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USAID ENERGY PROGRAM

NATIONAL ENVIRONMENTAL REQUIREMENTS FOR VRE PROJECTS

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29 July 2019

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USAID ENERGY PROGRAM

CONTRACT NUMBER: AID-OAA-I-13-00018

DELOITTE CONSULTING LLP

USAID | GEORGIA

USAID CONTRACTING OFFICER'S

REPRESENTATIVE: NICHOLAS OKRESHIDZE

AUTHOR(S): NINO GVAZAVA

LANGUAGE: ENGLISH

29 JULY 2019

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DATA

Reviewed by: Ivane Pirveli, Tamar Murtskhvaladze, Eka Nadareishvili

Practice Area: Energy Investment Optimization

Key Words: Environmental Planning Procedures, Environmental Decisions

ACRONYMS

EIA	Environmental Impact Assessment
EnCT	Energy Community Treaty
EU	European Union
GEL	Georgian Lari
GIS	Geographic Information System
GoG	Government of Georgia
kV	Kilovolt
MEPA	Ministry of Environmental Protection and Agriculture of Georgia
MW	Megawatt
USAID	United States Agency for International Development
VRE	Variable Renewable Energy

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INTRODUCTION

In October 2016, Georgia signed the Energy Community Treaty (EnCT) signaling the country's commitment to direct future energy planning and market development towards approximation with the European Union (EU). This step commits Georgia to enhancing the security of energy supply by promoting the development of relevant infrastructure, increasing market integration and gradual regulatory approximation towards key elements of the EnCT, and promoting the use of renewable energy sources. In order for Georgia to meeting its strategic commitments in the energy sector, the United States Agency for International Development (USAID) is providing technical assistance and policy advice on legal, regulatory and institutional reform issues, including facilitating investment and deal structuring, engineering and environmental analyses, financial planning, and outreach, and other consulting. This technical assistance, ("USAID Energy Program") is being rendered by Deloitte Consulting LLP, under a USAID contract, AID-OAA-I-13-00018.

The objective of USAID Energy Program is to support Georgia's efforts to facilitate increased investment in power generation capacity as a means to increase national energy security, facilitate economic growth, and enhance national security. The project will have a significant impact on energy market reform efforts of the Government of Georgia (GoG) to comply with the country's obligations under the EnCT. The investment objective will be achieved through the provision of technical assistance to a variety of stakeholders in the energy sector.

The purpose of USAID Energy Program is to: (1) support Georgia in energy market development per Georgia's obligations under the EnCT, (2) build the capacity of the GoG and relevant institution(s) to evaluate the fiscal and long-term impacts of regulatory changes, (3) promote energy investments, primarily in variable renewable energy development, (4) to support integration of non-hydro renewable energy into the power system, and (5) provide strategic advisory services to the GoG to increase Georgia's energy security.

The ultimate goal of this Program is to enhance Georgia's energy security through improved legal and regulatory framework and increased investments in the energy sector. The ultimate expected outcome of this Program is an energy market legal and regulatory framework that complies with European requirements and encourages competitive energy trade and private sector investments.

USAID Energy Program is tasked under its contract, AID-OAA-I-13-00018, to assist developers with regulatory, interconnection, and institutional Issues. Most projects require guidance on application, power purchase, interconnection and related technical and procedural requirements.

The *Environmental Requirements for Variable Renewable Energy (VRE) Projects* is intended to provide overview of the steps to be followed at an early stage of implementation of VRE projects. By acquainting with the guide, the developer will have a clear understanding on the environmental regulations which set requirements for the projects having an environmental impact.

SUMMARY

With growing attention to climate considerations, alternative VRE sources are gaining prominence. Deployment of variable renewable energy sources contributes to meeting growing energy demand in a sustainable way. The latter is associated with many environmental and social benefits.

Though electricity generation from VRE reduces carbon emissions and air pollution, it still may exhibit negative environmental impacts and pose challenges to local communities. Therefore, development of VRE power should be done in an environmentally and socially sustainable manner.

The national environmental legal framework is designed to ensure that the sustainable pathway is followed. The main act that sets requirements for projects which may have significant impacts on the environment is Environmental Assessment Code¹. The code provides procedures for the environmental impact assessment. It prescribes the rights and responsibilities of developer during the environmental decision-making process.

Apart from the Environmental Assessment Code number of sub-legal acts provide environmental quality standards to be met for those projects which do not fall under the environmental impact assessment procedure.

