineering issues and their impact on the environment while neglecting social impacts. This observation further bolsters the need to have review teams mirror EIA preparation teams, with expertise from a range of specialties, including social issues.
- Consultants believe that the review methodology is not consistent. It is important to apply a standard systematic review approach that gives reviewers adequate tools rather than relying only on an individual's experience and understanding of EIA.
- Three principal entities are or soon will be involved in the review process: CAAs, RBOs, and EEAA. Accordingly, it is important to have a quality control system in place, including standard review guidelines to achieve system consistency.
- Field verification, undertaken by the EIA Central Department, is an important tool to verify the credibility of EIA reports. However, a shortage of financial resources affects the number of field verification visits that can be undertaken. Instituting a fee system to help pay for field visits should be considered.
- In general, it makes sense to encourage greater specialization by EIA Central Department staff researchers in particular sectors and subsectors. Reviewers should provide the EIA Central Department with feedback regarding the general pattern of EIAs in certain sectors. This would be a useful way to tailor sectoral guidelines.

Post Review

- The credibility of the EIA review system is seriously affected by the lack of follow-up activities during project construction and operation. The absence of a viable enforcement regime encourages noncompliance with EIA requirements by project proponents.

Key Points from Meeting with EIA Reviewers EEAA, April 23, 2001

A. Quality of EIAs: Factors Affecting Quality

Guidelines

The quality of most Category B EIAs remains low. However, the number of high-quality EIAs has increased due to the development of sectoral guidelines. These guidelines reduce the number of requests for missing information and increase the quality, especially for Category C EIAs.

The increase in quality can also be attributed to the accumulated experience of EIA consultants. As their experience working in the system increases, consultants have become more skilled at avoiding deficiencies previously detected frequently by EEAA reviewers. However, some proponents/consultants, particularly those with limited experience, are still not aware of EIA requirements.

CAA Involvement

As the principal interface with the proponents, CAA should take the lead role in providing guidance to proponents. Most CAAs are not aware of their role in the EIA process and only act as conduits between the proponents and EEAA (for Category B and C EIAs). This began to change in the last two years when CAA started helping investors complete Form B, as well as conducting field investigations to produce an approved map with project locations and their surroundings. In addition, several governorates have undergone capacity building in the past several years, although it is hard to determine what impact this has had on improving their performance. Anecdotally, improvement was reported with the Ministry of Housing, with the ministry establishing a policy not to allocate land for a project unless an EIA is submitted.

Relationship between the Proponents and Consultants

This relationship affects the quality of the submitted EIA. The proponent should abide by all approved requirements in the EIA and should invest in choosing the right consultant.

Lack of Follow-up

There is very little follow-up to determine whether project proponents are properly implementing EIA requirements (i.e., mitigation measures). The lack of monitoring greatly affects the credibility of the EIA system. Follow up should be performed during both the construction and operation phases. This is currently performed for the tourism sector through organized campaigns by EEAA. Assessing environmental impacts during the construction phase is a high priority in the tourism sector (especially in the Red Sea) because of the sensitivity of the environment and possibility of landfilling.

Analysis of Impacts

The EIA is viewed as a technical process that does not take into consideration socioeconomic or legal factors. Typically, the study is very technical, with detailed descriptions of baseline information. However, the impacts are sometimes predicted and analyzed without justification or scientific interpretation. Sometimes conclusions are reached without adequate analysis.

B. Review System

- External reviewers only review the EIA technically without taking into consideration legal requirements, specifications, or development plans. These are addressed by researchers after the review is completed. It is more logical (and less time-consuming) for the legal issues to be addressed and investigated before the review begins. Possibly, this could be done by the CAAs, since they have direct access to laws, decrees, and other governing factors in their jurisdictions.
- The review tools used include sector guidelines, completeness checklists, meeting with proponents, and field verification. The reviewers differ in the way they present their review results. Some include a report with recommendation for alternate mitigation measures and some include the decision with justification. Others give their decisions with no justification and are requested afterward by the EIA Central Department to present justification.
- There is no unified format for the justification or report prepared by the reviewer, which makes it difficult to accumulate knowledge and experience, record the decision-taking approach, or conduct quality control on the decisions, especially on RBOs or EMUs.

C. Recommendations or Actions Taken for Improvement

- Forms A and B are currently being modified and recategorization of projects is being done.
- EEAA should upgrade the general EIA guidelines.
- Continued capacity building of CAAs, RBOs, and EMUs should be given a higher priority.
- More sectoral guidelines should be developed.
- Follow-up on projects during both construction and operation phases should be performed.
- Standard conditions for the Category A EIAs should be available to investors and described as conditions necessary but not sufficient to satisfy the needs of the project.
- A unified report format should be developed to be used by reviewers.