THE UNITED REPUBLIC OF TANZANIA

NATIONAL GUIDELINES FOR STRATEGIC ENVIRONMENTAL ASSESSMENT

VICE PRESIDENT'S OFFICE

JUNE, 2017

FOREWORD

There is increasing recognition of the value and importance of applying Strategic Environmental Assessment (SEA) in Tanzania. The use of SEA supports Tanzania's Constitution which makes a clear link between a healthy environment and the wellbeing of its citizens.

Sustainability of economic and social development depends ultimately on proper and responsible management of natural resources and the environment in general. To this end, the Environmental Management Act requires that SEA must be conducted when preparing new policies, bills, regulations, strategies, plans, and programmes. SEA can contribute to strengthening society's commitments to sustainable development and efficient management of resources.

These guidelines intend to assist government authorities, SEA practitioners and other stakeholders to design, conduct and implement SEA on policies, bills, regulations, strategies, plans, and programmes that are likely to have effects on the management, conservation and enhancement of the environment, or sustainable management of natural resources.

They give direction on how SEA practice in Tanzania should be conducted following internationally accepted principles and good practice. They describe procedures and processes that are designed to enhance the potential for policies, bills, regulations, strategies, plans, and programmes to achieve effective and sustainable development by linking and integrating environmental and social considerations within those of economic growth. They aim to promote a common understanding of the concept, objectives and methodology of SEA. In this way, they will ensure that the conduct and practice of SEA promotes more effective policies, bills, regulations, strategies, plans, and programmes that meet their development goals while supporting sustainable development.

The guidelines target a broad readership, including sector ministries, government agencies and departments responsible for decision making, formulating policies, bills, regulations, strategies, plans, and programmes. Other targeted beneficiaries include SEA practitioners, academia, researchers, and interested other stakeholders.

It is my expectation that this tool will promote integrated and participatory approaches and eventually contribute to a full consideration of the environmental, economic and social aspects of development proposals at all levels of decision-making. I urge all SEA practitioners and other stakeholders to make effective use of these guidelines so as to safeguard our environment and the wellbeing of the present and future generations.

January Y. Makamba (MP)
Minister of State-Vice President's Office
(Union Affairs and Environment)

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Prof. Faustin Kamuzora
Permanent Secretary
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DEFINITION OF TERMS

Consultation Bodies	Authorities which, because of their environmental responsibilities, are likely to be concerned by the effects of implementing plans and programmes and must be consulted at specified stages of the SEA. The consultation bodies designated in the SEA Regulations are: (a) sector ministries (b) government agencies and departments and (c) local government authorities.
Contextual indicator	An indicator used in monitoring that measures changes in the context within which a plan or programme is being implemented.
Environmental Appraisal	A form of environmental assessment used primarily for development plans, programmes and projects; more recently superseded by Sustainability Appraisal.
Environmental Assessment	Generically, a method or procedure for predicting the effects on the environment of a proposal, either for an individual project or a higher-level "strategy" (a policy, plan or programme), with the aim of taking account of these effects in decision making.
Environmental Impact Assessment (EIA)	Generic term used to describe environmental assessment as applied to projects. This could also be defined as "the preparation of an environmental report, the carrying out of consultations, the taking into account of the environmental report and the results of the consultations in decision-making and the provision of information on the decision".
Environmental Expert	An individual person or firm of consultants duly certified and registered under the Environmental (Registration of Environmental Experts) Regulations, 2005 to conduct environmental impact assessment study or environmental audit.
Environmental Report	Report required by the SEA regulations as part of an environmental assessment, which identifies, describes and evaluates the likely significant effects on the environment of implementing a policy, bill, regulations, strategy, plan or programme.
Indicator	A measure of variables over time, often used to measure achievement of objectives.

Output Indicator	An indicator that measures the direct output of a plan or programme. These indicators measure progress in achieving plan or programme objectives, targets and policies
Significant Effects Indicator	An indicator that measures significant effects of a plan or programme.
Mitigation	In these guidelines mitigation is used to refer to measures taken to avoid, reduce or offset significant adverse effects on the environment.
Objective	A statement of what is intended, specifying the desired direction of change.
Plan or Programme	For the purposes of these guidelines, the term 'plan or programme' covers any plans or programmes to which the SEA regulations apply.
Responsible Authority	An organisation which prepares a bill, regulation, policy, strategy, plan or programme subject to SEA.
Scoping	The process of deciding the scope and level of detail of SEA, including the environmental effects and alternatives which need to be considered, the assessment methods to be used, and the structure and contents of the Environmental Report.
Screening	The process of deciding whether a policy, bill, regulation, strategy, plan or programme requires SEA.
Strategic Environmental Assessment (SEA)	Generic term used to describe environmental assessment as applied to policies, bills, regulations, strategies, plans and programmes.
SEA Regulations	The regulations transposing the SEA.
Significant environmental effects	Effects on the environment which are significant in the assessment of effects of certain policies, bills, regulations, strategies, plans and programmes.
Sustainability Appraisal	A form of assessment used, particularly for regional and local planning. It considers social, economic as well as environmental effects, and appraises them in relation to the aims of sustainable development.

ACRONYMS

CHP	Combined Heat and Power
CIDA	Canadian International Development Agency
CO_2	Carbon Dioxide
CV	Curriculum Vitae
DANIDA	Danish Agency for International Development
DE	Director of Environment
EIA	Environmental Impact Assessment
EMA-ISP	Environment Management Act - Implementation Support Programme
EMA	Environmental Management Act, 2004
EMP	Environmental Management Plan
EMoP	Environmental Monitoring Plan
LAC	Limits of Acceptable Change
MP	Member of Parliament
NEMC	National Environment Management Council
PPP	Public-Private-Partnership
SEA	Strategic Environmental Assessment
ToR	Terms of Reference
TRC	Technical Review Committee
VPO	Vice President's Office

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1.0 INTRODUCTION

1.1 Background

Strategic Environmental Assessment (SEA) is a widely used tool in designing, evaluating or incorporating environmental and other sustainability aspects in bills, regulations, policies, strategies, programmes and plans. SEA approach has been developed since the 1960s and gained momentum worldwide in the 1990s; now it has spread to many developed and developing countries. Consistent with Agenda 21 principles, SEA is a proactive approach to integrating environmental considerations into higher levels of decision-making.

Tanzania, like many other developing countries does not have a long history of SEA. Before enactment of the Environmental Management Act, 2004 (EMA), SEA was conducted mainly on a voluntary basis or as a development partner requirement. In 2008 Regulations were developed to provide legal framework for SEA in the country.

These Guidelines have been prepared to provide an understanding of the concept, principles, key elements and final outcome of a SEA process with a view to enhancing practice and application in Tanzania. They have been designed and set so as to apply as common approaches for SEA at sector and national levels. They enable policies, bills, regulations, strategies, plans, and programmes to assess and implement mechanisms to support environmental sustainability, without impacting negatively on economic and social development.

The guidelines apply on Tanzania Mainland which falls within the scope of the EMA, and the SEA Regulations of 2008. Users should refer primarily to relevant specific guidance when preparing policies, bills, regulations, strategies, programmes and plans. They should be read in conjunction with the EMA and SEA Regulations.

1.2 Purpose of the SEA Guidelines

The purpose of the guidelines is to provide information and guidance on stages and steps to be followed in conducting SEA. They are intended to enable users to comply with EMA and its Regulations on SEA, assist role players in contributing to and reviewing SEA process and provide future foundation for development of all SEA legislation. They will apply to all policies, bills, regulations, strategies, plans, programmes and projects which are within the scope of EMA and SEA Regulations (See Annex 1).

In summary, the purpose of the SEA is to ensure that environmental considerations inform and are integrated into strategic decision-making in support of environmentally and socially sound and sustainable development. In particular, the SEA process assists authorities responsible for policies, bills, regulations, strategies, plans, programmes as well as decision-makers to take into account issues as depicted in Table 1:

Table 1: A summary of the purpose of SEA

1.	Key environmental and social trends, potentials and constraints that may affect or may be affected by the policies, bills, regulations, strategies, plans, programmes.
2.	Environmental and social objectives and indicators that are relevant to the policies, bills, regulations, strategies, plans, programmes.
3.	Likely significant environmental and social effects of proposed options and the implementation of the policies, bills, regulations, strategies, plans, programmes.
4.	Measures to avoid, reduce or mitigate adverse effects and to enhance positive effects.
5.	Views and information from relevant authorities, the public and, when relevant, potentially affected States (e.g. where cross-border initiatives are involved).

1.3 Organisation of the guidelines

The guidelines have been organised as follows:

Section 1: Introduction: This section describes the genesis and rationale for conducting SEA in Tanzania.

Section 2: Background and Context: This section provides definition and objectives; legal and regulatory requirements; principles; and importance of SEA. It further explains the purpose of the SEA guidelines and practitioners for SEA as well as the relationship between SEA and EIA.

Section 3: SEA Process: This section describes stages and steps for conducting SEA, including: (1) Screening (2) Scoping and terms of reference; (3) Preparation of the draft SEA report; (4) Consultation and decision making (5) Revision of draft SEA report; (6) Approval of SEA report; and (6) Implementation, monitoring and evaluation.

Section 4: Annexes: This Section contains annexures that are a pre-requisite for the SEA process and procedures.

1.4 Users of the guidelines

Users of the guidelines include:

i) Responsible authorities which prepare bills, regulations, policies, strategies, programmes and plans;
ii) Consultation bodies or consultation authorities with environmental responsibilities;
iii) Other government bodies, including those with roles in oversight of bills, regulations, policies, strategies, programmes and plans;
iv) Consultants and advisers involved in undertaking SEA; and
v) All those who may be affected by or have an interest in bills, regulations, policies, strategies, programmes and plans including members of the public, non-governmental organisations and developers.

2.0 CONCEPT AND CONTEXT OF SEA

2.1 Definition and Objectives of SEA

SEA Regulations define SEA as "a systematic process for evaluating the environmental, including health, consequences of proposed legislation, policy, plan, strategy or programme initiatives in order to ensure that they are fully included and appropriately addressed at the earliest appropriate stage of decision at par with economic and social considerations, which comprises the determination of the scope of an environmental report and its preparation, the carrying out of public participation and consultations and the taking into account of the report".

According to SEA Regulations objectives of SEA are to:

a) ensure that environmental concerns are taken in the policies, bills, regulations, plans, strategies or programmes;
b) enable the public to contribute to consideration of environmental concerns in the preparations of policies, bills, regulations, plans, strategies or programmes;
c) establish clear, transparent and effective procedures for formulation of policies, bills, regulations, plans, strategies or programmes; and
d) integrate environmental concerns into measures and instruments designed to further sustainable development.

2.2 Legal and Regulatory Requirements of SEA

Legal and regulatory requirements of SEA are provided in Section 104 and 105 of EMA. Section 104 requires that when preparing a bill that is likely to have effect on the management, conservation and enhancement of the environment; or sustainable management of natural resources, SEA should be undertaken and submitted to the minister responsible for environment. Moreover, the Act requires that when promulgating regulations, public policies, programmes and development plans that may have effects on the environment, the SEA shall be conducted.

Furthermore, Section 105 of the Act requires that where a mineral or petroleum resource is identified and before specific details are planned, or a hydro-electric power station is planned or a major water project is planned, the ministry responsible for mining, energy or water should carry out a SEA. List of areas that are subject to SEA are provided in Annex 1.

