

YOUR GUIDE TO PARTICIPATING IN ENVIRONMENTAL DECISION-MAKING



*Creating a Future for Migratory Birds
in North-Central Jamaica*





WRC
Windsor Research Centre



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in north-central Jamaica*

Part of a BirdLife Americas Programme
under the Neotropical Migratory Bird Conservation Act

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April 2009



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APPROVAL FOR DEVELOPMENTS: THE ENVIRONMENTAL PERMIT

Most development activities have a negative impact on the environment and on human health. Factories can pollute the air and water around us, plants have to be removed for mining pits, to construct buildings and other structures, and building roads can increase noise levels and dust pollution. It is therefore important for governments to involve the public in decisions on environmental issues.

On January 1, 1997, the Government of Jamaica introduced the Permit and Licence System. Since then certain categories of developments/projects require approval- an environmental permit, from the Natural Resources Conservation Authority (NRCA) before they can begin. Below is a list of these developments as set out in the Natural Resources Conservation Authority (Permit and Licence) Regulations (amended 2003). In 2001, the NRCA, Town and Country Planning Authority and the Land Development Utilization Committee were merged to form the National Environment and Planning Agency (NEPA). NEPA carries out the administrative functions of the NRCA.



Projects that require an environmental permit

No	Project
1	Power generation plants, including hydro-electric plants and installation for the harnessing of wind power for energy production and nuclear reaction above 1 MW
2	Electrical transmission lines and substations greater than 69 kv
3	Pipelines and conveyors, including underground cables, gas lines and other such infrastructure with a diameter or more than 10 cm, for the transport of gas, oil or chemicals
4	Port and Harbour Development
5	Shipyards
6	Marinas and Boat yards
Development projects	
7	Subdivisions of 10 to 50 lots



No	Project
8	Subdivisions of 51 lots or more for the first 50 lots plus \$25 per lot
9	Housing projects of 10 – 50 houses
10	Housing projects of 51 houses or more for the first 50 houses plus \$25 per house
11	Hotel/resort complex of 12 to 50 rooms
12	Hotel/resort complex of 51 rooms or more for the first 50 rooms plus \$40 per room
13	Airports and airfields, including runway expansion greater than 20% of the original length
14	Office complexes of 5,000 square metres or greater
15	Eco-tourism and nature tourism projects
16	Water treatment facilities, including water supply and desalination plants
17	Sewage and industrial wastewater treatment facilities
Mining, quarrying and mineral processing	
18	Bauxite, Peat, Sand, Minerals, including aggregate, construction and industrial materials, Metallic, Non-metallic
Metal processing	
19	Ferrous metals, Non-ferrous metals, Metal plating, Foundry operations
Industrial Projects	
20	Chemical plants
21	Pulp, paper and wood processing
22	Petroleum production, refinery, storage and stockpiling
23	Fish and meat processing
24	Food processing plants
25	Detergent manufacturing, including manufacturing of soap
26	Manufacturing of containers and package materials, including cans, bottles, boxes and cartons
27	Distillery, brewery and fermenting facilities
28	Manufacturing of edible fats, oils and associated processes
29	Cement and lime products
30	Paint manufacture
31	Tanneries
32	Manufacturing of Pesticides or other hazardous or toxic substances
33	Boxing plants
34	Citrus, coffee, cocoa, coconut, sugar cane processing factories
35	Manufacturing of textiles
36	Solar salt production



No	Project
37	Construction of new highways, construction of arterial roads, construction of new roads on slopes greater than 20°, major road improvements projects, including construction of a road of four or more lanes or realignment or widening of an existing road into four lanes where such road realignment or widening would be 10 km or more in continuous length
38	River basin development and improvement projects
39	Irrigation and water management and improvement projects
40	Land reclamation and drainage projects
41	Watershed development and soil conservation projects, including river training such as river channel diversion works and works for the transfer of water resources between river basins, check dams and retaining walls
42	Modification, clearance or reclamation of wetlands
43	Dredging, excavation, clearing and reclamation of riverine, swamp, beach, wetlands or marsh areas
44	Solid waste treatment and disposal facilities, including waste disposal installations, for incineration and chemical landfills or systems for the destruction, reprocessing or recycling of such wastes
45	Cemeteries and crematoria
46	Introduction of species of flora, fauna and genetic material
47	Introduction of genetically modified organisms
48	Slaughterhouse and abattoirs
49	Hazardous waste storage, transportation, treatment or disposal facilities
50	Agro-processing and processing of agricultural wastes
51	Felling of trees and clearing of land of 10 hectares or more
52	Clearing cutting of forested areas and clearing of trees on land of 3 hectares and over on slopes greater than 25°
53	Golf courses
54	Theme parks
55	Transportation centres for more than 10 vehicles
56	Construction or demolition of reservoirs, dams, dykes and aqueducts
57	Railways, tramways and cable car operations
58	Causeways and multiple span bridges
59	Hospitals
60	Shopping centers
61	Aquaculture facilities and ponds and intensive fish farming
62	Storage of scrap metal including derelict vehicles
63	Offshore drilling for extraction of oil, natural gas or minerals
64	Dry cleaning operations



