

TERMS OF REFERENCE

STRATEGIC ENVIRONMENTAL ASSESSMENT OF

THE URBAN DEVELOPMENT PLAN

1. Background

This city is considered one of the largest mega cities in the world and is currently growing at an alarming rate. The population density is one of the highest in the world. Furthermore, some 4 million people are estimated to be living in slum areas and majority of the residents live below the poverty line. In light of this rapid development, proper city planning for the future expansion of the city is ever more important.

The first Master Plan for the city's development was prepared in the late 50s. Since then, it was only updated in the 1990s with the development of the new Urban Development Plan (UDP). In order to incorporate environmental considerations in the planning process, to assess any significant cumulative environmental consequences that proposed activities under the UDP might have and to formulate mitigation measures, a Strategic Environmental Assessment (SEA) for the UDP will be carried out.

2. Objective

The objective of the Strategic Environmental Assessment is to incorporate environmental considerations and assess the likely significant environmental effects (risks and opportunities) of the implementation of the UDP.

3. Approach

The SEA aims to upstream environmental considerations in the planning practice, thus providing inputs for consideration at appropriate times during plan implementation. The SEA process will be conducted in a participatory manner and will involve consultations with the main stakeholders in the urban planning process.

4. Scope of Work

Task 1: Situation Analysis and Assessment of Environmental Priorities

The consultant will identify the SEA's priorities by an analysis of environmental issues in the urban area and priority environmental concerns of stakeholders. Key environmental issues are

being selected out of a literature review and expert judgment on existing studies and knowledge on water, land and air pollution, natural hazards and noise originated in different activities to address city's main population needs such as water supply, waste water management, solid waste management, urbanization, transportation, industrial production, etc. The analysis will include the assessment of the current state of the development agencies relevant for this SEA, applicable urban planning and EIA regulations, gaps and problem areas pertaining to their implementation, the likely evolution thereof without implementation of the UDP, and the relationship between the UDP and other relevant plans and programs. Stakeholders' priority concerns will be identified through individual consultations and the workshop (Section 5: Public Participation Process).

Task 2: Stakeholder Analysis

The consultant will identify the key public and private stakeholders analyzing their interests and incentives for urban development and planning and review the role, mandate and linkages of the various institutional stakeholders, specifically the development agencies and utilities (gas, water and sewerage, electricity and telecommunications), the planning agencies, the municipal agencies and civil society organizations with a stake in urban development, NGOs and CBOs, and specific focus groups (i.e. workers, commuters, children, women, etc.) that are likely to be benefited or affected by urban development. The consultant should identify also those groups that may be impacted negatively on the environment as urban development unfolds due to market or policy failures such as industrialists.

The stakeholder analysis will inform the whole SEA process and focus on two different moments: (i) when the SEA report is being prepared prior to the completion of the specific activities under the UDP, and (ii) during the implementation of the SEA recommendations. In the latter, the analysis will focus on those stakeholders that can capture the planning process for their benefit. Actions needed to avoid the materialization of this situation will be identified.

Task 3: Assessment of Transmission Mechanisms from UDP to Environmental Priorities

The analysis will be carried out in a two-pronged approach. On the one hand, it focuses on the potential effects of the plans on the environmental priorities, including biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the linkages between them. This will also include analysis of the gaps in high level plans to address environmental priorities such as surface water pollution and underground water depletion to guide the formulation of low level plans. On the other hand, the assessment will analyze the effects on environmental priorities resulting from the ability of some stakeholders to influence and sometimes distort the effective implementation of plans to protect vested interests.

Task 4: Assessment of Institutional and Governance Weakness

The SEA will assess the institutional and governance capacity to manage priority environmental risks by addressing the following questions: (i) are existing planning processes adequate for the formulation of environmentally robust spatial and urban development plans? and, (ii) why sound technical spatial and urban development plans are not fully implemented or their objectives changed during implementation? Issues to be considered in the assessment will comprise (i) intra and inter-institutional planning coordinating mechanisms; (ii) institutional capacity to identify priorities, in general, and environmental priorities, particularly; (iii) ability to adapt planning processes to changing priorities; and (iv) monitoring and enforcement capacity. The assessment will also discuss the governance framework in which the spatial and urban development planning processes take place. The focus of the governance analysis will be on assessing the vulnerability of planning processes to be captured by vested interests. Key issues to be considered will be the transparency of planning processes, accountability of decision makers and existing mechanisms to resolve controversies i.e., access to the judiciary for environmental damages.

Task 5: Institutional, Financial, Governance and Monitoring Plan

The SEA will formulate concrete proposals for the short, medium and long term to be incorporated in the formulation and implementation of the UDP. This will include a quantification of the resources needed to implement these recommendations and the formulation of a monitoring and evaluation plan involving the participation of multiple stakeholders to prevent the risk of planning capture by vested interests.

Task 6: Dissemination

The SEA draft report and recommendations will be validated in a workshop that will convene sectoral and area wide stakeholders. A final dissemination meeting will be carried out to present to the stakeholders the SEA final report, recommendations, monitoring and evaluation plan.

5. Public Participation Process

A participatory plan and timeframe for the SEA process will be jointly established to consult with and involve, as needed, various organizations, stakeholders and the public. In addition to determine their concerns and priorities on the environmental issues related with the implementation of the UDP, the participatory process should contribute to institutional strengthening and improved governance for urban planning by informing and complementing the SEA's analytical component This process will provide SEA stakeholders, especially weak and vulnerable ones, with a dialogue platform to discuss spatial and urban development planning issues and will also provide direction to the SEA. The following public participation activities will be undertaken up to the completion of the SEA.

- Individual consultations, focus groups and a workshop will be held to discuss with a sectoral perspective spatial and urban development planning issues. Stakeholders from seven sectors will be involved in these discussions: water supply, sewerage treatment and sanitation; flood control and drainage; transport; solid waste; industry; urban and spatial planning. The results of these activities will inform the assessment of effects of urban development in environmental priorities. The sector-wise workshop will be held in March.
- The results of the sector-wise workshop will be disseminated through dissemination meetings to be held in each of the areas where a specific activity under the UDP is being formulated. The purpose of these meetings is to keep area-wise stakeholders informed about and engaged in the SEA.
- The SEA draft report and recommendations will be validated in a workshop that will convene sectoral and area wise stakeholders. In this workshop the stakeholders will be exposed to the main results of the SEA and suggestions for policy, institutional and governance adjustments. The workshop's main result will be the definition of the adjustments to be incorporated in the SEA final report.
- A final dissemination meeting will be carried out to present to the stakeholders the SEA final report, recommendations, monitoring and evaluation plan.

6. Proposed staffing and area of expertise

It is proposed that the team will consist of a:

- Team leader with broad expertise in Environmental Assessments and Urban Planning

Supported by a part-time team of consultants with expertise in the following areas:

- International expertise in Strategic Environmental Assessments
- Urban Sanitation and Waste Management
- Urban Transport and Air Pollution
- Industrial Pollution and Environmental Compliance
- Water Resources Management/Surface and Groundwater Quality
- Ecology
- Fisheries
- Environmental Economics
- Environmental Health
- Stakeholder engagement and participation
- Institutional Assessment
- Financial specialist