2.3 Relationship between SEA and Environmental Impact Assessment (EIA)

There is a hierarchy of levels in decision-making comprising projects, programmes, plans and policies (Figure 1). Logically, policies shape subsequent plans, programmes and projects that put those policies into practice. Policies are at the top of the decision-making hierarchy. As one moves down the hierarchy from policies to projects, the nature of decision-making changes, as does the nature of environmental assessment needed. Policy-level assessment tends to deal with more flexible proposals and a wider range of scenarios. Project-level assessment usually has well defined and prescribed specifications.

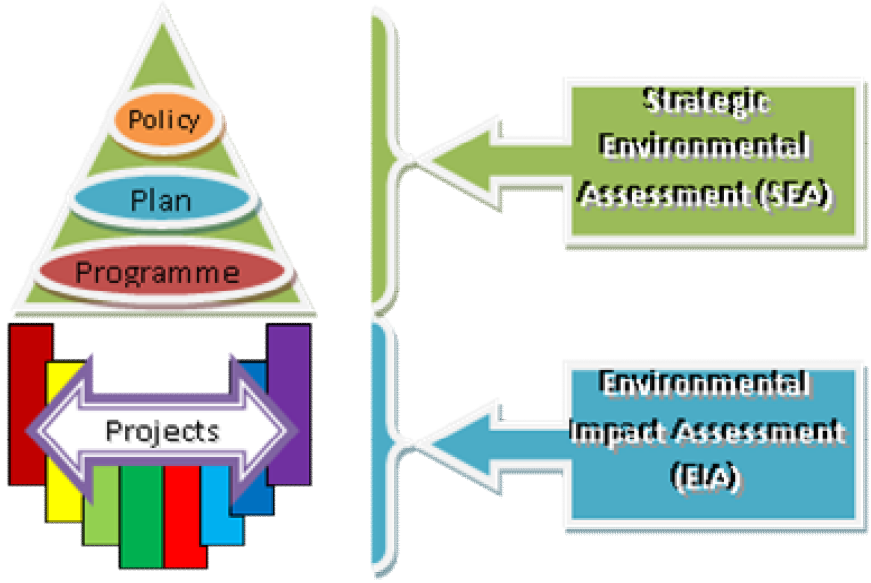

Figure 1: SEA: Up-streaming environmental considerations into the decision-making hierarchy

Policies, bills, regulations, plans, strategies or programmes are more strategic as they determine the general direction or approach to be followed towards broad goals. SEA is applied to these strategic levels. EIA is used on projects that put policies, plans, strategies or programmes into tangible effect. Table 2 shows comparison between SEA and EIA.

Table 2: Comparison between SEA and EIA

EIA	SEA
Applied to specific and relatively short-term (life-cycle) projects and their specifications.	Applied to policies, plans, programmes and bills with a broad and long-term strategic perspective.
Takes place at early stage of project planning once parameters are set.	Ideally, takes place at an early stage in strategic planning.
Considers limited range of project alternatives.	Considers a broad range of alternative scenarios.
Usually prepared and/or funded by the project proponents.	Conducted independently of any specific project proponent.
Focus on obtaining project permission, and rarely with feedback to policy, plan or programme consideration.	Focus on decision on policy, bills, regulations, strategies, plan and programme implications for future lower-

	level decisions.
Well-defined, linear process with clear beginning and end (e.g. from feasibility to project approval).	Multi-stage, iterative process with feedback loops.
Preparation of an EIA document with prescribed format and contents is usually mandatory. This document provides a baseline reference for monitoring.	May not always be formally documented.
Emphasis on mitigating environmental and social impacts of a specific project, but with identification of some project opportunities, off-sets, etc.	Emphasis on meeting balanced environmental, social and economic objectives in policies, plans, programmes and bills. Includes identifying macro-level development outcomes.
Limited review of cumulative impacts, often limited to phases of a specific project. Does not cover regional-scale developments or multiple projects.	Inherently incorporates consideration of cumulative impacts.

2.4 Principles of SEA

Principles upon which SEA is based include:

a) Early proactive consideration of the environmental and social effects of strategic actions;
b) Broad institutional and public engagement;
c) Analysis and integration of qualitative and quantitative information within a dynamic, interactive framework;
d) Flexibility to allow adaptability to the planning and sectoral development cycle;
e) Early warning of potential cumulative effects and large-scale changes; and
f) Identification of best practicable options that can be articulated from the policy level to the individual project level.

SEA complements and strengthens EIA at the project level by: identifying prior information needs and potential impacts; addressing strategic issues and concerns that may relate to project justification; and streamlining the project review process. In this way SEA "sets the scene", ideally through an outcomes-based Strategic Environmental Management Plan (SEMP).

2.5 Importance of SEA

There are several reasons why SEA is important. These include:

i) Safeguarding natural resources and opportunities upon which all people depend, particularly the poor;
ii) Promoting understanding of sustainability challenges, incorporating an integrated perspective earlier in legislating, policy-making and planning processes;
iii) Facilitating identification and discussion of development options and providing guidelines to help development to follow sustainability trajectories;
iv) Informing planners, decision makers and affected public about sustainability of strategic decisions, ensuring a democratic decision making process, enhancing credibility of decisions;
v) Facilitating trans-boundary co-operation in shared natural resources management;
vi) Encouraging political willingness, stimulating changes to mentalities and creating a culture of strategic decision-making;
vii) Helping to identify and address potential areas of conflict or inconsistency early on in the formulation of new policies, bills, regulation, strategies, plans or programmes and, therefore, preventing costly mistakes;
viii) Building public engagement at strategic level and, therefore, in decision making for improved governance;
ix) Addressing a wider range of alternatives than is normally possible in project EIA considering cumulative effects and relatively large-scale environmental changes;
x) Exploring the opportunities for and constraints to development posed by the broader receiving environment, thus narrowing down consideration of projects only to those that could be sustained by that environment; and
xi) Assisting in defining and maintaining a chosen level of environmental quality.

2.6 Authority responsible to undertake SEA

Regulation 8(1) of the SEA Regulations requires ministries, government agencies or departments, herein after referred to as Responsible Authorities, where it is found necessary at the commencement of preparation of a policy, bill, regulations, strategy, programme or plan to carry out SEA. In so doing the responsible authority shall form a team to undertake the assessment, comprising experts in SEA or environmental and natural resource management from a sector ministry, government agency, department and public higher learning and research institutions or registered environmental experts.

3.0 SEA PROCESS

SEA is typically an iterative process of collecting information, defining alternatives, identifying environmental effects, developing mitigation measures and revising proposals in the light of predicted environmental effects. It will be important to identify an end-point where further iterations are unlikely to bring further significant improvements in predicting the environmental effects of the plan or programme. The SEA process, including preparation of the Environmental Report, is most effective when started as early as possible, ideally at the same time as the preparation of the plan or programme.

There is no specific method or technique for conducting SEA. Several SEA methodologies exist that encompass sequences of several activities, through stages in systematic phasing, independent or integrated in the decision-making process. The diversity of approaches and developments in the field of SEA opens up opportunity for different use of methods in SEA.

For simplicity, SEA can be broken down into different activities conducted alongside development of a policy, bills, regulation, strategy, plan or programme and consideration of alternative options. Although it is focused mainly on a policy, bill, regulation, strategy, plan or programme, SEA can be applied to a particular geographical area (e.g. nation/state, region, district or village), a sector (e.g. spatial planning, mining, transport, agriculture, forestry, fisheries, energy, waste, water, tourism) or to a specific issue (e.g. climate change, biodiversity). These Guidelines outline five stages for SEA in line with the major steps specified in Regulation 11 of the SEA Regulations.

3.1 Initiating SEA Process

According to SEA Regulations, SEA process should start at the commencement of preparation of a policy, bill, regulation, strategy, plan or programme and continue throughout the process to the stage of their promulgation.

At the outset, the responsible authority should, depending on the nature of the policy, bill, regulation, strategy, plan or programme, notify the minister responsible for environment about the process of such an undertaking for purposes of determining whether it requires SEA, and submit a detailed statement of the nature of the undertaking and its likely impact on the management, conservation and enhancement of the environment or sustainable management of natural resources and cultural heritage. Annex 2 provides issues and tasks for consideration before carrying out a SEA study.

3.2 SEA Steps

In establishing the SEA context, a step-by-step approach on the regulatory requirements, the decisions to be taken and the documentation to be provided in conducting SEA are required. These steps are intended to be valid for all policies, bills,

regulations, strategies, plans and programmes to which the SEA Regulations apply in the respective sector or geographical scope. However, where specific guidance is available for certain types of policies, bills, regulations, strategies, plans and programmes, it is advised to use the stages set out in that guidance. In practice, SEA needs to be adapted to the scale and nature of the policies, bills, regulations, strategies, plans or programmes in question, its place in any hierarchy or sequence of plans or programmes, and the stage reached in the decision-making process. It is important to treat SEA as a flexible process, tailored to the needs of different types of policies, bills, regulations, strategies, plans and programmes to which the SEA Regulations apply, while at the same time ensuring that the requirements of the Regulations are met.

3.2.1 Step 1: Screening

This is the first step when considering undertaking SEA. This step determines if there are important environmental effects of a policy, bill, regulation, strategy, plan or programme. According to SEA Regulations, this step requires a responsible authority (with a proposal to undertake SEA) to prepare a summary of its views as to whether or not the policy, bill, regulation, strategy, plan or programme is likely to have significant environmental effects at the beginning of the SEA process.

There are various methods available for screening, such as the use of formal "triggers" and checklists (i.e. using a set of criteria or list of questions as prompts), seeking advice from a competent authority or other expertise, amongst others. These methods are used to indicate whether a policy, bill, regulation, strategy, plan or a programme is likely to have a significant environmental effect (both positive and negative) and a SEA should be carried out where significant effects on the environment are likely. Figure 2 is a Logical framework to determine whether a particular policy, bill, regulation, plan, strategy or programme should be subjected to SEA.

The following questions can assist in conducting the screening, (quick scan):

i) What is the content of the proposal (policy, bill, regulation, strategy, plan or programme)?
ii) What area or sector is targeted in the proposal?
iii) Is the sector known to have, or is it likely to cause environmental effects (e.g. energy, transportation, housing, agriculture)?
iv) Are there components which are likely to have cumulative or long term consequences for the environment (e.g. trade, industrial diversification, technology development, crop diversification)?
v) Does the proposal initiate activities that will have direct environmental impacts or have little or no environmental consequences?
vi) Are there any trans-boundary effects?