¹ Law of Georgia Environmental Assessment Code of 01 June 2017

ENVIRONMENTAL IMPACT ASSESSMENT

The Environmental Impact Assessment (EIA) is a preventive environmental protection measure which is based on the development of a comprehensive assessment, extended consultations with the public and analysis of alternative measures to ensure that any adverse effects of specific projects on the life and health of humans, on the flora and fauna, on land, water, air, climate and landscape, on material and cultural goods and the interaction of these factors are foreseen and measures for the prevention, mitigation or remediation of harmful effects are taken by considering the feasibility of these projects.

In Georgia, the EIA process is regulated by the Environmental Assessment Code. The purpose of the Code is to make sure that the protection of the environment and the quality of life as well as of cultural heritage and material assets are attained; the essential right of a citizen provided by the Constitution of Georgia to receive a complete, objective and timely information as well as to ensure public participation in the environmental decision-making process are observed. It defines rights and obligations of the developer, the planning authority, the public and the competent authorities in the decision-making process of granting a permit to implement a project.

Impact assessment is required for projects in the planning or implementation stage, changes in technology, reconstruction, expansion of capacities, decommissioning and removal of projects that can have a significant impact on the environment. Impact assessment is carried out, among other, for projects in the field of energy. The Code determines that environmental impact assessment is a mandatory requirement for construction and operation of thermal power plants and/or other combustion installations with a heat output of 10 MW or more, construction and operation of hydropower stations with a capacity of 50 MW and optional for industrial installations for the production of steam and hot water with a heat output of more than 50 megawatt where the area of the development exceeds 0.5 hectares (except oil and gas-related operations); construction of pipelines for carrying steam and hot water with the length of 5 km and more; construction of overhead and/or underground electrical power lines with a voltage of 35 kV or more and electrical substation with a voltage of 110 kV or more, construction and operation of hydropower stations with a capacity of 2 megawatts and more; installations for the harnessing of wind power and/or sea waves for energy production.

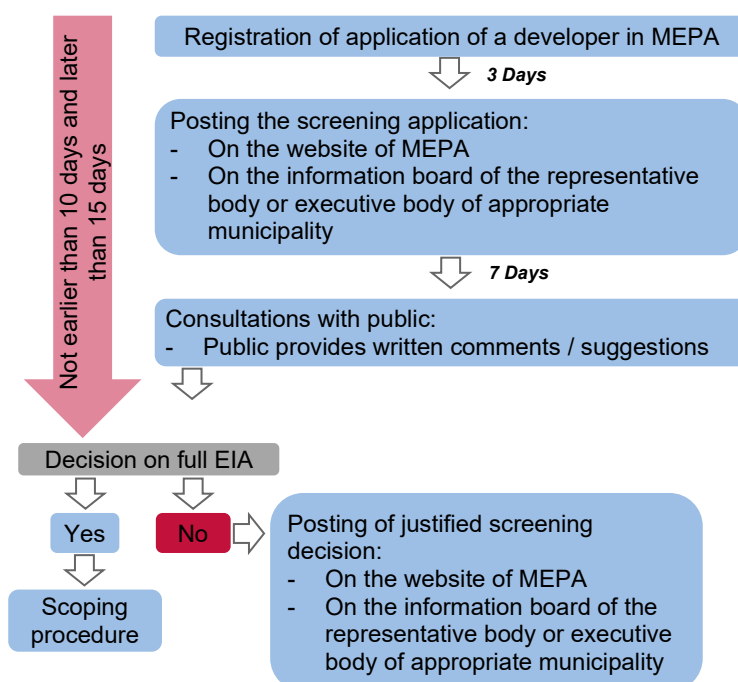
The procedure for the assessment of the impact of energy projects on the environment consists of the following stages:

- 1) Making a decision on the need for environmental impact assessment (screening);
- 2) Determining the scope and contents of the impact assessment study (scoping);
- 3) Carrying out public participation and consultations with the competent authorities and making a reasoned conclusion from examination of their results and EIA report while making Environmental Decision which entitles a developer to implement a project subject to EIA.

