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STRATEGIC ENVIRONMENTAL MANAGEMENT PLANS OF MA'AN, MAFRAQ, AND IRBID

SEMP TEMPLATE DEVELOPMENT

FINAL REPORT

15 May, 2011

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SEMP TEMPLATE DEVELOPMENT

FINAL REPORT

USAID JORDAN ECONOMIC DEVELOPMENT PROGRAM

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GLOSSARY

Terms and acronyms

SEMP	Strategic Environmental Management Plan
DFZC	Development and Free Zones Commission
Master Developer	The party that undertakes the management and development of any development zone in accordance with the provision of the Development and Free Zones Law (2010).
Development Zone	Any zone within the customs territory of the Kingdom that is declared and whose boundaries are determined by the Council of Ministers
Master Plan	The Physical Development Plan – The Master Plan for Ma'an, Irbid and King Hussein Ben Talal-Mafraq Development Zones (as applicable)
Strategic Environmental Assessment (SEA)	The environmental assessment carried by the Master Developer out for the master plan of any newly established development zones. Considered as the first step in the environmental permitting process.
Rapid Environmental Assessment (REA)	The environmental assessments carried out for each of master plans of Ma'an, Mafraq, and Irbid Development Zones to ensure that the key environmental concerns were being taken into account by all concerned parties. The REA substitutes the need of a Strategic Environmental Assessment in the cases of Ma'an, Mafraq, and Irbid as they were previously existing zones.
Investor	The person who owns the economic activity
Economic Activity	Any commercial, industrial, agricultural, touristic, informational, servicing, professional or handicraft activity, whether carried out by a registered or non-registered enterprise
Project Proponent	The individual or organization that has overall control and responsibility for a project, including any infrastructural, commercial, industrial, agricultural, touristic, informational, servicing, professional or handicraft activity. May be either the investor or the master developer.
PRR	Park Rules and Regulations of any given development zone, enforced by the Master Developer and contains a set of conditions and guidelines that must be observed by the investors.
MDA	Ma'an Development Area
KHBTDA	King Hussein Ben Talal Development Area-Mafraq
IDA	Irbid Development Area

SECTION 1: INTRODUCTION

BACKGROUND

The Development and Free Zones Commission had enabled, through a USAID-supported initiative, three rapid environmental assessments (REAs)¹ to be carried out for each of the previously established Ma'an, Irbid, and King Hussein Ben Talal-Mafraq Development Zones for the benefit of their respective master developers. This comes in the spirit of partnership with the master developers and as part of DFZC's ongoing efforts to enhance economic capacity within the Kingdom, creating an advanced investment environment for economic activities, while safeguarding the environment, water and natural resources as stipulated by its Law².

Recognizing the master developers' need to build their capacities so as to enhance their environmental performance, the DFZC is further supporting MDA, KHBTDA, and IDA develop the strategic environmental management plans (SEMPs) for each of their zones through the USAID Jordan Economic Development Program.

This report serves as the first deliverable in this initiative, identifying the SEMP template and methodology of engagement, on which the final 3 deliverables (the SEMP for MDA, KHBTDA, and IDA) will be based.

OBJECTIVES

- 1) Support DFZC in arriving at a user-friendly template for any environmental management plan (with specific focus on strategic environmental management plans), based on international best practice and customized to the DFZC's needs. This will take into consideration, but not be limited to, the report submitted by EU/ TAIEX mission to the DFZC in June 2010.
- 2) Development of a strategic environmental management plan for each of Ma'an, Irbid, and King Hussein Ben Talal-Mafraq Development Zones based on the REAs previously carried out for each.
- 3) Support DFZC in building the internal capacities of the master developers to maintain and implement these strategic environmental management plans, and hence ensure that the required level of environmental performance and protection is attained.

METHODOLOGY & ASSUMPTIONS

- 1) The REAs, previously approved by DFZC, will form the basis for which the SEMP will be derived from (as-is). No reviews or changes will be carried out to the recommendations reached in the REAs, nor will any further mitigations measures be developed. Should any major discrepancies or gaps be identified in these REAs, this will be flagged to the DFZC in order to identify a time-sensitive solution.

¹ Carried out by Bitar Consulting under USAID RFQ NO. Jordan-09-07

² Development Zones Law No. 2 for the year 2008

- 2) In developing the SEMP's for each of the 3 zones, the named teams from each master developer will be fully engaged and will be filling out assigned sections/chapters per the guidance of DFZC supported by the USAID/Jordan Economic Development Program.
- 3) The development of the 3 SEMP's will be carried out sequentially, starting with Ma'an Development Zone SEMP, followed by King Hussein Ben Talal Development Zone SEMP, and finally Irbid Development Zone SEMP.