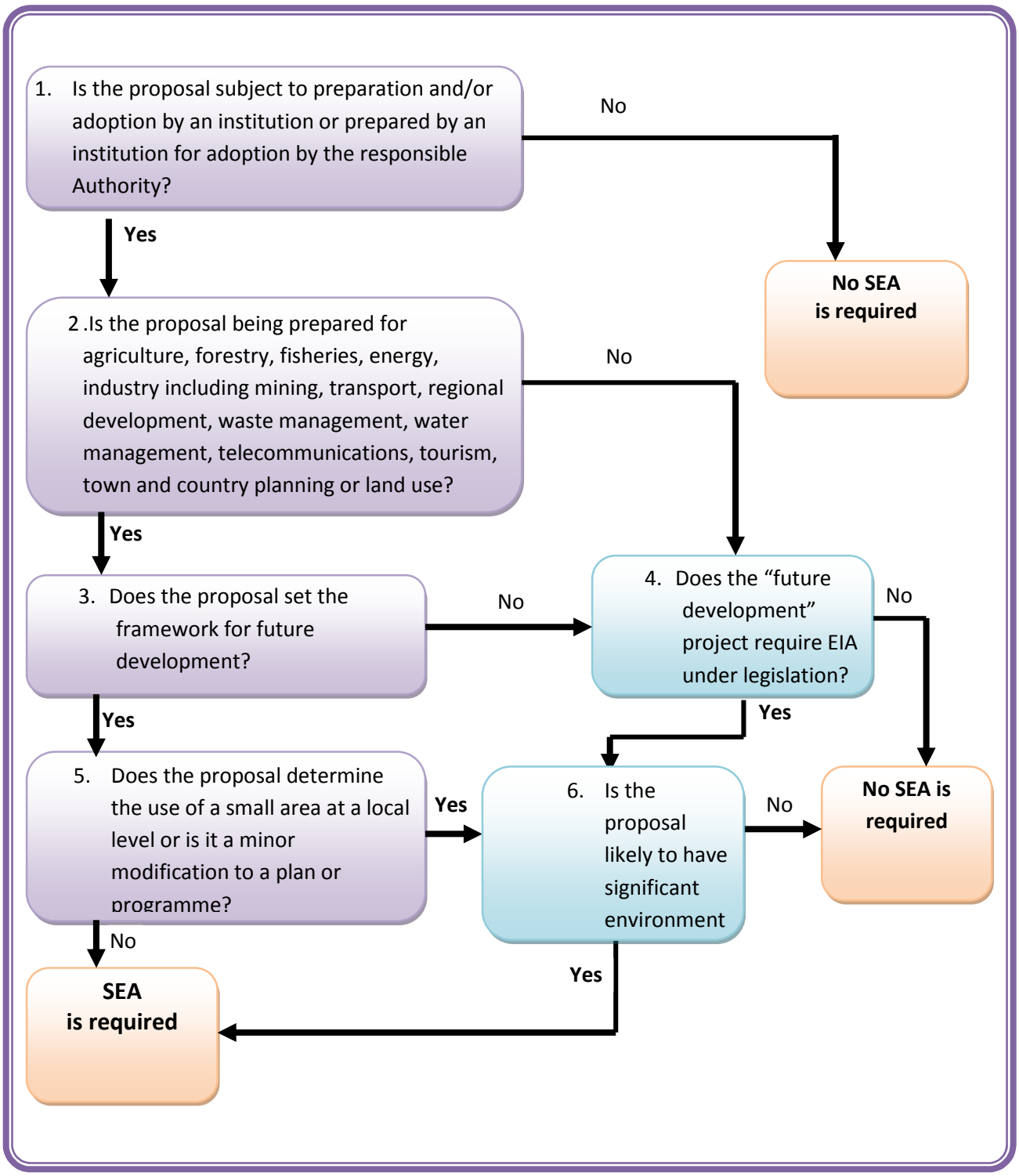

Figure 2: Logical framework to determine whether a particular policy, bill, regulation, plan, strategy or programme should be subjected to SEA.

It is worth noting that if the screening indicates that implementation of the proposed policy, bill, regulations, strategy, plan or programme will not result in important environmental effects, SEA is not required. Table 3 summarises the chronology of events leading to the decision whether SEA is undertaken or not.

Table 3: A summary of the main events for screening

1	The responsible authority to prepare a summary of views as to whether or not the proposal is likely to have significant environmental effects for the purpose of determining whether or not SEA is required.
2	The responsible authority to submit the summary to the Director of Environment and other relevant ministries to obtain views and comments for consideration in order to determine the need and type of SEA.
3	Stakeholders to provide views and comments on the summary to the Director of Environment.
4	Director of Environment to consolidate and analyse views of stakeholders for decision making.
5	Director of Environment to determine/decide whether SEA is required or not and communicate the decision to the responsible authority accordingly.

3.2.2 Step 2: Scoping and Terms of Reference

A scoping process should be conducted in order to determine and establish the terms of reference and level of details of the information to be included in the SEA report to be prepared; key authorities to be consulted; opportunities for public consultation; and the consultation period it intends to use. A pragmatic view needs to be taken on how much can be achieved given the time-scale, available resources, and existing knowledge about key issues. An open and systematic process should be followed. The SEA should actively engage key stakeholders to identify significant issues associated with the proposal and the main alternatives. Based on these issues, and the objectives of the SEA, decision criteria and suitable indicators of desired outcomes should be identified.

Objectives of Scoping

The objectives of scoping are:

a) To provide a wide range of consult parties at the early stage in the SEA process;
b) To identify the main stakeholders that will be negatively or positively impacted by the proposed policy, bill, regulation, strategy, plan and programme;
c) To provide an opportunity for interested and affected stakeholders in the proposed policy, bill, regulation, strategy, plan and programme for the purpose of exchanging information and expressing their views and concerns regarding the proposal before SEA is undertaken;
d) To identify key issues and concerns associated with the SEA study;

e) To focus the study on reasonable alternatives and relevant issues to ensure that the resulting assessment is useful to the decision-maker and addresses the concerns of interested and affected communities;
f) To facilitate an efficient assessment process that saves time and resources and reduces costly delays, which could otherwise arise where consultation had not taken place; and
g) To determine and establish the terms of reference and level of details of the information to be included in the SEA report (boundaries of the SEA process).

Key issues to be established in the SEA scoping will be as follows:

a) Objectives of the SEA study including decision criteria as well as suitable indicators of desired outcomes;
b) Alternatives to be considered;
c) Spatial and temporal dimensions of the study;
d) Assessment criteria;
e) Significant issues to be studied, such as physical, ecological, social, economic, institutional and political, based on the objectives established for the SEA;
f) Relevant stakeholders to be consulted, including agencies with the various decision-making mandates covered by the study spatial boundaries;
g) Methods and techniques of data acquisition and analysis in the SEA study and sources of relevant data as well as amount of information available;
h) Clear justification of the scoping methodology and why some impacts have been excluded; and
i) Expertise to be engaged in the SEA process must comprise experts in SEA or environmental and natural resources management from a sector ministry, government agency, department, higher learning and research institutions or registered environmental experts. The list of experts shall be accompanied by relevant documents, qualifications, curriculum vitae (cv) and contacts.

Scoping procedures and methods such as matrices overlays and case comparisons can be used to establish cause-effect links between different specific plans or programmes or to identify the environmental implications of more general policies or strategies. A detailed options review may be undertaken as part of the scoping process, to clarify the environmental advantages and disadvantages of different potential courses of action. Scoping meetings with stakeholders should result in a revision of the scope or focus of the SEA and improvements (as needed) to the draft engagement plan developed during preparatory task.

Tasks involved in Scoping

a) Background Information on policy, bills, regulation, strategy, plan or programme

Information on the nature of a policy, bill, regulation, strategy, plan and programme, as well as. a brief description of the affected environment is required in order to assist interested and affected stakeholders to comment constructively and form an informed position during the scoping process. Information should be clear and concise so that the general public can easily understand it.

b) Stakeholders identification

The responsible authority's first task is to establish the interested and affected party or parties relevant to the policy, bill, regulation, strategy, plan or programme who need to be directly contacted for information and comments.

c) Determination of Indicators

The responsible authority needs to consider availability of background information, and propose objectives and indicators for the SEA. This material is required at the outset when issues and options are being developed. The responsible authority will decide on the likely scope of the SEA report and required level of detail.

The main purpose of indicators is to communicate complex information for decision-making and management in a simplified way. In SEA, indicators are useful for a number of reasons, including:

i) Describing current levels and trends in environmental quality and assess impacts;
ii) Evaluating progress towards achieving sustainability objectives;
iii) Relating key strategic issues and limits of acceptable change (LAC); and
iv) Enabling adaptive and corrective management during implementation of policies, bills, regulations, strategies, plans and programmmes.

Scoping may also recommend alternatives to be considered suitable for analyses of key issues and sources of relevant data. Annex 3 provides key considerations for developing SEA objectives, indicators and targets.

Note: A key principle of SEA is that it sets the criteria for levels of environmental quality or LAC. The LAC can be derived from various sources such as existing international or national standards, legislation, Guidelines, Agenda 21 programmes, targets for environmental quality in management plans or programmes and State of Environment reports. If the appropriate LAC do not exist, they can be developed as part of the SEA process through stakeholders' engagement and input of specialists, drawing on the findings of the situation assessment. It is also important to note that LAC and/or thresholds may be identified during scoping and/or during the later assessment stage of SEA.

d) Consideration of alternatives

The most effective way to "shape" the outcome of a development process is to consider alternatives from the earliest possible stage, i.e., during the policies, bills, regulations, strategies, plans and programmes preparation process. SEA has the most influence during this formulation stage because a comparative evaluation of the need or demand and an impact evaluation of a broad range of alternatives can be conducted before any

irrevocable decisions are made. A range of sources can trigger how to identify alternatives. These include:

i) analysis of strategic policies, bills, regulations, strategies, plans and programmes' objectives, the policy context, environmental objectives, and existing and predicted environmental or sustainability problems;
ii) scenario testing;
iii) consideration of hierarchy alternatives; and
iv) suggestions raised by key stakeholders and by public planners, or contained in previous SEAs or other assessments.

Alternatives assessed in the SEA could represent different ways of delivering each target. Early consideration of alternatives can reduce the need for remedial measures at later stages in the development planning process, given that alternatives become increasingly constrained as planning moves from policy - to plan - to programme -level, ultimately arriving at the project-level. This concept is usually referred to as the hierarchy of alternatives.

The following can assist in determining the h**ierarchy of alternatives** (quick scan):

i) **Need or demand**: ***is it necessary? (<u>often relevant to policy-level</u>)***

- Can the need be met without implementing the policies, bills, regulations, strategies, plans and programmes?
- Can the development be avoided?

ii) **Mode or process**: ***how should it be done? (<u>often relevant to plan-level</u>)***

- Are there technologies or methods that can meet the need with less environmental damage than obvious or traditional methods?
- Has best-available technology without excessive cost been considered?

iii) **Location:** ***where should it go? (<u>often relevant to programme-level</u>)***

- What alternative locations could be considered?

iv) **Timing and implementation*****: when and what-to-do in detail? (<u>usually considered by project-level EIA</u>):***

- When and in what sequence should development be carried out?
- What details matter and what requirements should be formulated to ensure effective implementation?

Alternatives are formulated bearing in mind the situation assessment and the analysis of opportunities and constraints. Generally, expert judgment, authority requirements, and key stakeholder inputs are combined to formulate reasonable alternatives.

e) Scoping Report

The responsible authority will prepare a written report on the results of the scoping exercise. This will serve as a record for interested and affected parties and as guidelines for assessment and evaluation. The report should at least indicate:

i) How scoping was undertaken;
ii) How issues and problems were identified;
iii) How spatial and temporal dimensions of the study were identified;
iv) How results of scoping exercise were synthesised including details of potential negative and positive impacts;
v) How stakeholder groups were identified, analysed and involved in the scoping exercise;
vi) How the authorities, interested and affected parties were consulted, including dates and summaries of issues raised;
vii) Which alternatives should be examined in the assessment; and
viii) What are the Terms of Reference (ToR) for the SEA study.

f) Developing Terms of Reference

Following an identification of key issues of concern and how various stakeholders will be involved, the responsible authority prepares the ToR for the SEA and submits five hard copies and a soft copy to the Director of Environment for approval, which should be provided within 14 days of submission.