SCREENING

Taking into consideration environmental impact risks and level of impacts, activities in the Environmental Assessment Code are grouped into two Annexes. The activities referred to in the first annex are subject to EIA. While the activities mentioned in the second Annex undergo a screening procedure to determine whether the full impact assessment is to be applied. A developer should apply to the Ministry of Environmental Protection and Agriculture of Georgia (MEPA) for screening procedure if the activity planned to be implemented is listed in Annex II of the Environmental Assessment Code. The MEPA makes a decision on the need for conducting the environmental impact assessment and obtaining Environmental Decision on those projects. The main purpose of the screening procedure is to ensure that the developer saves financial resources and time for the projects which, based on the screening decision are not subject to full EIA procedure. In case the developer is certain on the mandatory EIA of the planned activity, the scoping application can be directly submitted to the MEPA, thus the developer will save time determined for screening procedure. The screening procedure is simple and takes maximum 15 days. The procedure does not require submission of full EIA report, but short information on the nature of the activity, its location, characteristics and potential impacts on the environment.

Diagram A: Screening Procedure



DESCRIPTION OF SCREENING PROCEDURE

Documents to be submitted for the screening decision

The developer shall apply to the MEPA with the request to provide a screening procedure on a planned project at an early stage of project planning. The screening application to be submitted by the developer must be in writing and include:

- the name of an administrative body to which the applicant has applied;
- the identity and the address of the applicant;
- the request;
- the date of submitting the application and signature of the applicant;
- the list of documents attached to the application;
- brief information about the planned project;
- data on project characteristics, location and the nature of the potential impact.

Procedure for making screening decision

Within 3 days after registration of the screening application, the Ministry ensures publication of the application on its official website as well as on the notice board of the relevant local authorities and/or representative bodies and upon request, provides paper copies of abovementioned document in accordance with existing legislation.

Within 5 days after the screening application is published on the website and notice board, the public is entitled to submit opinions and comments about the application. The Ministry reviews received opinions and comments and takes them in due account in decision-making process.

Not earlier than 10 (ten) working days and no later than 15 (fifteen) working days after registration of the application on screening the MEPA shall make a decision whether the planned project is subject to EIA based on the following criteria:

A) Characteristics of projects:

- aa) the size of the project;
- ab) the cumulation with other existing and/or planned projects;
- ac) the use of natural resources, in particular land, soil, water and biodiversity;
- ad) the production of waste;
- ae) pollution and nuisances;
- af) the risk of major accidents and/or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge;
- ag) the risks to human health (for example due to water contamination or air pollution).

B) Location of project:

- ba) the existing and approved land use;
- bb) the relative abundance, availability, quality and regenerative capacity of natural resources including soil, land, water, and biodiversity in the area and its underground;
- bc) the absorption capacity of the natural environment, paying particular attention to the following areas:
 - bca) wetlands, riparian areas, river mouths;
 - bcb) costal zones and marine environment;
 - bcc) mountain and forest areas;
 - bcd) protected areas;
 - bce) areas in which there has already been a failure to meet the environmental quality standards, laid down in existing legislation and relevant to the project, or in which it is considered that there is such a failure;
 - bcf) densely populated areas;
 - bcg) cultural heritage and landscapes and sites of historical and cultural significance.

C) Characteristics of the potential impact:

- ca) Geographical area and size of the population likely to be affected;
- cb) the transboundary nature of the impact;
- cc) the intensity and complexity of the impact;
- cd) the probability of the impact;
- ce) the duration, frequency and reversibility of the impact;
- cf) the cumulation of the impact with the impact of other existing or planned project;
- cg) the possibility of effectively reducing the impact.

If the screening procedure determines that the planned project is not subject to EIA, the applicant is obliged to comply with the requirements determined by technical environmental regulations and environmental norms existing in Georgia.

In particular N17 Ordinance of the Government of Georgia as of 03/01/2014 on the technical environmental regulation, N424 Ordinance of the Government of Georgia as of 31/12/2013 on the removal, storage, use and cultivation of fertile topsoil.

After completion of the screening procedure, the Minister takes a decision on the refusal to implement the project in case:

- a) the project implementation will violate the requirements envisaged by the Georgian legislation;
- b) the project is not reasonable due to its characteristics, volume, location, nature of the impact and/or risks;

- c) there is the enacted Court / Arbitration decision which excludes possibility to accept the request.

Within 5 days after completion of the screening procedure, the Ministry ensures publication of opinions and comments submitted by the public and the decision of the MEPA on its official website as well as on the notice board of the relevant local authorities and/or representative bodies and upon request, provides paper copies of above-mentioned documentation in accordance with existing legislation.