THE EIA PROCESS

Whenever an environmental permit is required for any of these developments, the NRCA/ NEPA can require the developer to prepare and submit an Environmental Impact Assessment (EIA) study. Simply put, an EIA is an assessment of the impact of a planned activity on the environment. The purpose of the EIA is to identify and examine both the positive and negative impacts of a proposed development on the environment. This assessment is not exact and is based on predictions.

The EIA will assess:

The Natural Environment

- The habitats,
- Flora (plants),
- Fauna (animals),
- Endangered and endemic species, and
- Protected areas.

The Human Environment (socio-economic or the built environment)

- Population and demographics,
- Land and livelihood/employment,
- Services – health, educational facilities, recreational facilities,
- Natural hazard vulnerability, and
- History: archaeological heritage and cultural values

An EIA will generally be requested if the development or project is likely to have any adverse effect on the environment but it is not mandatory unless NRCA/NEPA requests one. It is also useful in proposing measures to lessen negative impacts. When submitted to the NRCA, the agency will consider the results of the study and decide whether the proposed development should be allowed, and under what conditions. An EIA can often prevent future problems or expensive changes in the design of the project. If NEPA decided that an EIA is necessary, the project proponent and their representatives will be provided with the Terms of Reference generic to the category of development with issues highlighted for particular attention. NEPA has prepared guidelines



(“Guidelines”) for conducting EIAs and for consulting the public during the process. These Guidelines are available on their website at www.nepa.gov.jm.

How do I participate in the decision to grant an environmental permit?

Whenever an EIA is required, the public may have an opportunity to participate in the decision whether the development should be approved.

- **Communities near or at the location of the development MUST be consulted**

If an EIA is requested, the consultant who prepares the EIA must consult the residents within the community or near to the location for the development and their views should be incorporated in the EIA.

- **Public notification that an EIA has been prepared**

NEPA may decide to notify the general public of the development by posting the EIA on their website. NEPA may also require the developer to place a notice in a daily newspaper inviting the public to comment on the EIA.

- **Public meeting to discuss the EIA**

NEPA may decide that a public meeting should be held to discuss the findings of the EIA. If NRCA requires a public meeting, the developer/consultant must give specific invitations to interested persons. A list of such persons, including NGOs and government agencies, are set out in the Guidelines.

These public meetings allow the public to raise questions about the proposed project and for the applicant to respond to these issues and make any necessary changes to the project and the EIA. If required to hold a public meeting, the applicant must publish at least three notices in a daily newspaper indicating that:



- *An EIA has been requested by NEPA*
- *The purpose of the meeting*
- *How and where the public can access the EIA for review. Copies of the EIA should be placed at local libraries, local Parish Council Offices and at NEPA's office.*
- *The date, time and venue for the meeting*

The first notice must be published as least three weeks before the date for the meeting so that the public can have adequate time to review the EIA, do their own research and gather information on the project and the location.

The public is given 30 days after the public meeting to submit their comments on the EIA to NEPA. These comments are reviewed by the Agency and taken into account in the decision whether to approve the development. In some cases, where members of the public have identified errors, omissions or faulty data in an EIA, this has resulted in the Agency requesting that the developer prepare and submit additional information to address these deficiencies.