The ToR should be sufficiently clear and detailed in order to guide the responsible authority on the process to be followed and range of issues that must be addressed in the SEA, whilst also ensuring that it is consistent with SEA Regulations and EMA. The ToRs must indicate that the SEA report shall be prepared in a format specified in the Third Schedule and in accordance with the provision of the SEA Regulations. The chronology of main events leading to the approval of scoping is summarized in Table 4.

Table 4: A summary of the main events for scoping

1	The responsible authority to establish level of details of information to be included; key authorities to be consulted; opportunities for public consultation; and the period for the consultation. This will assist in determining the scope of the assessment and focus of the SEA and prevent production of unnecessary data and ensure an efficient process. It is also aimed at streamlining the assessments and avoiding duplication.
2	The responsible authority to develop Terms of Reference in order to provide formal guidance to practitioners on the range of issues that must be addressed in

	SEA process. This will form the basis for subsequent review process.
3	The responsible authority, after consultation with stakeholders, to prepare and submit the scoping report and the Terms of Reference to the Director of Environment for approval considerations.
4	Director of Environment to determine on the adequacy of details covered in both the scope and ToR and make determination/decision and communicate the decision to the responsible authority accordingly.

3.2.3 Step 3: Preparation of Draft SEA Report

The following steps are required in the preparation of the Draft SEA Report:

a) Identification, description and evaluation of the significant effects on environment and health of implementing policy, bill, regulation, strategy, plan or programme (refer to Annex 4 for details);
b) Identification of alternatives and likely impacts of each alternative;
c) Identification, description and evaluation of significant effects on environment and health, of implementing alternatives to the policy, bill, regulation, strategy, plan or programme;
d) Identification of cumulative effects;
e) Description of the current state of the environment and environmental characteristics of the area likely to be affected, and identification of any existing environmental problems;
f) Identification of a major goal, objective and the scope of the policy, bill, regulation, strategy, plan or programme including information as specified in the Third schedule of SEA Regulations;
g) Description of current knowledge and methods of assessment of environmental matters;
h) Description of content and level of details in the policy, bill, regulation, strategy, plan or programme;
i) Identification of the stage of policy, bill, regulation, strategy, plan or programme in the decision making process;
j) Description of the extent to which any matters in the report would be more appropriately assessed on at different levels in the process in order to avoid publication of the assessment; and
k) Identification and analysis of stakeholders.

Annex 5 provides details on information to be covered in SEA Report.

Content of SEA report

A typical SEA report will contain the following:

a) Title of the report;
b) Non-Technical Summary briefly describing the study and its outcomes;
c) Introduction (this should contain the scope and methodology of work);

d) Proposed bill, regulation, policy, strategy, plan or programme. This encompasses:
    i) Objective, purpose and rationale,
    ii) Alternative policy, options and strategies,
    iii) Areas and sectors affected,
    iv) Proposed activities for bills, policies, regulations, plans and programmes, and
    v) Implementation plan and time scale.
e) Environmental analysis that will include:
    i) Description of baseline environmental conditions focusing on areas potentially affected,
    ii) Relevant legislative framework and related policy, plan and programme documents,
    iii) Overview of consultation and public/stakeholders' engagement activities undertaken,
    iv) Prediction and evaluation of impacts including cumulative effects,
    v) Alternative policy, plan, and programme options, considered and compared against environmental indicators, and a justification for a considered alternative, and
    vi) Linkages with ongoing projects and how they fit in the proposed policy, plan and programme.
f) Recommendations, including:
    i) Recommended policy, bill, regulation, plan and programme changes,
    ii) Recommended mitigation measures,
    iii) Recommended alternatives, and
    iv) Need for subsequent SEA for plans and programmes.
g) Cited reference (s);
h) Relevant technical appendices such as stakeholders' meetings referred to in the assessment; and
i) Environmental management plan (EMP) and environmental monitoring plan (EMoP).

The EMP should outline the measures to be taken during policy, bills, regulation, strategy, plan and programme implementation and operation to control adverse environmental impacts and actions needed to implement these measures.

Components of the EMP

An EMP includes:

a) Summary of impacts;
   Predicted adverse environmental and social impacts for which mitigation is required should be identified and briefly summarised. Cross referencing to the SEA report or other documentation is recommended – so that additional details can be readily referenced.
b) Description of mitigation measures;
    i) The EMP identifies feasible and cost effective measures to reduce potentially significant adverse environmental and social impacts to acceptable levels,

ii) Each mitigation measure should be briefly described with reference to the impact to which it relates and the conditions under which it is required (e.g. continuously),
iii) These should be accompanied by, or referenced to designs, equipment descriptions, and operating procedures which elaborate the technical aspects of implementing the various measures, and
iv) Where the mitigation measures may result in secondary impacts, their significance should be evaluated.

c) Description of Environmental Performance Monitoring Program;

Objective of environmental performance monitoring is to ensure that:
i) mitigation measures are implemented,
ii) they produce the intended result,
iii) that remedial measures are undertaken if mitigation measures are inadequate or the impacts were underestimated in the SEA study, and
iv) compliance with national and international standards.

The monitoring program should clearly indicate:
i) The linkages between impacts identified in the SEA study,
ii) Indicators to be measured,
iii) Methods to be used,
iv) Sampling locations,
v) Frequency of measurements,
vi) Detection limits (where appropriate), and
vii) Definition of thresholds that will signal the need for corrective actions.

d) Institutional arrangements;
i) Responsibilities for each actor on mitigation and monitoring should be clearly defined, and
ii) Coordination between various actors responsible for mitigation should be identified in the EMP.

e) Implementation schedule and reporting procedures should indicate:
i) Timing, frequency, and duration of mitigation measures,
ii) Procedures to provide information on progress and results of mitigation and monitoring measures, and
iii) Frequency of reporting.

f) Cost estimates;
i) Initial investment and recurring expenses for implementing all measures contained in the EMP, and
ii) Where practicable, decisions regarding appropriate mitigation measures should be justified by an economic evaluation of potential environmental impacts.

g) Institutional strengthening/capacity building;

This has two aspects:

i) Equipment requirements - indication should be given of type of equipment and number of units and;
ii) Training/study tours - information should be provided regarding type of training, number of people to be trained, duration of the training, organisation providing the training and cost.

The format to be followed in preparing SEA report is provided in Annex 6. Table 5 shows the chronology of main events for the development of draft SEA report.

Table 5: A summary of the main events for draft SEA report

1	The responsible authority to identify alternatives for the purpose of developing and analysing strategic alternatives.
2	The responsible authority to identify and assess likely impacts in order to predict significant environmental effects of the proposal and evaluate predicted effects of the proposal and assist in its refinement.
3	The responsible authority to prepare draft SEA report for the purpose of presenting predicted environmental effects of the proposal, including alternatives, in a form suitable for public consultation and use by decision-makers.

3.2.4 Step 4: Consultation and participation

Public consultation is mandatory when undertaking SEA. At minimum, the responsible authority must meet with the main stakeholders to inform them about the policy, bill, regulation, strategy, plan or programme and to solicit their views. Understanding the power relations between different stakeholders, and how they interact with each other and the environment, are essential for good analysis and process management. One of the challenges is to ensure that public engagement is meaningful and not just a case of providing detailed, rigorous and comprehensive information. Stakeholders groups identified as most affected by a given policy, bill, regulation, strategy, plan or programme may be politically and/ or socially marginalised and have little or no prior experience in providing input to decision making.

Public consultations processes will have to identify the best means to ensure that they can participate effectively and their viewpoints are given proper consideration. This may involve, in particular, stakeholders who may not have access to the internet, lack access to public libraries, speak a different language, are illiterate, have cultural differences or other characteristics that need to be taken into consideration when planning for their engagement. Public engagement needs to be sustained, structured and coordinated; with phases for formulating and implementing the policy, bill, regulation, plan or programme, emphasising equally the positive contributions and

harmful effects. More problematic issues should involve more extensive consultation. Results of these consultations must be documented in the SEA report.

As stakeholders are comprised of many interested groups with conflicting objectives e.g. men and women because of their different rights and responsibilities, educated young people versus older traditional people; economic and cultural groups, etc. The role of public consultation in SEA should not be to suppress differing views from these groups but to provide a mechanism for identifying and trying to solve conflicts in a constructive way.

Authorities which, because of their environmental responsibilities, are likely to be concerned by the effects of implementing the policy, bill, regulation, strategy, plan or programme, must be consulted about the scope and level of detail of the information to be included in the SEA Report.

Consultation, requirement, methodology and procedures

a) Consultation bodies

In these guidelines, consultation bodies shall be:

i) Sector ministries;
ii) Government agencies and departments; and
iii) Local government authorities.

The public and consultation bodies must be consulted on the policy, bill, regulation, strategy, plan or programme and the environmental report, and must be given an early and effective opportunity within an appropriate time frame to express their opinions.

During the process of conducting a SEA, the responsible authority may, in consultation with the Director of Environment, seek views of any person or the general public.

The responsible authority shall ensure that SEA of policies, bills, regulations, strategies, programmes or plans as provided for under SEA Regulations and the EMA is carried out in the respective sector ministry and all parastatal organisations under its respective jurisdiction.

b) Requirements for consultation

Public participation and institutional consultation should be open and transparent and should also be conducted at the early stage of the preparation of SEA. A summary of requirements for consultation is provided in Annex 7.

Neighbouring countries must be consulted if the plan or programme is likely to have significant effects on the environment in their territories. The consultation bodies must also be consulted on screening determinations of whether SEA is needed for plans or programmes i.e. those which may be excluded if they are not likely to have significant environmental effects.

In case a plan or programme prepared wholly within Tanzania may have significant effects in a neighbouring country, the responsible authority must make arrangements to consult the consultation bodies and the public in the areas affected. Consultation with the public at earlier stages (e.g. when considering the scope of the SEA report) can provide useful information and public and stakeholder opinions on issues relevant to the plan or programme and the SEA. This can also help to avoid issues arising later which might delay the preparation of the plan or programme.

Consultation requirements should also include responses to consultation to be taken into account during the preparation of the plan or programme and before its adoption or submission. However, the responsible authorities will normally consult a range of other bodies in the course of preparing their plans and programmes (e.g. local authorities, and private, civil and non-governmental organisations) and information from these may be useful in SEA.

c) Methodology for Public Participation

The responsible aauthority should establish a list of interested and affected parties as well as developing methods of notifying them on the policy, bill, regulation, plan or programme. Consultation with the public should be a two - way process, in which information is disseminated, and useful local information and opinions received. The consultation process should record the fears, interests and aspirations of the stakeholders to be addressed in the subsequent SEA study.

Stakeholders participation or involvement methodologies may include;

i) Public meetings;
ii) Newspaper advertisements and notices;
iii) Surveys, interviews, questionnaires and response sheets;
iv) Workshops;
v) Advisory groups;
vi) Electronic media; and
vii) Displays and exhibits.

Whatever methodology of stakeholders involvement is selected, it should be designed to suit the circumstances. It should provide the means of obtaining views of interested or affected parties.

d) Consultation procedures

The responsible authority shall, as soon as reasonably practicable -

i) send a copy of the draft report and the policy, bill, regulation, strategy, plan or programme to which it relates with the relevant documents to the Director of Environment and other relevant ministries;
ii) invite the Director of Environment, relevant ministries and other key stakeholders to express their opinions on the relevant documents within a period specified by the responsible authority; and
iii) invite comments, where appropriate, from authorities in neighbouring countries on trans-boundary environmental concerns.