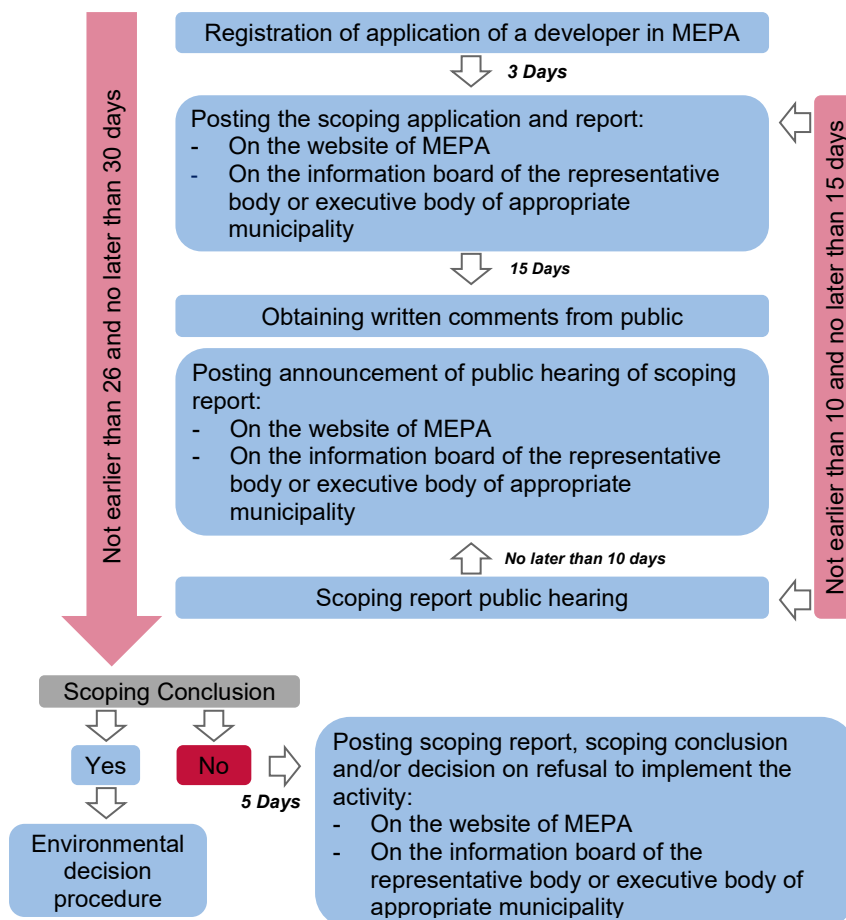
If the screening procedure determines that the project is subject to EIA a developer is obliged to submit a scoping application together with the scoping report to the MEPA.

SCOPING

Scoping procedure is the first stage of the environmental impact assessment procedure. At this stage, a developer submits to the Ministry the scoping report. Scoping stage aims to define the scope of research to be considered for undertaking an assessment on possible pressures and impacts on the environment and scope and type of information to be included in EIA report. So, as a result of scoping decision, the developer is certain on the research to be conducted for the proposed activity, which components of the environment should be specifically addressed in the study and the type of information that is essential for decision-making. Accordingly, the scoping stage enables the developer to precisely plan the budget for preparation of EIA report and avoid excessive expenses for conducting the studies unnecessary for environmental decision-making.

The scoping procedure includes the following stages: submission of scoping report by the developer, arrangement of public hearing on scoping report and issuing decision on scoping report. The procedure takes 26 - 30 days. The Developer may apply to the MEPA with single application that consists of both screening and scoping statements in case the activity planned by the developer falls under the activities mentioned in the Annex II of the Environmental Assessment Code. If the developer fails to obtain environmental decision within the two years after the issuing scoping conclusion the conclusion becomes invalid. The reason for such provision is that the environmental conditions may change over the years and the issued scoping conclusion may not necessarily capture the reality that should be reflected in the EIA report after those two years.

Diagram B- Scoping Procedure



DESCRIPTION OF SCOPING PROCEDURE

Documents to be submitted for the scoping decision

The developer should submit to the MEPA a scoping application together with the scoping report. The scoping report shall include:

- a) The brief description of a planned project and possible alternatives;
- b) The location of a planned project including Geographic Information System (GIS) coordinates (with shape files);
- c) The information on general technical specifications of the proposed project (capacity, length, area, output, etc.);
- d) The information on the types and significance of the potential impact;
- e) The information on the potential significant impact on the protected areas;
- f) The information on the potential transboundary environmental impact, if applicable;
- g) The information on the baseline surveys and investigations which should be carried out;
- h) The information on the methods and criteria which are required for EIA;
- i) The information on the considered mitigation measures;
- j) The documentation determined by the Waste Management Code of Georgia, if the projects deals with waste treatment;
- k) The information on the public concerned to be involved in EIA process;
- l) The information on the potential impact of the planned project on human health, social environment and cultural heritage.