*Source: National Environment and Planning Agency (NEPA) Guidelines for Conducting Environmental Impact Assessments dated July 1997 and revised October 2007.
www.nepa.gov.jm*



REVIEWING AN EIA A CHECKLIST

An EIA is usually divided into the following categories:

- Executive Summary
 - Introduction
 - Legislative Framework
 - Project Description (including alternatives)
 - Baseline Conditions
 - Assessment of Impacts (environmental and social)
 - Environmental Management Plan (including monitoring, contingency and mitigation measures)
 - Community Involvement/Consultation and participation
 - Closure and abandonment plan
 - Appendix or Annex (maps, diagrams and other relevant information. Example: Front page of an EIA)
- **Check that the EIA complies fully with the Terms of Reference (TOR)**
The Natural Resources Conservation Authority (NRCA) approves specific Terms of Reference (TOR) for the EIA which should be included in the EIA document.
 - **Find one or more EIAs for a comparable project that has been submitted to an environmental agency in another country with better environmental management practices**
Examples include environmental authorities in the European Union, United States Environmental Protection Agency (EPA), United Kingdom Environment Agency, or an international institution such as the World Bank, International Development Bank (IDB). These EIAs can serve as a comparative model for the EIA you are evaluating. You can find these on the Internet.
 - **Read the Project Description carefully**
Does the EIA accurately describe the project? Are there any project components that are necessary for the project but are not included in the EIA? For instance, are there roads that will have to be built to access it? Boat piers for all the new



cruise ships? The EIA must disclose and discuss environmental impacts of these connected actions.

- **Does the EIA describe the project for one purpose but omit other purposes they have in mind?**

For instance, an EIA for a coastal development may state that the purpose was to improve the infrastructure of “small fisheries”, but it could have other purposes such as increasing tourism and commercial infrastructure.

- **Would the proposed project consume local natural resources?**

Local natural resources include groundwater and freshwater. If so, does the EIA assess how the proposed project would affect the local availability of these resources?

- **How many alternatives does the EIA review?**

There must be an analysis of more than just the no action alternative and the proposed action. This is a methodological issue every EIA should comply with.

- **Look for any admissions in the EIA that work has already started or any irretrievable commitments have been made**

This would tend to lead the decision maker to approve the project regardless of what the EIA discloses in terms of impacts.

- **Does the EIA discuss cumulative environmental impacts?**

Cumulative impacts include: increased cruise ship visits to area (with associated sewage, and need for water etc); increased traffic on roadways; increased demand for potable water and irrigation water for golf courses; increased solid waste disposal demands. Are there any existing environmental problems that are going to be exacerbated by this project? The EIA must disclose and discuss these issues.

- **Does the EIA acknowledge and address any scientific or governmental comments/reports that are critical of the project?**



- **Does the EIA admit that there is scientific uncertainty or a lack of information concerning environmental impacts?**
- **Does the EIA include an analysis of the environmental and social impacts in all phases (construction, operation and abandonment)?**
- **Soil, Air and Water quality impacts:**

Does the EIA present a qualitative or quantitative analysis of air and water quality impacts? If the proposed project would be a significant source of pollution, the EIA should present a quantitative analysis of these impacts. If the EIA presents a quantitative analysis, what assumptions and models does the analysis employ?
- **Health impacts:**

Does the EIA present an analysis of the potential impacts of the project on public health? What measures are there to prevent and manage those risks?
- **Social impacts:**

Does the EIA include an analysis of the potential effects of the project on the income, well-being and subsistence of the local people?
- **Environmental Management Plan:**
 - Does the EIA present a detailed plan of how, when, and by whom the affected environment would be monitored?
 - Does the EIA has a comprehensive solid and liquid wastes management plan, including final disposal? (sedimentation control in the case of dams)
 - Does the EIA have a reasonable pollution prevention and reduction approach? Does it include the Best Available Technology or the best alternatives to prevent and reduce those impacts?



- Does the EIA identify how much monitoring will cost and who will pay for it? In some cases, as in some mining operations, monitoring of acid mine drainage, for instance, should continue after closing operations.
- Does the EIA identify who will pay for environmental remediation necessitated by foreseen or unforeseen events?
- Does the EIA have a comprehensive contingency and mitigation measures?

Additional sources of information and guidelines to reviewing EIAs:

European Union

<http://ec.europa.eu/environment/eia/eia-guidelines/g-review-full-text.pdf>

UNEP

http://www.unep.ch/etu/publications/EIA_2ed/EIA_E_top9_body.PDF

Asia Developing Bank

http://www.adb.org/Documents/Books/Environment_Impact/chap12.pdf

http://eia.unu.edu/course/?page_id=35

Source: Environmental Law Alliance Worldwide (ELAW), US. ELAW is a network of over 100 environmental lawyers working worldwide to protect natural resources. This document is not intended to be a complete guide to reviewing EIAs and neither ELAW nor the authors are liable for any errors or omissions in this document.