The chronology of administrative procedures for consultation and participation are summarised in Table 6.

Table 6: A summary of the main events for consultation and participation

1.	The responsible authority to consult stakeholders in order to obtain their views and comments on the draft SEA report for the purpose of giving the public and the consultation bodies an opportunity to express their opinions on the findings of the SEA report. It is also aimed at gathering more information from stakeholders and the public.
2.	The responsible authority to prepare Final Draft SEA report with the findings and submit it to the Director of Environment for review.

3.2.5 Step 5: Revision of Draft SEA report

Once the technical analysis is completed, the results and rationale for conclusions need to be reported. The report should be in English accompanied with a non-technical executive summary in both Swahili and English. This will often require short summaries and graphic presentations rather than long reports. A succinct, non-technical summary should be included. The non-technical summary should contain the title of the report, the proposed programme/plan, the objectives of the bill, policy, regulation, strategy, programme or plan, alternative options, affected area, environmental analysis, summary of impacts and mitigation and/or enhancements. This will be of particular use in explaining the findings to local communities, which need to be well informed in order to submit comments.

When reviewing SEA draft report, key questions of concern to be considered are:

i) Quality of information;
ii) Level of stakeholder participation;
iii) Defined objectives of the SEA;
iv) Assessment of environmental impacts; and
v) Planned follow-up activities, and constraints.

Key questions to help evaluators focus on development outcomes of SEA relate to:

i) accuracy of assumption made during the SEA;
ii) influence on the policy, bill, regulation, strategy, programme or plan process;
iii) implementation process; and
iv) development goals on accountability, and the outcome of capacity-building activities.

Annex 8 provides further details on criteria to be used for SEA review.

Site verification

Depending on the type of SEA, the Director of Environment may arrange for on-site visits where necessary. In this context, a small team of experts for site verification visits will be engaged. Areas which might require site verification visits may include

physical plans, general management plans of protected areas, mineral or petroleum resource plan or project, hydro-electric power station project, and planned major water project.

Technical Review Committee

There shall be a Technical Review Committee (TRC) which is a cross-sector technical committee composed of members from sectors related to environment and resource management. It may co-opt specialists in relevant disciplines to assist in the review process whenever required. The TRC shall assist the Director of Environment with the review process. The ToRs of TRC are provided in Annex 9. The Division of Environment shall be the secretariat to the committee. The importance of TRC is crucial in enhancing required technical credibility, institutional inter-agency co-ordination and accountability, and transparency in deciding the fate of a proposed undertaking. The Director of Environment will collate the TRC's comments and recommendations of the site visit report and submit the review report to the responsible authority, for finalization of SEA report.

Finalization of the SEA report

The responsible authority shall take into account in the final draft SEA report, the opinions expressed by the Director of Environment. Information referred to in the Annex 5 to these Guidelines may be included in the report by reference to relevant information obtained at other levels of decision-making or through the Act or any other written law.

Submission of Final SEA report

The responsible authority shall submit to the Minister responsible for Environment a SEA Report prepared in a format specified in Annex 6 through a submission form specified in Annex 10. Stages for revision of draft final report are summarized in Table 7.

Table 7: A summary of the main events for Draft Final report

1.	The Director of Environment to engage Technical Review Committee (TRC) in revising the final draft report in order to assess the adequacy of the report and provide appropriate comments and recommendations.
2.	The Director of Environment to submit comments and recommendations of the TRC to the responsible authority for consideration and finalisation of the document.
3.	In case more information is required, the responsible authority should prepare and re-submit a revised final SEA report which has included comments and recommendations from all stakeholders and TRC to the Minister responsible

	for Environment for approval considerations.

Financing of SEA review

The Director of Environment with financing from the responsible authority will coordinate site verification visits and TRC meetings.

Table 8: A summary step-by-step framework for conducting SEA

SEA step	Main tasks	Purpose	Responsible	Time frame (days)
Step 1: Screening	1.1 Prepare a summary of views as to whether or not the proposal is likely to have significant environmental effects	• To determine whether or not a SEA is required • To determine the need and type of SEA	Responsible authority	
	1.2 Submit the summary to the Director of Environment and other relevant Ministries for consideration	• To obtain views and comments of stakeholders	Responsible authority	
	1.3 Provide views and comments on the summary	• To engage stakeholders in determination of the need for SEA	Ministries and other stakeholders	21 days
	1.4 Consolidate and analyse views of stakeholders for decision	• To facilitate determination on whether or not SEA is required	Director of Environment	14 days
	1.5 Determine whether SEA is required or not	• To advise responsible authority to conduct SEA or not	• Director of Environment • Minister responsible for Environment	14 days
Step 2: Scoping and Terms of Reference	2.1 Establish level of details of the information to be included; key authorities to be consulted; opportunities for public consultation; the consultation	• To determine the scope of the assessment and focus of the SEA • To prevent the production of unnecessary data and to ensure an efficient process	Responsible authority	

SEA step	Main tasks	Purpose	Responsible	Time frame (days)
	period it intends to use.	• To streamline the assessments and avoid duplication of assessment		
	2.2 Develop Terms of Reference	• To provide formal guidance to the responsible authority on the range of issues that must be addressed in SEA process • To form a basis for subsequent review process	Responsible authority	
	2.3 Prepare and submit scoping report to the Director of Environment	• To consult stakeholders	Responsible authority	
	2.4 Approve the scope and Terms of Reference of SEA	• To determine adequacy of details covered • To approve Terms of Reference	Director of Environment	14 days
Step 3: Preparation of Draft SEA Report	3.1 Identify and assess likely impacts	• To predict significant environmental effects of the proposal. • To evaluate predicted effects of the proposal and assist in its refinement	Responsible authority	

SEA step	Main tasks	Purpose	Responsible	Time frame (days)
	3.2 Identify alternatives	• To develop and refine strategic alternatives	Responsible authority	
	3.3 Prepare draft SEA report	• To present predicted environmental effects of the plan or programme, including alternatives, in a form suitable for public consultation and use by decision-makers	Responsible authority	
Step 4: Consultation and participation	4.1 Consult stakeholders to obtain their views and comments on the draft SEA report	• To give the public and the Consultation bodies an opportunity to express their opinions on the findings of the SEA report • To gather more information from stakeholders and the public	Responsible authority	
	4.2 Prepare final draft SEA report and submit to the Director of Environment for revision	• To present the findings of SEA for revision	Responsible authority	
	5.1 Engage team of experts for site verification visits in case of physical plans, projects which are within the scope of EMA and SEA Regulations	• To assess the adequacy of the report and provide appropriate recommendations	Director of Environment	21 days

SEA step	Main tasks	Purpose	Responsible	Time frame (days)
	5.2 Engage Technical Review Committee (TRC) in revising the final draft report			
	5.3 Submit site verification report to the TRC meeting 5.4 Submit TRC comments to the Responsible Authority	• To review and incorporate comments from all stakeholders and TRC	Director of Environment	**14 days**
	5.5 Prepare and submit final SEA report to the Minister responsible for Environment	• To seek approval from the Minister	Responsible authority	
Step 6: Approval of Strategic Environmental Assessment Report	6.1 Approval of SEA report and issuance of SEA Approval Notice	• To make final decision on implementation of the proposed policy, bill, regulations, strategy, plans and programmes	Minister responsible for Environment	**14 days**
Step 7: Monitoring	7.1 Monitor significant environmental impacts of implementation of the approved policies, bills, regulations, strategies, plans and programmes	• To track the environmental effects of the approved policies,bills, regulations, strategies, plans and programmes and identify any unforeseen adverse effects at early stage and undertake appropriate remedial measures	Responsible authority	
	7.2 Prepare periodic reports on implementation of approved policies, bills, regulations, strategies, plans and programmes and submit to the Director of Environment	• To evaluate the extent to which environmental objectives or recommendations made in the SEA report are being met	Responsible authority	

4.0 APPROVAL OF STRATEGIC ENVIRONMENTAL ASSESSMENT REPORT

The Minister of Environment will inform the responsible authority for the proposed policy, bill, regulation, strategy, plan, and programme about the decision outcome for implementation. The decision shall take into account the review process and make the decision to the effect that:

i) the SEA report is approved;
ii) the SEA report is not approved; or
iii) the SEA report is approved subject to the responsible authority incorporating recommended changes.

Where the Minister has not approved or has approved the SEA Report subject to certain conditions, the decision shall be communicated to the responsible authority and shall-

i) provide reasons for the decision; or
ii) specify conditions and changes that need to be made.

Where the Minister has approved the SEA report, he shall in writing notify the responsible authority accordingly and issue a SEA approval notice. The format of the approval notice is prescribed in Annex 11. Stages for the approval process of the SEA report are summarized in Table 9**.**

Table 9: A summary of the main events for SEA approval process

1.	The responsible authority submits the SEA report to the Minister responsible for environment to seek for issuance of SEA Approval Notice.
2.	The Minister responsible for environment decides whether SEA is approved; not approved; or approved subject to the responsible authority incorporating recommended changes.
3.	For successful SEA proposal, an Approval Notice is issued and it is communicated to the responsible authority for implementation.
4.	For an unsuccessful SEA Proposal, the Minister responsible for environment shall provide reasons for the decision or specify conditions and changes that need to be made and the information is communicated to the responsible authority accordingly.

5.0 MONITORING

It is important to monitor the extent to which environmental objectives or recommendations made in the SEA report or the policy, bill, regulation, strategy, programme or plan are being met. Information tracking systems can be used to monitor and check progress of the policy, bill, regulation, strategy, programme or plan. Monitoring of cumulative effects may be appropriate for initiatives that will initiate change in critical natural assets. Methods and indicators for this purposes need to be developed on a case-by-case basis.

The responsible authority shall monitor the policy, bill, regulation, strategy, programme or plan and submit a report to the Director of Environment annually or at intervals that will be prescribed by the Director of Environment. The responsible authority shall monitor significant environmental effects of the implementation of every policy, bill, regulation, strategy, plan or programme for which it has carried out a Strategic Environmental Assessment.

The responsible authority shall comply with the requirement for monitoring significant environmental effects of implementation of every bill, regulation, policy, strategy, plan or programme in a manner which enables it to:

i) identify any unforeseen adverse effects at an early stage; and
ii) undertake appropriate remedial measures.

The responsible authority shall furnish the Director of Environment with periodic reports on implementation of such policies, bills, regulations, strategies, plans or programmes. Annex 12 provides details on monitoring of implementation of SEA. Stages for the monitoring process of the SEA report are summarized in Table 10.

Table 10: A summary of the main events for Monitoring Process

1.	The responsible authority to monitor significant environmental impacts of implementation of the proposal for the purpose of tracking the environmental effects of the proposal and identify any unforeseen adverse effects at early stage and undertake appropriate remedial measures.
2.	The responsible authority to prepare periodic reports on implementation of proposals and submit them to the Director of Environment for monitoring the extent to which environmental objectives or recommendations made in the SEA Report are being met.