Procedure for making scoping decision

The Ministry reviews the scoping application together with the scoping report.

The public has a right to provide its opinions and comments regarding the scoping report to the Ministry within **15 (fifteen) days** after the publication of the scoping application. During issuance of scoping opinion, the MEPA shall review all opinions and comments provided by the public and ensure their due account.

With the purpose to review the scoping report the MEPA ensures to organize a public hearing no earlier than **10th day and no later than 15th day** after the publication of scoping application. in accordance with Article 8 Paragraph 2 of the Code. The public hearing is open to the public and any person has a right to participate in it.

No less **than 26 and no more than 30 days** after registration of the scoping application the MEPA issues the scoping opinion which is approved by the individual administrative legal act of the Minister. The scoping opinion includes the assessment of the information provided in the scoping report, determines the scope of the information to be obtained and analyzed for the EIA and the methods to reflect this information in the EIA report.

The scoping opinion is binding for the developer during the preparation of the EIA report.

If the developer fails to obtain Environmental Decision within 2 (two) years in accordance with the procedures determined by the Code the scoping opinion approved by the administrative legal act of the Minister becomes invalid.

After completion of the scoping procedure, the Ministry shall take a decision to refuse the developer on implementation of the project, in case there exists grounds:

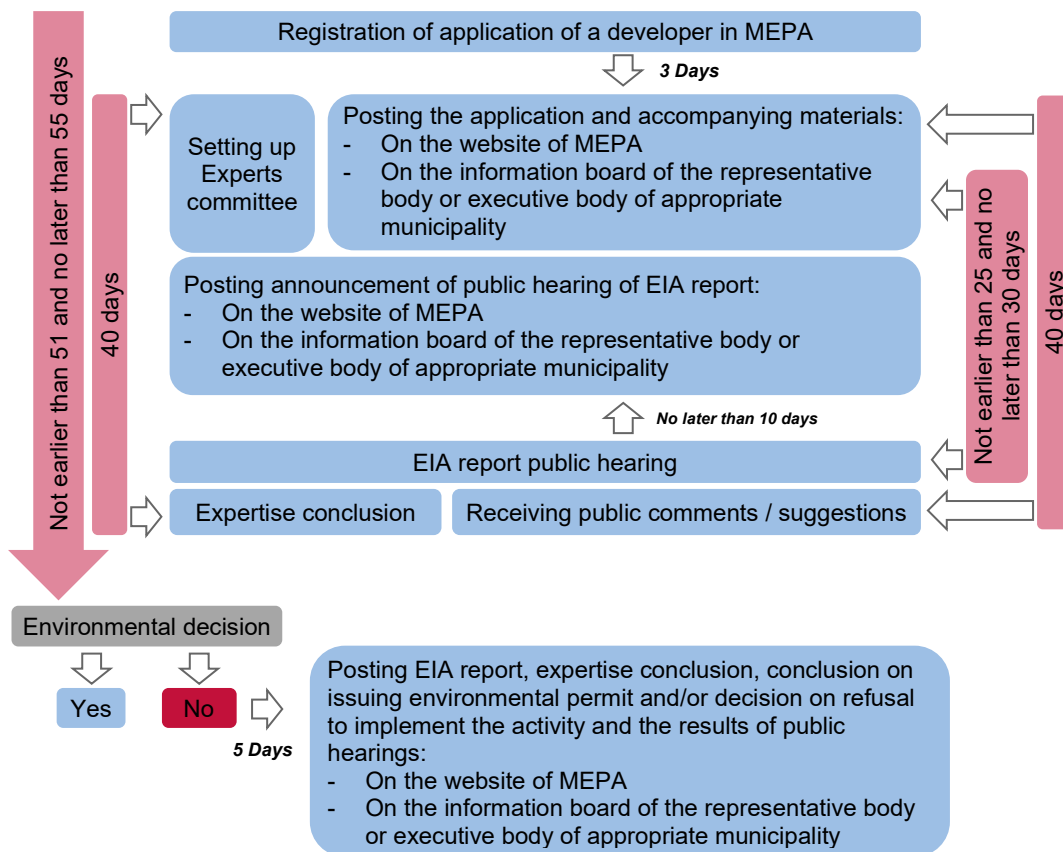
- a) the project implementation will violate the requirements envisaged by the Georgian legislation;
- b) the project is not reasonable due to its characteristics, volume, location, nature of the impact and/or risks;
- c) there is the enacted Court/Arbitration decision which excludes possibility to accept the request.