SECTION 2: SEMP TEMPLATE

The table below outlines the proposed table of contents for a strategic environmental management plan. The table provides details on the contents for each proposed section heading, and a guideline to the number of pages per section (to ensure that the document remains succinct). Some of the identified sections may be opted to be kept as an annex rather than in the main body of the report.

It is suggested that the SEMP be presented in two volumes. Volume 1 (the Handbook) will entail all the sections related to the implementation of the plan. All further documents that may be used as a reference (e.g. forms, templates, legislations, etc) will be compiled in a separate volume.

The following principles/features need to be adhered when formulating the SEMP:

- 1) Usage of layman's terms (to the extent possible) and keeping it concise and to the point.
- 2) SEMP to be a stand-alone document: notwithstanding the previous point, SEMP needs to be comprehensive enough of the elements that are of relevance to it as an implementable plan. It should therefore recap and refer to elements that may have been stated in preceding studies (e.g. the SEA or REA, etc), while maintaining the details in those studies.
- 3) User-friendly format: easily read and implemented by its various users. The document must therefore depart from a text-based approach to usage of tables, etc.
- 4) Participatory approach during development: heavily involve the master developers so as to:
 - a. Build internal capacities within the master developers and ensure they better understand and hence manage the environmental concerns and performance within their relevant development zone.
 - b. Ensure ownership of the SEMP by the various master developers, and increase its success factor.

SEMP ANNOTATED TABLE OF CONTENTS

SEMP Annotated Table of Contents: Volume 1 (the Handbook)

Section Headings	Details/ Elaboration on contents	Suggested Number of Pages
1- “Document control statement”	<p>A statement to ensure the SEMP is kept up-to-date and that only the most recent version is used by staff, investors and their contractors, and that its revision will be controlled. Statement will identify the responsible person, and their tasks (managing the master copy and other paper/electronic copies of the SEMP, keeping a summary of updates, etc....).</p> <p>Also to include documentation of ‘document history’ (identifying modifications that the SEMP has undergone).</p>	0.25 (stand-alone on a page)
2- Definitions/Acronyms/ 3- List of Tables 4- List of annexes		As needed
5- Objectives	<p>The following are illustrative examples only. Objectives must be developed and tailored to the needs of DFZC and the Development Zone (or project, in the case of EMPs).</p> <ol style="list-style-type: none"> 1. establish specific mitigation measures to minimize key environmental impacts identified in the SEA/REA. 2. meet DZC’s environmental policy objectives 3. provide consistent & uniform approach, to meeting standards of environmental protection 4. provide verification that the required environmental protection has been achieved 5. Set the basis for environmental permitting, inspection, enforcement, and compliance system within the zone. 6. meet the Development Zone’s Environmental Protection Policy (therefore, there has to be such a statement as to what their policy is) 	0.25

SEMP Annotated Table of Contents: Volume 1 (the Handbook)

Section Headings	Details/ Elaboration on contents	Suggested Number of Pages
6- Uses of the SEMP	<p>Provide guidance to investors/ Identify users of the SEMP</p> <p>State linkages with other documents: identify the link with the development agreement, and ultimately the PRR and sub-development agreement.</p> <p>State what the SEMP will cover, and what it will not (e.g. if certain phases or clusters are excluded).</p>	0.25 to 0.5
7- Responsibilities	<p>An overview of the general roles/mandates with respect to environmental management in the development zone (as dictated by the law & regulations), in table format, listing key duties and applicable responsible party</p> <ul style="list-style-type: none"> i. Master developer (including the Environmental Officer) ii. Investor (and their contractors) iii. DFZC (including the Environmental Sustainability Directorate) iv. External parties (if any) <p>This section is not where the distribution of responsibilities with respect to SEMP implementation will be identified (see section 10).</p>	1 page
8- Regulatory Framework	<p>To include:</p> <ul style="list-style-type: none"> - A listing of all environmental authorizations/permits/licenses applicable to the zone (in table format). Details should include the issuing body, status of the permit, etc in question (e.g. 'granted', 'applied & pending', or 'did not apply'), expiry date for permit (if applicable), and stakeholder from who the permit/license is required ('master developer', 'investor', or 'both'). - A chart mapping out the regulatory process/requirements and clarifying linkages. <p>The range of environmental protection legislation of relevance can be detailed in Volume II of the SEMP.</p>	0.5 to 1 page

SEMP Annotated Table of Contents: Volume 1 (the Handbook)

