

**LANDOWNERS' ADVOCACY AND LEGAL SUPPORT UNIT  
(LALSU)**

**Public Solicitor's Office**



Solomon Islands Government

**Environmental Impact Assessment  
for Landowners**



# **Environmental Impact Assessment for Landowners**

## **WHAT IS THE 'ENVIRONMENT'?**

The environment is everything around you, both natural and manmade. It includes trees, water, land, air, birds, crocodiles, villages, people, communities, and even culture and the economy.

## **WHAT IS 'DEVELOPMENT'?**

Development includes many things but the main types of development for the Solomon Islands are logging and mining.

## **WHAT ARE 'ENVIRONMENTAL IMPACTS'?**

When someone decides to do any kind of development (like logging or mining) it changes the environment. Sometimes it makes it better, and sometimes it makes it worse. Every change that development causes to the environment it is called an environmental impact.

## **WHAT IS 'ENVIRONMENTAL IMPACT ASSESSMENT'?**

Environmental impact assessment (or EIA) means predicting all of the environmental impacts that will be caused by a development (eg logging or mining).

## **WHAT IS AN 'EIA REPORT'?**

An EIA Report is an Environmental Impact Assessment report. It describes all of the environmental impacts that a development (like logging or mining) is likely to cause.

## **WHO NEEDS TO MAKE AN EIA REPORT?**

The developer must make an EIA Report before they start the development. For logging, the developer is the logging company. For mining, the developer is the mining company. This means that every logging company and every mining company must make an EIA Report before they can start logging or mining.

It is illegal to do any logging or mining in the Solomon Islands without a development consent from the Ministry of Environment. It is also illegal to do any logging without a Licence from the Ministry of Forestry.

### **WHO READS THE EIA REPORT?**

You have a right to be given a copy of the EIA Report, and to have it explained to you by the Ministry of Environment. You have a right to make comments on the EIA Report and write letters of objection to the Ministry. This must happen in a public meeting that is held before anyone starts logging or mining.

### **WHO DECIDES WHETHER DEVELOPMENT CAN GO AHEAD?**

The Director of Environment and Conservation at the Ministry of Environment must read the EIA report, and your letters and comments. Then he will decide whether or not logging or mining should go ahead.

### **WHAT IS A DEVELOPMENT CONSENT?**

If the Director decides that the logging or mining is safe to go ahead, he will issue a development consent under the Environment Act. If the Director decides that it is not safe, he will refuse to issue a development consent.

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*Photo by Robert Taupongi*

# ENVIRONMENTAL IMPACT ASSESSMENT for Logging and Mining



# ENVIRONMENTAL IMPACT ASSESSMENT EXPLAINED

## **Application**

The developer (eg logging or mining company) must apply to the Director of Environment and Conservation at the Ministry of Environment for approval to start logging or mining. An application is required by the Environment Act.

The company must make the Application before any logging or mining start.

The application fee is \$200.

## **Environmental Impact Assessment Report (EIA Report)**

The logging or mining company must prepare an EIA Report and include this in the Application to the Director. When they are making the EIA Report, they should go to the place where they want to do logging or mining, and look at the environment, and talk to the community. Only an expert approved by the Ministry of Environment can prepare the EIA Report.

## **Public notice of EIA Report and public meeting**

The Director must make the EIA Report available to the affected communities at least 30 days before any public meeting on the EIA Report. At the same time, the Director must also properly notify the communities of a public meeting to discuss the EIA Report and hear objections. This means a notice must go up in a public place in the community at least 30 days before the public meeting.

As soon as you hear about the public meeting, you should read the EIA Report and start writing your views down in a letter to the Director.

## **Public meeting and letters of objection**

The Ministry of Environment must organise a public meeting to discuss the EIA Report and any objections by the community. This is your only chance to be included in decision-making. Therefore you should clearly state any objections to the logging or mining Application, and put these in writing. Write down everything that happens at the public meeting.

## **Director's decision**

After the public meeting, the Director will make a decision about whether or not to grant a development consent for logging or mining in your area. He will look at the EIA Report and consider your letters. If consent is granted, it costs the company \$10,000 to receive the consent.

## **Public notice of Director's decision**

As soon as the Director makes his decision, he should give public notice of his decision. This means in a newspaper such as the Solomon Star, but the community should also be notified.

## **Appeal to Environment Advisory Committee**

If you are not happy with the Director's decision to grant development consent, you can appeal to the Environment Advisory Committee (EAC) at the Ministry of Environment within 30 days of the notice of the decision. You should write down all the reasons why you oppose his decision. It costs \$200 to lodge an appeal to the EAC.

## **Appeal to Minister of Environment**

If you are not happy with the decision of the EAC, you can appeal directly to the Minister of Environment. You must do this within 30 days of the decision of the EAC. The Minister makes the final decision for the Ministry of Environment.

## **What if there is no development consent from the Ministry of Environment?**

Under the Environment Act, it is a **criminal offence** to do logging or mining without a development consent from the Ministry of Environment. Any logging or mining company that does not have consent from the Ministry of Environment before they start logging or mining is operating **illegally**.

If you are aware of any logging or mining that is happening in your area without approval from the Ministry of Environment, you should **seek legal advice**. You may be able to challenge them in the High Court.

## **WHAT ARE YOUR RIGHTS AS LANDOWNERS?**

**You have** a right to be given a copy of the EIA Report, if logging or mining will affect your land or your community.

**You have** a right to be properly notified about any public meeting on the EIA Report.

**You have** a right to be included in the public meeting about the EIA Report, and to say what you think about the application for logging or mining.

**You have** a right to object to any logging or mining application in your area, and write letters about your objections to the Ministry of Environment.

**You have** a right to appeal against any development consent granted by the Ministry of Environment for logging or mining in your area.

**You have** a right to challenge any logging or mining company that has not done an EIA Report or received a development consent from the Ministry of Environment.

## QUESTIONS FOR LANDOWNERS AND THE COMMUNITY

- Has the logging or mining company made an EIA Report?
- Did a public meeting take place where the EIA Report was discussed?
- Were you given proper notice of the EIA Meeting before it happened?
- Were you given an opportunity to voice your concerns about the logging or mining?
- Were you given notice about the Director's decision?
- Does the logging or mining company have a development consent from the Ministry of Environment?

**If the answer to any of these questions is "NO", then logging or mining cannot continue, and you should seek legal advice.**

### CONTACT US

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