Within 5 (five) days after completion of the scoping procedure the Ministry ensures publication of the scoping report, scoping opinion and/or the decision on the refusal of the implementation of the planned project on its official website as well as on the notice board of the relevant local authorities and/or representative bodies and upon request, provides paper copies of abovementioned documentation in accordance with existing legislation.

ENVIRONMENTAL DECISION

Environmental impact assessment is a basis for issuing an environmental decision. Environmental decision-making procedure includes the following stages: submission of application and EIA report to the MEPA, arrangement of public hearings by the MEPA and issuing of an environmental decision. The environmental decision is based on the results of formal expertise, an evaluation made by the MEPA and comments provided by public. The decision defines the conditions to be followed during implementation of the activity. The procedure takes 51-55 days. The procedure is done independently and prior to the process of issuing other permits and licenses. The environmental decision is the precondition for fulfilling the final stage of issuing construction permit. Obtaining environmental decision is required not only for legal but also physical persons, administrative bodies and other entities.

Diagram C -Environmental Decision Procedure



DESCRIPTION OF ISSUING ENVIRONMENTAL DECISION

Environmental Impact Assessment Report

After the scoping opinion is approved by the Ministry, the EIA report on the proposed project shall be developed by the developer having relevant qualification or by the consultant. The expenses of developing the EIA report shall be provided by the developer.

EIA report shall be signed by the person(s) participating in its preparation, including the consultant, if any.

EIA report shall include:

A) a description of the project and other relevant features of the project, in particular: aa) a description of the location of the project and Geographic Information System (GIS) coordinates of above-mentioned location (with shapefiles);

- ab) a description of physical characteristics of the whole project, including, where relevant, requisite demolishing works, and the land-use requirements during the construction and operational phases;
 - ac) a description of the main characteristics of the operational phase of the project (in particular any production process), for instance, energy demand and energy used, nature and quantity of the materials and natural resources (including water, soil, land and biodiversity) used;
 - ad) an estimate, by type and quantity, of expected residues and emissions (such as water, air, soil and subsoil pollution, noise, vibration, radiation) during the construction and operational phases;
 - af) type and quantity of produced waste during the construction and operational phases.
- B) a description and justification of the alternatives of the planned project location and technology used, in particular:
- ba) the alternative proposed by the developer and other reasonable alternatives;
 - bb) the alternative, which is most favourable for the environment and the justification of the main reasons for its choice and no action (zero alternative).
- C) a description of the technological process, including information on the capacity of installations:
- D) a description of significant aspects of the current state of the environment and an outline of natural changes from the baseline scenario in case of not implementing the project, which can be evaluated on the basis of availability of the information and scientific knowledge.
- E) a description of the aspects of the environment likely to be significantly affected by the proposed project, in particular, population, human health, biodiversity (including fauna and flora, habitats and ecosystems), soil (including soil uptake), land (including organic matter, erosion, composting, degradation), water (including hydro morphological changes, quantity and quality), air, climate (including greenhouse gas emissions), material assets, cultural heritage (including architectural and archaeological aspects) and landscape.
- F) a description of the direct and indirect, secondary, cumulative, transboundary, short-term, medium-term and long-term, temporary and permanent, positive and negative likely significant effects of the project on the aspects determined by Paragraph 3, Article 5 of the Code resulting from, inter alia:
- fa) the construction and operation of the proposed project, including, where relevant, demolishing works;
 - fb) the use of natural resources, (in particular, land, soil, water and biodiversity, considering the availability of these resources);
 - fc) the emission of pollutants, noise, vibration, radiation and the disposal and recovery of waste;
 - fd) the risks to human health, cultural heritage or the environment (for example due to accidents or disasters);
 - fe) the cumulative effect of the existing and/or planned projects;
 - ff) the impact of the project on climate and the vulnerability of the project to climate change;
 - fg) the technologies, materials and the substances used;
- G) Determination of the probability of possible accidents deriving from the implementation of the proposed project and assessment of expected consequences;
- H) A description of the measures envisaged to avoid, prevent, reduce or, if possible, offset any identified significant adverse effects on the environment of implementing the project. That description should cover both the construction and operational phases;
- I) Assessment of irreversible impact on the environment and justification of its necessity, which implies comparative analyses of the loss caused by the irreversible impact and the received benefits in an environmental, cultural, economic and social context;
- J) Assessment of risks related to the implementation of the project (during the construction and operational phases) which includes a description of the nature and possibility of the risks and detailed assessment of expected results;
- K) Identification of ways and means of the reinstatement of the environment to its initial state in case of termination of the project;
- L) A description of the expected significant adverse effects of the project on the environment deriving from the vulnerability of the project to the risks of major accidents and disasters;