6.0 OTHER IMPORTANT ISSUES FOR CONSIDERATION

i) Information as to adoption of a proposal

As soon as practicable after the adoption of a bill, regulation, policy, strategy, plan or programme for which a SEA has been carried out the responsible authority shall:

a) submit a copy of the bill, regulation, policy, strategy, plan or programme and its accompanying SEA report to the Director of Environment and all ministries; and
b) take such steps as are appropriate to bring to the attention of the public the adoption of such a bill, regulations, policy, strategy, plan or programme.

ii) Registers

The Director of Environment shall maintain the following registers:

a) a register of the SEA reports approved under the SEA Regulations; and
b) a register of the SEA monitoring reports.

The registers shall be public documents maintained by the Director of Environment for inspection by any person upon terms and conditions as the Director of Environment may specify.

iii) Plans, strategies and programmes authorized prior to the commencement of the SEA Regulations, 2008

Where, prior to the coming into force of the SEA Regulations, 2008, a responsible authority promulgated a plan, strategy or programme which would have required a SEA under the SEA Regulations, 2008, the responsible authority concerned may, in consultation with the Director of Environment, carry out a Strategic Environmental Appraisal or Strategic Environmental Audit.

ANNEXES

ANNEX 1: LIST OF AREAS SUBJECT TO STRATEGIC ENVIRONMENTAL ASSESSMENT

In accordance to EMA, 2004, Section 105, areas subject to SEA include:

(a) Bills;
(b) Regulations;
(c) Policies;
(d) Strategies;
(e) Plans;
(f) Physical plans;
(g) Programmes;
(h) General Management Plans of Protected Areas;
(i) Mineral or petroleum resource plan or project;
(j) Hydro-electric power station project;
(k) Planned major water project; and
(l) Any other aspect as the Minister may decide.

ANNEX 2: TASKS TO CONSIDER BEFORE CARRYING OUT SEA

1. Preparatory Tasks

When a SEA is to be carried out, it is important to secure governmental support. The focus throughout the subsequent process in conducting SEA should be on integrating environmental considerations (alongside economic and social ones) into key decision-making points when options and proposed activities are being developed and evaluated. Below is the highlight of a number of preparatory tasks that a responsible authority proposing for SEA need to take into account:

i) Development of the terms of reference based on the basic principles of SEA;
ii) Setting up a team to conduct SEA;
iii) Clarification and confirmation of specific goals and objectives of the SEA in relation to the objectives of the policy, bill, plan, strategy or programme with partners and stakeholders;
iv) Whether the objectives of the policy, bill, plan, strategy or programme are in line with existing (environmental or other) objectives of country/region/sector authorities;
v) Set appropriate decision criteria from these objectives and the broader development agendas of the parties;
vi) Set definite and realistic timescales;
vii) Develop capacity-building and a communication plan for the SEA;
viii) Agree on the required documentation;
ix) Confirm sources of funding; and
x) Announce the start of the planning process; bring key stakeholders together to agree on the problem, objectives, alternatives and measures for quality control.

2. Special tasks in development co-operation:

i) Ensure full account is taken of sustainable development priorities of the country;
ii) Ensure appointments to the SEA team are made – whether in-house – preferably engaging national expertise, through local consultants supported by technical assistance as necessary;
iii) Determine whether other institutions have carried out or intend to carry out, a SEA relevant to the proposed one and, in such circumstances, seek to engage in a joint process; and
iv) In parallel to seeking such harmonized approach to SEA, it is crucial to integrate the SEA process with existing planning and assessment systems in the country and develop links with other impact assessment approaches in use.

3. Setting objectives and targets

In this stage, the responsible authority is expected to determine the objective and targets of the policy, plan or program. This is best done in consultation with relevant lead agencies and stakeholders. The objective and targets will be reviewed against the national, regional or local environmental action plan(s) such as how it intends to

improve the planning process. Objectives can be expressed in the form of targets, the achievement of which is measurable using indicators.

Objectives and targets can be revised as baseline information is collected and environmental problems identified, and can be used in monitoring the implementation of the plan or programme. It may be useful to develop SEA objectives, indicators and targets in consultation with relevant stakeholders, and review them in the light of baseline information and any problems identified.

4. Identification of stakeholders and planning their involvement

SEA is a participatory process. It allows lead agencies, civil society, including the private sector and relevant stakeholders that will be affected by the proposed bill, policy, regulations, strategy, plan or programme, to contribute inputs to strategic decision making. Therefore, the responsible authority undertaking the SEA should ensure careful stakeholder's analysis is carried out to identify stakeholders and prepare a communication plan to be used throughout the SEA. If the public is not used to being engaged, particularly at the strategic level, and if there are no precedents, it is critical to include an education component in the public engagement process.

A public engagement and disclosure plan will assist in identifying relevant stakeholder groups and appropriate communication methods. It is important to identify and engage those stakeholders who are the most exposed to environmental degradation. In general, environmental pressures tend to affect the poor and vulnerable sections of the population more seriously. To ensure that all relevant knowledge is drawn on, the youth, women and men should be included in this process. Stakeholders should include relevant regional and/or country representatives where trans-boundary impacts are anticipated.

ANNEX 3: DEVELOPING SEA OBJECTIVES, INDICATORS AND TARGETS

Objectives to be developed for the SEA, are widely used to ensure that the right level of consideration is achieved. An objective is a statement of what is intended, specifying a desired direction of change. For these Guidelines, a distinction needs to be made between three types of objectives:

i) Objectives of the plan or programme in question: Government policies and guidance increasingly require these to be based on sustainability considerations, and the development of SEA objectives may help to promote ideas for making them more environmentally friendly and sustainable;
ii) External objectives: other objectives to which responsible authorities need to have regard for, independently of the SEA process. They may include environmental protection objectives (which, if binding, must be covered in the Environmental report), but they can also be economic or social; and
iii) SEA objectives: devised to test the environmental effects of the plan or to compare the effects of alternatives.

Objectives can be expressed so that they are measurable (e.g. an objective to reduce greenhouse gas emissions could be expressed as "reduce CO_2 emissions by 12.5% by 2020)". The achievement of objectives is normally measured using indicators. SEA objectives can often be derived from environmental protection objectives identified in other plans and programmes or from a review of baseline information and environmental problems. Consultation bodies and other stakeholders may also suggest SEA objectives.

Some SEA objectives and indicators are shown in the table below. The responsible authority can adapt these to take account of local circumstances and concerns, for instance, adding or deleting local environmental objectives. A plan or programme concerned with minerals, for example, could include more objectives for soil and water quality, maintenance of the hydrological regime and mineral reserves, and could express them in more detailed terms.

Example of SEA objectives and indicators

SEA topics	Possible SEA objectives	**Possible SEA indicators**: ways of quantifying the baseline, prediction, monitoring
Biodiversity, fauna and flora	• avoid damage to designated wildlife and geological sites and protected species • maintain biodiversity, avoiding irreversible losses • restore the full range of characteristic habitats and species to viable levels • reverse the long term decline in farmland birds • ensure the sustainable management of key wildlife sites and the ecological processes on which they depend • provide opportunities for people to come into contact with and appreciate wildlife and wild places	• reported levels of damage to designated sites/species • achievement of Biodiversity Action Plan targets • reported condition of nationally important wildlife sites, Sites of Special Scientific Interest (SSSIs) etc. • achievement of 'Accessible Natural Green space Standards' • number/area of Local Nature Reserves
Population and human health	• create conditions to improve health and reduce health inequalities • promote healthy living • protect and enhance human health • reduce and prevent crime, reduce fear of crime • decrease noise and vibration • increase opportunities for indoor recreation and exercise	• size of population • changes in demography • years of healthy life expectancy / infant mortality rate • mortality by cause • recorded crimes per 1,000 people • fear of crime surveys • number of transport/pedestrian/cyclist road accidents • number of people affected by ambient noise levels • proportion of tranquil areas • percentage of population living in most deprived areas/reliant on key benefits/income deprived • general resident perception surveys
Water and soil	• limit water pollution to levels that do not	• quality (biology and chemistry) of rivers, canals and freshwater

SEA topics	Possible SEA objectives	Possible SEA indicators: ways of quantifying the baseline, prediction, monitoring
	damage natural systems • maintain water abstraction, run-off and recharge within carrying capacity (including future capacity) • reduce contamination, and safeguard soil quality and quantity • minimise waste, then re-use or recover it through recycling, composting or energy recovery • maintain and restore key ecological processes (e.g. hydrology, water quality, coastal processes, etc.)	bodies • quality and quantity of groundwater • water use (by sector, including leakage), availability and proportions recycled • water availability for water-dependent habitats, especially designated wetlands • amount/loss of green field / brown field land and proportion available for reuse • number of houses affected by subsidence, instability. • housing density • waste disposed of in landfill • contaminated land • flood risk
Air	• limit air pollution to levels that do not damage natural systems • reduce the need to travel • reduce respiratory illnesses	• number of days of air pollution • levels of key air pollutants/by sector and per capita • achievement of Emission Limit Values • population living in Air Quality Management Area • access to key services • distances travelled per person per year by mode of transport • modal split • traffic volumes
Climate Factors	• reduce greenhouse gas emissions • reduce vulnerability to the effects of climate change e.g. flooding, disruption to travel by extreme weather, etc.	• electricity and gas use • electricity generated from renewable energy sources and Combined Heat and Power (CHP) located in the area • energy consumption per building and per occupant • carbon dioxide (CO_2) emissions • flood risk
Cultural	• preserve historic buildings, archaeological sites	• percentage of Listed Buildings and archaeological sites 'at risk'

SEA topics	Possible SEA objectives	Possible SEA indicators: ways of quantifying the baseline, prediction, monitoring
Heritage and landscape	and other culturally important features • create places, spaces and buildings that work well, wear well and look well • protect and enhance the landscape everywhere and particularly in designated areas • value and protect diversity and local distinctiveness • improve the quantity and quality of publicly accessible open space	• number and proportion of vacant dwellings • building functionality: use, access, space • building impact: form and materials, internal environment, urban and social integration, character and innovation • percentage of land designated for particular quality or amenity value, including publicly accessible land and greenways • proportion of population within 200m of parks and open spaces • percentage of residents rating improvement/other, in activities for teenagers, cultural facilities including for children and sport, leisure and parkland facilities

ANNEX 4: CRITERIA FOR DETERMINING LIKELY SIGNIFICANCE EFFECTS ON THE ENVIRONMENT

1. The characteristics of a bill, regulation, policy, strategy, plan and programme, having regard, in particular to:
    (a) the degree to which the bill, regulation, policy, strategy, plan or programme sets a framework for projects and other activities, whether with regard to the location, nature, size and operating conditions or by allocating resources;
    (b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;
    (c) the relevance of a bill, regulation, policy, strategy, plan or programme for the integration of environmental considerations, in particular with a view to promoting sustainable development;
    (d) environmental problems relevant to the bill, regulation, policy, strategy, plan or programme; and
    (e) the relevance of a policy, bill, strategy, plan or programme for the implementation of the relevant legislation on the environment such as, those linked to waste management or water protection.

2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to the:
    (a) probability, duration, frequency and reversibility of the effects;
    (b) cumulative nature of the effects;
    (c) trans-boundary nature of the effects;
    (d) risks to human health or the environment due to factors like accidents;
    (e) magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);
    (f) value and vulnerability of the area likely to be affected due to
        (i) special natural characteristics or cultural heritage;
        (ii) exceeded environmental quality standards or limit values; or
        (iii) intensive land-use; and
    (g) effects on areas or landscapes which have a recognized national, regional or international protection status.

