





Country Brief: Palau

Legislation on EIA

Palau EIA legislation is encompassed in the 1980 Environmental Quality Protection Act¹ (EQPA) which created the Environmental Quality Protection Board (hereafter “the Board”) and established the requirement of an Environmental Impact Statement for planned legislation and other government projects. The stated purpose of EQPA is to ensure environmental protection while promoting sustainable development. The Board functions semi autonomously and is charged with protecting and conserving the environment of Palau. The Board promulgates regulations under eight sections, of which section (7) *Environmental Impact Statements* (EIS) has primary relevance for this report. Additionally, sections (1) *Earthmoving*, (2) *Marine and Fresh Water Quality* and (4) *Solid Waste Management* have similar aspects of environmental review in their respective permitting processes, the latter of which requires impact assessments consistent with EQPB regulations.

EIA process



Integrated Assessment Tools for Small Scale Renewable Energy Projects
Regional Training Workshop

Country Brief: Samoa



Country Brief: Tonga

Legislation on EIA:

The legislation addressing EIA in Tonga is contained in the Environmental Impact Assessment Act 2003. The Act is structured in five parts, starting with definitions of key terms in Part I and clarifying functions and powers. Environmental Impact Assessment Act 2003.



Country Brief: Tuvalu

Legislation on EIA

To date, Tuvalu has not enacted express legislation for environmental management. However, the draft *Environmental Protection Act 2007* (EPA 2007) is undergoing revision, with a first reading in November 2007 and a second reading to occur soon.⁶ Part V of the draft EPA 2007 draft text references environmental impact assessment. Additionally, the *Marine Resources Act 2006* cites the need to conduct EIA before undertaking fish processing or aquaculture facilities and in the broader scope of conserving fisheries resources. Similarly, the *Television License Regulations 2005*⁷ requires preliminary EIA from proponents of projects to build or operate television broadcasting services.

EIA process

As described above, express environmental law providing for EIA has not yet been passed in final form in Tuvalu, nor have regulations been promulgated providing the detailed guidance for EIA. Two sections provide a statutory basis for EIA in the current draft version of EPA 2007, which gives authority to the Director of the Department of the Environment to monitor activities “likely to have, or are having an environmental impact in any area of land or sea within the jurisdiction of Tuvalu.” Furthermore, the Act provides for enabling regulations to be promulgated to guide the EIA process and enforce its related procedures, including the creation of an EIA Taskforce. Notably, the Act also allows regulations to recognize assessments performed in other countries.

According to a 2008 report, the current process in fact has been managed by an EIA Taskforce based within the Department of Environment, consisting of representatives from various government agencies and community groups.⁸ The Taskforce assesses likely project impacts via questionnaires and decides actions based on its findings.

Comments

and

The Tuvalu EIA process has been criticized due to the fact



Integrated Assessment Tools for Small Scale Renewable Energy Projects Regional Training Workshop

Country overview: Vanuatu

Legislation on EIA:

The Environmental Management and Conservation Act of 2003 (EMC Act), covering a range of environmental issues, also contains the relevant legislation on environmental impact assessment (EIA) for Vanuatu in Part 3.

EIA process:

The o



Evaluation of Pacific Island EIA Legal Frameworks

A wide range in EIA legal frameworks can be found among the six countries assessed. At one end are found countries such as Tuvalu lacking implementing regulations for their EIA process and only brief legislative provisions