M) Means of informing the public and assessment of the public opinions and comments received during the scoping procedure;

N) A description of methods and indication of sources of environmental information;

O) An indication on identified uncertainties and lack of knowledge encountered in compiling environmental impact assessment report.

P) A brief non-technical summary of the information provided in this Paragraph, sub paragraphs, a" - p" in order to ensure informing the public and its participation.

Q) A detailed list of methods and sources used during the preparation of the EIA report.

EIA Report must be annexed with:

- a) Environmental impact mitigation measures action plan;
- b) Emergency response plan;
- c) Name and registered addresses of the consultant or participating in the preparation of the EIA report, if any;
- d) Project implementation Master Plan including GIS coordinates (with shape files), which will cover the information on the location of the planned project, temporary installations, utility systems and the components that cause impact;
- e) Extract from the State Register for legal entity of private law and individual entrepreneur, copies of identification documents set forth by the existing legislation for a natural person, or certified copies of founding documents in case of legal entity of public law.

Information provided in the EIA report is publicly available. In case the EIA report contains any commercial, state, professional and / or personal secret, the developer shall indicate on the confidentiality of the information in the application. The Ministry shall be responsible for ensuring confidentiality of the information in accordance with the rules set forth in the national legislation.

Application to obtain Environmental Decision

To obtain an Environmental Decision the developer shall submit a written application to the MEPA.

The application submitted by the developer shall be accompanied with the following documents and/or data:

- a) The EIA report;
- b) The projects on the estimation of the limits for the emission of harmful substances into the atmospheric air and for the discharge of polluting substances into the surface waters together with the waste waters;
- c) The notification about a confidential part of a submitted application, if applicable;
- d) The copy of the document evidencing payment of the fee in accordance with the existing legislation;
- e) Electronic copy of the documents mentioned in this Paragraph.

The Developer is entitled to request the Environmental Decision on several activities through a single application, if the activities are significantly interconnected.

To obtain the Environmental Decision, the developer is obliged to pay the fee which amounts 500 GEL. In case of the refusal on the implementation of the project the fee paid by the developer shall not be refunded.

Administrative procedure for issuing Environmental Decision

Administrative procedure for issuing the Environmental Decision includes:

- a) Expertise procedure;
- b) Public participation and involvement of the relevant public authorities.

With the purpose to review the EIA report the Minister sets up the Expert Commission **within 5 (five) days** after registration of the application. The expert commission prepares and submits the expertise conclusion on the EIA report to the Ministry within **40 (forty) days**.

The Ministry takes the decision on the finding of a deficiency in **application within 15 days after** registration of the application on issuance of the Environmental Decision.

The public has a right to submit their opinions and comments to the MEPA regarding the EIA report, planned project and conditions of the Environmental Decision, **within 40 (forty) days** after the

publication of the application. The MEPA ensures to review opinions and comments and take them in due account in decision-making.

With purpose to review the EIA report the Ministry organizes the public hearing no earlier than 25th day and no later than 30th day after the publication of the application.

In decision-making process, the MEPA shall review and take due account of opinions and comments provided by the public and the public authorities.

No less than **51 (fifty-one) and no more than 55 (fifty-five) days** after registration of the application the Minister shall issue the individual administrative legal act on issuance of the Environmental Decision or the decision on the refusal to implement the project in case there exist grounds:

- a) the project implementation will violate the requirements envisaged by the Georgian legislation;
- b) the project is not reasonable due to its characteristics, volume, location, nature of the impact and / or risks;
- c) there is the enacted Court / Arbitration decision which excludes possibility to accept the request.

Within 5 (five) days after issuing the Environmental Decision or the legal act on the refusal to implement the project, the Ministry ensures publication of the EIA report, the Expertise Conclusion, the Environmental Decision or the legal act on the refusal to implement the project and the results of public participation on its official website as well as on the notice board of the relevant local authorities and/or representative bodies and upon request, provides paper copies of abovementioned documentation in accordance with the existing legislation.