ANNEX 5: INFORMATION FOR STRATEGIC ENVIRONMENTAL ASSESSMENT REPORT

1. An outline of the contents and main objectives of the plan or programme, and of its relationship to other, relevant bills, regulations, policies, strategies plans and programmes.

2. Relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the bill, regulation, policy, strategy, plan or programme.

3. Environmental characteristics of areas likely to be significantly affected.

4. Any existing environmental problems which are relevant to the bill, regulation, policy, strategy, plan or programme.

5. Environmental protection objectives established at the national level, which are relevant to the bill, regulation, policy, strategy, plan or programme, and the way those objectives and any environmental considerations have been taken into account during its preparation.

6. The likely significant effects on the environment, including short, medium and long-term effects, magnitude and extent of impact, likelihood of occurrence, reversibility, permanent and temporary effects, positive and negative effects, and secondary, cumulative and synergistic effects, on issues such as (a) biodiversity; (b) population; (c) society; (d) human health; (e) fauna; (f) flora; (g) soil; (h) water; (i) air; (j) climatic factors; (k) material assets; (l) cultural heritage, including architectural and archaeological heritage; (m) landscape; and (n) the inter-relationship between the issues referred to in sub-paragraphs (a) to (l).

7. Measures envisaged to prevent, reduce and as fully as possible, offset any significant adverse effects on the environment of implementing the bill, regulation, policy, strategy, plan or programme.

8. An outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required information.

9. A description of the variables and measures envisaged for monitoring.

10. A non-technical summary of the information provided under paragraphs 1 to 9.

11. Comprehensive Swahili version of the non-technical summary.

ANNEX 6: FORMAT OF THE STRATEGIC ENVIRONMENTAL ASSESSMENT REPORT

The output from the assessment process is SEA report, which is the key output from the process. It could be a separate document with links to the bill, policy, regulation, plan, strategy and programme. It could well be integrated as part of the plan but clearly distinguishable. Instead of a report covering SEA process, it may also be a report covering a sustainability appraisal. A suggestive structure of the report is shown below. The report also takes into account the responses from the scoping consultation.

Section	Description
Executive summary	Brief technical account of the SEA process adopted, likely significant effects of the bill, policy, regulation, plan, strategy and programme and statement on the difference the process has made to-date
Background	Brief description of the bill, policy, regulations, plan, strategy and programme's rationale, and an overview of the SEA report
Methodology	Brief description of approach adopted in the SEA; who was consulted, and when; and difficulties encountered in compiling information or carrying out the assessment
Policy, Legal and Institutional Framework	Brief description of policy and legal basis of the bill, policy, regulation, plan, strategy and programme. It should outline relevant policies, legislation, standards and guidelines. It should also describe institutional framework from decision making
Environmental baseline	Description of the study area including a description of sensitive sites and any foreseeable developments
Objectives of the Bill, policy, regulations, plan, strategy and programme	Summary of the bill, policy, regulation, plan, strategy and programme objectives, and description of the environmental objectives including their legal and policy basis
Summary of the proposed bill, policy, regulations, plan, strategy and programme	Summary of the proposed bill, policy, regulation, plan, strategy and programme indicating in more detail the elements that are relevant for the environment
Analysis of alternatives	Overview of alternatives and options which have been assessed, including alternatives that were identified in the scoping phase

Environmental impacts	Description of the magnitude and significance of impacts
Environmental protection/ mitigation measures	Description of actions that are proposed with the aim of reducing or avoiding environmental impacts
Stakeholder consultation and participation	Description of the steps taken in the assessment phase in order to base the planning criteria on input from agencies and affected groups
Analysis of uncertainty	Outline of difficulties (technical deficiencies of lack of knowledge) encountered in compiling the required information and recommendations
Environmental Management Plan (EMP) and Environmental Monitoring Plan (EMoP).	A plan for monitoring plan implementation (including subsequent decision making at lower levels of Government) and environmental impacts
Annexes	Present detailed information, including references; data on existing environment; methodologies and analysed data; and Terms of Reference

ANNEX 7: CONSULTATION REQUIREMENTS

Steps in the SEA	Consultation requirements in Domestic situations	Additional requirements in Transboundary
i) Determination if a bill, policy, regulation, strategy, programme or plan requires SEA	• Consult consultation bodies if screening is required	
ii) Decision on scope and level of detail of the assessment	Consult consultation bodies	
iii) SEA report and draft bill, policy, regulations, strategy, programme or plan	• Information made available to the Public • Consult consultation bodies • Consult the public	• Consultation of 'environmental authorities' in the member state authorities' in the member state likely to be affected • Consultation of the public concerned in the member state likely to be affected
iv) During preparation of bill, policy, regulation, strategy, programme or plan	Take account of environmental report and opinions expressed	Take account of results of trans-boundary consultation
v) Adopted bill, policy, regulation, strategy, programme or plan: Statement and measures concerning monitoring	• Information made available to consultation bodies. • Information made to the public	Information made available to consulted member state

ANNEX 8: STRATEGIC ENVIRONMENTAL ASSESSMENT REVIEW CRITERIA

Introduction

The main aim of a review is to provide an evaluation of the strengths and weakness of SEA reports submitted. It involves assessment of the content, comprehensiveness and adequacy of reports, as well as organisational and presentation qualities. The review also identifies issues not covered, inaccuracies of information, problems with logic or any conflicts apparent in the assessment process. On the basis of the review, a decision is taken as to whether the SEA Report should be accepted or not.

The Review Process

The Director of Environment is responsible for coordination of the review process of SEA reports. Three of the reports before the bill, policy, regulation, plan, strategy and programme starts are: screening report, scoping report and SEA report. The other two reports, that is, the monitoring and auditing reports, shall be reviewed after the bill, policy, regulation, plan, strategy and programme is operational. The responsible authority shall submit SEA and monitoring reports to the Director of Environment. Furthermore the responsible authority will distribute other SEA reports to key stakeholders and submit a list of these stakeholders to the Director of Environment.

In addition to the review guidelines, other relevant tools that aid the review process to arrive at a proper decision include:

i) site verification visits and discussions with local officials and residents where necessary;
ii) use of scoping report and approved terms of reference; and
iii) report writing guidelines and environmental check list of characteristics for a particular bill, policy, regulation, plan, strategy and programme..

Additional Information Required

While reviewing the SEA, the Director of Environment may require a detailed analysis of certain significant environmental impacts or any other information that may be required to adequately assess the bill, policy, regulation, plan, strategy and programme. The request for additional information will generally focus on those issues of primary concern. It may require additional fieldwork, public consultation and detailed analysis of potential impacts, their severity and significance of the residual impacts both negative and positive, especially those directly affecting individuals and communities. Additional information is subject to further review by the TRC.

Public Review

There will be a review for all SEA reports and approved scoping reports. This will involve putting up notices in newspapers, radio and public places within the affected area. The reports will be available for review by the general public. The public will be

given 14 days to respond. Their comments will be collated by VPO and will assist in making the final decision.

Key questions for each review area are presented below:

Review Area 1: Presentation of the SEA report

i) Is the SEA systematic, transparent, consistent, concise and likely to be understood by the general public?
ii) Have results been made explicit?
iii) Where the SEA has used existing data or other publications, have they been adequately referenced?
iv) Does the non-technical summary provide an overall clear summary of the SEA and has it been produced as a stand alone document to facilitate wider readership?

Review Area 2: Objectives and procedure/methodology used

Objective used for the SEA

i) Has the approach to the SEA been 'objectives-led' and have the objectives been described and defined, quantitatively where appropriate?
ii) Does the SEA report identify and describe any conflicts that exist between the objectives and the bill, policy, regulation, plan, strategy and programme, and between the objectives and other bills, policies, regulations, plans, strategies and programmes?
iii) Has priority been provided to any objectives and if so have they been fully justified?
iv) Is the relationship between the objectives and the indicators (and any targets) been clearly described?

Description of the SEA procedure

i) Is the purpose/aim of the SEA described with a statement of the regulations which underpin the SEA process and document?
ii) Is the scope of the SEA discussed?
iii) Is the information provided by the SEA process adequate (i.e. comprehensive, rigorous and understandable) from the points of view of those responsible for developing the bill, policy, regulation, plan, strategy and programme?
iv) Is the information provided by the SEA process adequate from the point of view of the key stakeholders?

Review Area 3: Characterisation of the existing environment where necessary

i) Has the existing state of the environment been clearly described, with baseline levels provided (quantitatively where appropriate), especially for potential sensitive areas?

ii) Has the future state of the environment without the bill, policy, regulation, plan, strategy and programme been described?
iii) Are the main environmental concerns, with their locations, clearly stated and is it clear whether could they be affected by the bill, policy, regulation, plan, strategy and programme?
iv) Has the wider area, beyond the physical boundaries of the bill, policy, regulation, plan, strategy and programme area, been considered where it is likely to be affected any one of the above?
v) Where surveys have been undertaken, have the methodologies and indicators used for the baseline information been described and justified?
vi) Have the limitations with the data collected or difficulties encountered been described?

Review Area 4: Consultation

i) Has SEA identified consultees and their responses described?
ii) Has SEA stated when the consultation was conducted in relation to the
iii) Development of the bill, policy, regulation, plan, strategy and programme and has it demonstrated how consultation has been considered? Could the consultation be seen as not being 'early and effective'?
iv) Was there an effort to involve less influential stakeholders in the consultation? If so, how successful was this?

Review Area 5: Assessment of environmental impacts

i) Where there are likely to be significant environmental effects, are they clearly described?
ii) Are the methodologies for assessing environmental impacts described?
iii) Is the full range of positive and negative impacts addressed?
iv) Is an effort made to prioritise those effects that most affect sustainability?
v) Where uncertainties in assessing impacts and assumptions have been made, have they been justified and the worst-case scenario used?
vi) Have the magnitude of impacts been described clearly for the potential environmental/sustainability effects of the bill, policy, regulation, plan, strategy and programme, with either quantifiable data or qualitative data, as appropriate?
vii) Does the assessment include and clearly outline the effects that are short, medium and long-term, permanent and temporary, positive and negative?
viii) Does the assessment address secondary, synergistic and cumulative impacts and state the potential impacts clearly?
ix) Where impacts have not been assessed due to non-significance, have the reasons been clearly stated?

Review Area 6: Alternatives and Mitigation Measures

i) Have the methodology been described for identifying alternatives and reasons for choosing them been described?
ii) Are the potential alternatives within the bill, policy, regulation, plan, strategy and programme considered in terms of the SEA objectives?

iii) Have alternatives considered either the do minimum or business as usual scenario?
iv) Has the potential performance and significant impacts of each alternative been clearly described with a defined level of impact?
v) If any alternative has been eliminated, have the reasons been provided?
vi) Have mitigation measures that will prevent, reduce or remedy any significant adverse effects on the environment in implementing the bill, policy, regulation, plan, strategy and programme been clearly described and been committed to?

Review Area 7: Monitoring and follow up activities

i) Are any environmental targets provided, and if so, are they clearly defined?
ii) Are indicators for monitoring clearly defined? And, are they based upon the original baseline information, and on the objectives of the bill, policy, regulation, plan, strategy and programme and the SEA?
iii) Are recommendations for the implementation process clearly formulated?
iv) Are outcome indicators defined? And is there an evaluation plan (with adequate budget and clearly assigned responsibilities) so that the sustainability focus of the SEA can continue beyond the planning phase?
v) Where monitoring may reveal adverse effects, does the report identify a commitment to undertaking contingency arrangements to mitigate the potential environmental impacts?
vi) Are plans for the delivery of follow-up measures described, e.g. timing or the responsibility of plans?