Section Headings	Details/ Elaboration on contents	Suggested Number of Pages
9- Overview of the Development Zone (or Project Overview, in case of EMPs)	<p>Provide an overview of the development zone, preferably in table format, to include:</p> <ul style="list-style-type: none"> - Summarized description of location/nature & size of project/clusters (derived from Master Plan & SEA/REA), master plan phases. - Key features of the receiving environs. - Key socio-economical features, - Infrastructure demand and supply (including surface & ground water supplies), and existing facilities (e.g. wastewater treatment plants, etc). - Maps <p>Description must capture significant features of the zone, but must be very succinct.</p>	2-3 pages
10- Environmental Risks & Mitigation Measures	<p><u>In Table Format</u>, including:</p> <ul style="list-style-type: none"> - Applicable cluster or sub-zone - Applicable Phase (planning, construction, operation, decommissioning, etc) - Environmental risk (as identified in the REA or SEA) - Mitigating condition/measure (as identified in the REA or SEA). Must ensure that the measures are feasible, practical and cost-effective and suffice to control the environmental risk associated with it (and targeted standards or thresholds, if applicable). Mitigating measures can be sub-divided into policy-level measures, structural, or procedural. - Implementation Responsibility (master developer; project proponent; DFZC) - Governance/enforcement instrument: where this responsibility can be cascaded to (e.g. sub-development agreement, PRR, etc) - Implementation timeline <p>Should also refer to:</p> <ul style="list-style-type: none"> - General Emergency Plan (including emergency spill response plan) <p>(however the SEMP does not need to have the actual full plan, only an identification of the scope, responsibility for development, and timeline).</p>	Several pages, depends on issues. This is the bulk/core of the SEMP

SEMP Annotated Table of Contents: Volume 1 (the Handbook)

Section Headings	Details/ Elaboration on contents	Suggested Number of Pages
11- Inspection & Compliance	<p>Detailed inspection and compliance plans would be a separate product. Contents to include identification of plan's key components, and responsibilities (including responsibilities of who is to develop it), possibly reference to necessary qualifications for the parties involved in monitoring.</p> <p>Key Performance indicators</p> <p>Reporting: In table format, to include types of reporting (incident reporting/emergency situations/ reporting to DFZC), frequency, participants involved, and record type (format).</p> <p>Must also identify process of reporting and documenting non-conformance during inspection, setting & communicating corrective actions (escalation process), and respective roles. Also to identify actions to be taken during self audits (self-inspections), monitoring carried out by the master developers, and inspection carried out by DFZC. This must all be linked to the inspection manual to be developed.</p> <p>Complaints: Definition of a process (including escalation process) by which a complaint is received and dealt with (including identification of involved parties)</p>	3 to 4 page
12- Training & awareness	<ul style="list-style-type: none"> - Detailed training plan to be a separate deliverable. Section to identify responsible person to develop the training needs for the personnel, and the elements that must be carried out (e.g. awareness sessions held quarterly/bi-annually to investors, refresher courses etc), possibly touch on key training areas that are needed to effectively implement and execute the SEMP. - Communication plan' to identify target audience/frequency/ records produced or needed. 	2 pages
13- Document & record control	Identification of party & process to ensure control of environmental documentation and records (including the SEMP documents, monitoring records, non-conformance and preventative actions, audits, permits, etc)	1 page

SEMP Annotated Table of Contents: Volume 1 (the Handbook)

Section Headings	Details/ Elaboration on contents	Suggested Number of Pages
14- Environmental auditing plan	High level definition of an audit plan (audit type: audit on SEMP, or on level of sub-contractor, /frequency/record produced/responsible party)	1 page
15- SEMP Review	Definition of a process by which the SEMP is updated and reviewed to ensure suitability and effectiveness. Would include timeframe/frequency, involved parties, triggers for non-scheduled reviews (e.g. reflecting any changes made to the master plan in the SEA/REA and hence the SEMP). Identification of a model for public participation.	0.5 to 1 page
16- Cost Estimates and financial resources	To identify cost estimates for initial and recurring expenses to implement the SEMP (covering all aspects identified in the plan, whether mitigating controls, training/awareness requirements, inspection, or audits, etc.).	
Annex 1: Guidelines for Updating & Maintaining the SEMP	To include criteria for setting mitigation measures (optional)	As needed
Annex 2: Relevant Donor & NGO programs	Identification of donor and NGO programs that may support the implementation of the SEMP and fulfillment of the environmental “vision”/policy set for the development zone (through technical or financial support). (optional)	As needed

SEMP Annotated Table of Contents: Volume 2 (References)

Section Headings	Details/ Elaboration on contents	No. of Pages
Annex 1: Forms & SOPs	To include a listing and/or compilation of forms and SOPs that are of relevance to the implementation of the SEMP (including any reporting templates, etc).	
Annex 2: Related documents	Table reference listing all documents related/linked to the SEMP, by name and reference number (or revision version and date, etc).	As needed
Annex 3: List of relevant regulatory tools	Including laws/regulations/instructions/standards	
Annex 4: Glossary of terms	This may include elaboration on certain environmental concepts (more technical than what is included in the Definitions & Acronyms)	

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