The developer, who implements the projects envisaged by Annexes I and II of the Environmental Assessment Code, for which several Environmental Decisions are issued, is entitled to apply to the Ministry and request merging of the Environmental Decisions in one decision, if the projects are technologically and/or functionally interconnected.

Environmental Decision is valid for undefined time. In case the developer fails to start the implementation of the project within 5 years, the Environmental Decision becomes invalid.

Content of Environmental Decision

Environmental Decision shall include:

- a) the type and place of project implementation;
- b) the conditions for the use of the area at the different stages of the project implementation, with particular consideration given to the need to protect special natural values, natural resources and cultural heritage and to reduce the preventing conditions for the adjacent areas of the planned project;
- c) information on environmental measures, which must be taken into account by other public authorities when issuing licenses or permits;
- d) the conditions determined by the Environmental Decision that must be complied during the construction, operational and post-operational phases;
- e) the objective, scale and timing of post project analysis;
- f) the information on the results of transboundary environmental impact assessment procedure, if applicable.

Except the above information the Environmental Decision may also include:

- a) Requirements to prevent the effects of industrial accidents;
- b) The obligations to prevent, reduce and monitor potential the impact of the project on the environment;

The Ministry is obliged to provide the following information in its legal act on issuance of the Environmental Decision:

- a) the results of public participation procedure and the manner, in which opinions and comments submitted by the public have been considered;
- b) the manner in which the conclusion of expert commission has been considered;
- c) the manner in which the findings of the EIA report have been considered.

Administrative Offences Code of Georgia prescribes:

Violation of “Environmental Assessment Code” will result in fines within the range of 7000-10000 GEL;
Incompliance with the conditions set out in an environmental decision will result in fine of 5000 GEL;
Breaching of the technical environmental regulations will result in fine of 500 GEL.

EXEMPTION FROM ENVIRONMENTAL IMPACT ASSESSMENT

Exemption from EIA may be undertaken for implementing those specific activities aimed at ensuring state security or taking urgent measures in the event of force majeure. In such case a developer shall submit the justified application to the Ministry, implying that the implementation of EIA procedures will have an adverse effect on state security or timely response measures to be carried out due to the civil emergency caused by force majeure. Meaning that tight deadlines and EIA procedure may hinder the timely elimination of the above circumstances. If the sole purpose of the project is to serve state security, the application shall also be attached by the mediation of the State Security Service of Georgia.

In addition to the information that is integral part of the application - the name of an administrative body to which the applicant has applied, the identity and the address of the applicant, the request, the date of submitting the application and signature of the applicant, the list of documents attached to the application the developer shall include the following information:

- a) the title of the planned project and the name of the developer;
- b) the location of the planned project including GIS coordinates (with shape files);
- c) approximate starting and termination dates of the project;
- d) objectives of the project.

After registration of the application submitted by the developer the Ministry ensures publication of the application on its official website and on the notice board of the relevant local authorities and/or representative bodies within 3 (three) days.

Based on the submitted documents the Ministry prepares proposal on the exemption from EIA and submits to the government of Georgia. The GoG shall take a decision on the exemption from EIA in accordance with the existing legislation.

Within 5 (five) days after taking the decision by the GoG, the Ministry ensures publication of the legal act on exemption from EIA or refusal on the exemption on its official website and on the notice board of the relevant local authorities and/or representative bodies.

POST-PROJECT ANALYSIS

The EIA procedure should be based on the analytical work. Therefore, further analysis is carried out for all projects. As a result of this procedure, the Ministry and the public will analyze whether the assumptions made during the EIA were correct, what actual performance indicators were obtained etc.

This analysis allows the public and the Ministry to make further decisions in the light of the results of other projects and to base assessment process on specific experience.

In particular, the post-project analysis includes carrying out monitoring of the conditions and mitigation measures imposed by the Environmental Decision; analysis of the impacts on the environment caused by project implementation; assessment of changes of the environmental characteristics envisaged by the EIA report.

For that, the developer submits the results of post-project analysis to the Ministry within the timeframes imposed by the Environmental Decision.

Within 3 (three) days after the submission of the document the Ministry publishes the results of post-project analysis on its official website.

The Ministry takes into consideration the results of post-project analysis in the process of decision-making on another project which is subject to EIA.

USAID Energy Program

Deloitte Consulting Overseas Projects LLP

Address: 29 I. Chavchavadze Ave., 0179, Tbilisi, Georgia

Phone: +(995) 595 062505

E-mail: info@uep.ge