ANNEX 9: TERMS OF REFERENCE FOR THE TECHNICAL REVIEW COMMITTEE

There shall be a Technical Review Committee (TRC) which is a cross-sector technical committee composed of members from sectors related to environment and resource management. It may co-opt specialists in relevant disciplines to assist in the review process whenever required.

Objective of the TRC

The objective of the TRC is to review notification for undertaking SEA and SEA Report so as to advise the Director of Environment and minister responsible for environment for decision making purpose.

Function of the TRC

The responsibilities of the TRC are as follows:

1. To review notification for undertaking SEA submitted by the relevant authority and determine whether the proposed policy, bill, regulation, programme or plan requires to be subjected to SEA;
2. To review the scoping reports and terms of reference to determine the adequacy of details covered in both the Scope and terms of reference;
3. To review SEA report and furnish its opinion on whether the report should be approved or not; and
4. To provide advice on any issue concerning undertaking of SEA, brought up by the minister as may rise from time to time.

Composition of the TRC

1. TRC shall consist of not less than twelve specialists constituting a multi-disciplinary specialisation.
2. TRC may, with the approval of the Director of Environment, co-opt any persons it deems necessary for its proper functioning.
3. The TRC meeting shall be chaired by the Director of Environment (DE). However, DE may delegate to the assistant director or a senior officer.
4. The quorum for the meeting of the TRC shall be two-thirds of the members.

Decision making process of the TRC

1. Upon receiving the SEA notification or report, the minister shall direct the Director of Environment to constitute the TRC meeting to review the same.
2. The TRC meeting shall be constituted at a reasonable time and place to review the SEA notification or report and prepare its own (TRC) report.
3. Basing on the report of the TRC, Director of Environment shall advise the Minister accordingly.

Secretariat of the TRC

The TRC shall be served by a secretariat comprised of not less than four members from among the staff of the Division of Environment. The secretariat shall be responsible for organising meetings and preparing reports. The Director of Environment may arrange for on-site visits where necessary in order to inform concerned parties the decisions of the TRC. Costs for conducting site verification visits, TRC meetings and other facilitations will be covered by the responsible authority.

ANNEX 10: STRATEGIC ENVIRONMENTAL ASSESSMENT SUBMISSION FORM

Form SEA-1

THE UNITED REPUBLIC OF TANZANIA

VICE PRESIDENT'S OFFICE

FOR OFFICIAL USE

Application Reference No.:	
Application received on: *(date)*	

A: DETAILS OF MINISTRY/INSTITUTION

Name of Ministry/Institution	
Contact person	
Address	
Telephone	
Fax No	
E-mail	

B: DETAILS OF THE SEA BRIEF

Bill, policy, regulation, plan, strategy and programme	
Objectives and Scope of the SEA	
Description of the bill, policy, regulation, plan, strategy and programme	
Location of the proposed Plans/Programmes where necessary	
Sectors, stakeholders and areas affected	

SUBMISSION OF DRAFT STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) REPORT

INSTRUCTIONS

Please submit the following:

a) *Three copies of this form (SEA-1)*

b) *Five (5) hard copies and a soft copy of the SEA Report to:*

Permanent Secretary,
Vice President's Office,
6 Albert Luthuli Street,
P.O. Box 5380,
11406 DAR ES SALAAM.
Tel: +255 22 2113857 or Fax: +255 22 2113856
Email: ps@vpo.go.tz
Website: www.vpo.go.tz

ANNEX 11: SEA APPROVAL NOTICE

GN. No.

UNITED REPUBLIC OF TANZANIA

STRATEGIC ENVIRONMENTAL ASSESSMENT
APPROVAL NOTICE

[Section 104 and 105 of the Environmental Management Act (Cap.191)]

Registration No. ……

This is to certify that

[Responsible Authority]

…….....

of *[address]*……..……..

has this day been granted a Strategic Environmental Assessment Approval Notice for the proposed Bill/Regulation/Policy/Strategy/Plan/Programme titled……...……...

……...……...……

……..……

to be implemented [specify geographical location/coverage]…….....

……..

General conditions and terms attached to this Notice are set out and attached herewith / herein and specific conditions are annexed.

Dated on this……..……..day of……...……20…

……..

Minister Responsible for Environment

ANNEX 12: MONITORING

The Strategic Environmental Assessment Regulations, 2008, requires ministries to monitor significant environmental effects of the implementation of every bill, regulation, policy, strategy, plan or programme for which it has carried out a strategic environmental assessment.

The Strategic Environmental Assessment Regulations, 2008, further requires significant environmental effects of implementation of every policy, bill, regulation, strategy, plan or programme to be monitored in a manner that enables it to:

(a) identify any unforeseen adverse effects at an early stage; and
(b) undertake appropriate remedial measures.

Responsible Authorities must ensure when designing their monitoring arrangements that they comply with this provision. This guidance uses the term 'SEA monitoring' to cover the overall monitoring of environmental effects. SEA monitoring can be used to answer questions such as:

- Were the assessment's predictions of environmental effects accurate?
- Is the plan or programme contributing to the achievement of desired environmental objectives and targets?
- Are mitigation measures performing as well as expected?
- Are there any adverse environmental effects? Are these within acceptable limits, or is remedial action desirable?

Monitoring Framework

Step 1: What needs to be monitored?

The first step is to consider exactly what needs to be monitored. Monitoring measures must be clearly linked to the SEA process, for example:

- Objectives, targets and indicators that were developed for the SEA.
- Features of the environmental baseline that will indicate the effects of the plan or programme.
- Likely significant effects that were identified during the effects assessment.
- Mitigation measures that were proposed to offset or reduce significant adverse effects.

Monitoring needs to consider both adverse and beneficial effects. Effects relate to the plan or programme as a whole, and monitoring must, therefore, include consideration of cumulative, secondary and synergistic effects over and above the effects of the individual measures in the plan or programme, and effects over the lifespan of the plan or programme.

It is not necessary to monitor everything, or to monitor an effect indefinitely. Instead, monitoring needs to be focused on significant environmental effects, e.g. those:

- that indicate a likely breach of international, national or local legislation, recognised guidelines or standards.;

- that may give rise to irreversible damage, with a view to identifying trends before such damage is caused; and
- where there was uncertainty over possible adverse effects, and where monitoring would enable mitigation measures to be taken.

Step 2: What sort of information is required?

The type (e.g. quantitative or qualitative) and the level of detail of environmental monitoring information required will depend on the characteristics and level of detail of the plan or programme and its predicted environmental effects.

SEA monitoring involves measuring indicators which may establish a causal link between implementation of the plan or programme and the likely significant effect being monitored. The monitoring framework may be established in a way that seeks to take account of external factors and focus upon the links between the plan or programme implementation and the effect. Where it is difficult to establish these links it might be necessary to collect further information on plan or programme output indicators (e.g. emissions).

Though not required by the directive, it may also be helpful to undertake more contextual monitoring of environmental change. This could involve measuring environmental effects or aspects of the environment that were not identified in the environmental assessment, or identifying changes in the broader environmental context. When selecting indicators to monitor, consider how they will be analysed. Analysis of indicators may include:

i) *Change in indicators:* Effects of plans and programmes can be gauged by examining patterns of change in the indicators and the extent to which related indicators have changed. This can be achieved through analysing groups of indicators together to create a profile of the issue being measured.

ii) *Baselines and predicted effects:* Changes in the direction of indicators can be measured against the baseline position and predicted effects documented in the environmental report.

iii) *Benchmarking:* Changes in the direction of indicators can also be measured against other comparable locations or receptors to establish whether similar effects are occurring. Benchmarking may help in the assessment of relative performance by taking into account external forces of change. This is best achieved by establishing a common set of core indicators.

iv) *Use of qualitative and quantitative information:* Monitoring of most indicators will be based on the collection of quantitative information, but there may also be a need to incorporate some qualitative information in the analysis to improve understanding.

v) *Interpretative commentaries:* One task of analysis is to provide a considered interpretation of the results. This may be presented via appropriate explanations and commentaries within monitoring reports.

Step 3: What are the existing sources of monitoring information?

Many authorities undertake some form of environmental monitoring. In some cases, the implementation of a plan or programme is monitored against pre-defined objectives, targets and indicators. This type of performance monitoring does not necessarily include environmental effects, unless the responsible authority has developed environmental performance indicators or environmental best value indicators. However, plan or programme performance monitoring can be helpful when considered together with SEA monitoring. Other existing monitoring is typically focused on legal requirements but may provide information which is useful either directly or with some degree of analysis or manipulation.

Wherever possible, use existing monitoring arrangements to obtain the required information identified in Step 2. Consider issues such as:

- What are the existing monitoring arrangements for the plan or programme, and does this provide any of the required information?
- What are the existing monitoring arrangements for other plans, programmes or projects within the authority, and is there scope for aggregating or disaggregating data to obtain any of the required information?
- Is any of the required information available from other sources, e.g. higher or lower level authorities or data sources used for establishing the environmental baseline?
- What organisational arrangements are needed to provide monitoring?

Step 4: Are there any gaps in the existing information, and how can these be filled?

Additional information may be required to monitor those aspects selected in Step 1. Some ways in which the required information can be obtained in a cost-effective and efficient way include:

- Incorporation of SEA monitoring into existing performance monitoring for plans and programmes;
- Expanding other existing monitoring systems to include additional parameters; and
- Where applicable, entering into agreements with other authorities to standardise monitoring methods and information sharing.

Step 5: What should be done if adverse effects are found?

Monitoring is intended to enable mitigating activities to be taken, and action may be required either by the responsible authority or other bodies. It may be useful to establish a mechanism or framework to identify if, and when, remedial action is needed in response to adverse effects, including:

- Criteria or thresholds for remedial action (e.g. what are the conditions that would be regarded as environmentally undesirable or unacceptable).
- Potential remedial actions that could be taken if a significant environmental effect was identified (e.g. review aspects of the plan or programme that are causing the effects and make amendments, develop mitigation measures).
- Those responsible for taking the remedial action (e.g. another authority or agency may be responsible for taking the remedial action and may need to be consulted).

Documentation of monitoring programmes in tabular form can be useful, and might include the following information:

- What needs to be monitored (effects, other trends)?
- What sort of information is required (indicator)?
- Where can the information be obtained (sources of information)?
- Are there any gaps in existing information and how can these be resolved?
- When should remedial action be considered?
- What remedial action could be taken?

Step 6: Who is responsible for the various monitoring activities, when should these be carried out, and what is the appropriate format for presenting the monitoring results?

When documenting the monitoring strategy consider:

- the time, frequency and geographical extent of monitoring (e.g. link to timeframes for targets; and monitoring whether the effect is predicted to be short, medium or long-term);
- who is responsible for the different monitoring tasks, including collection, processing and evaluation of environmental information; and
- how to present monitoring information with regard to its purpose and the expertise of those who will have to act upon the information (e.g. information may have to be presented in a form accessible to non-environmental specialists).

A table can be a useful format for documenting how the monitoring process could be managed, and might include information on:

- Monitoring activity to be undertaken;
- Responsibility for undertaking the monitoring;
- When monitoring needs to be carried out (dates and frequency);
- How results should be presented and in what format; and
- Status of monitoring and any problems encountered.