What happens if someone begins a prescribed development without getting an environment permit?

NEPA can serve a stop order on anyone who attempts to undertake a development without first obtaining an environmental permit where one is required. The order directs the person to stop carrying out the activity.

In addition, it is an offence to begin a development without getting an environmental permit where it is required. The penalty is a fine of up to \$50,000 or imprisonment for up to 2 years or both fine and imprisonment. Default in payment of a fine may result in imprisonment for up to 1 year. Continuing offences attract a penalty of an additional fine of up to \$3,000.00 for each day.

How can I challenge a decision to grant an environmental permit?

Persons who object to the terms and conditions of an environmental permit granted by the NRCA, can appeal the decision to grant the permit. This is done by sending a written notice (letter) to the relevant Minister within 28 days of the date of the decision. The Minister can allow more time to send the notice if there are any special circumstances.

After hearing the appeal, the Minister can-

- Dismiss the appeal and confirm the decision of the NRCA;
- Allow the appeal and set aside the decision;
- Vary the decision; or
- Allow the appeal and direct that the matter be determined afresh by the NRCA

The Minister's decision is final. There are no procedural rules for hearing this type of appeal and there is no time period for the hearing of appeals under the NRCA Act.



There are similar rights of appeal under the following legislation:

- **The Forest Act**
 - Appealing permits granted by the Conservator of Forest to carry out activities in forest estates/ reserves e.g. cut trees
- **The Water Resources Act**
 - Appealing licences or permits granted by the Water Resources Authority to drill wells or boreholes or extract public water for commercial purposes
- **The Beach Control Act**
 - Appealing licences granted by NRCA/NEPA to use the foreshore and floor of the sea for commercial activities eg. public or hotel bathing beach, or to encroach on the shoreline



ACCESS TO INFORMATION

You have the right to know about your environment:

- The quality of air that you are breathing
- Whether the water you are drinking or the water you are bathing in is safe
- What is being done about the pollution, solid waste, and chemicals
- Whether the fertilizer you receive from the Government is safe to use
- Whether the Government gave mining companies permission to mine on your land

In 2002, the Jamaican government passed the Access to Information Act. This law gives everyone the general right to access official documents held by Public Authorities (governmental institutions) subject to qualified exemptions.

You can:

- Inspect, copy or hear official documents held by Public Authorities
- Take action when the Authority does not give you access to a document

Why is this law important?

The objective of this law is to promote democracy, promote a culture of openness and accountability in public authorities. Without freedom of information, citizens cannot understand, obtain or analyze the decisions made by the Government on their behalf.

With information, you can:

- Hold the Government accountable for decisions and policies made about health, housing, education or the environment
- Prevent or act against corruption or back room deals
- Give your opinion on government decisions



Offences and Penalties

The Act makes it an offence for anyone to:

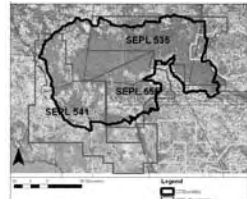
- Alter or deface,
- Block or erase,
- Destroy, or
- Conceal

any document with the intention of preventing its disclosure. The maximum fine is \$500,000.00 or imprisonment for up to 6 months or both fine and imprisonment.

What kind of information am I entitled to receive?

All documents 'held' by the Public Authority including any:

- Map
- Plan
- Graph or drawing
- Photograph
- Disc
- Tape
- Sound track or other device
- Any film (including microfilm), or negative
- Tape or other similar device



There are some 'exempt' documents that you are not entitled to receive. This is to protect essential public interests or the private/business affairs of others.

These exempt documents contain:

- Information that would prejudice security, defense, or international relations
- Information from a foreign government communicated in confidence
- Cabinet submission or a Cabinet Decision or record of any deliberation of the Cabinet (except for factual information)
- Information that would endanger or could reasonably expected



to endanger lives, prejudice investigations, or reveal methods or sources

- Information that is subject to legal privilege or would be a breach of confidence, contempt of court or infringe the privileges of Parliament
- Opinions, advice or recommendations or a record of consultations or deliberations for Cabinet if the release is not in the public interest¹
- Information that could harm the national economy;
- Information that would reveal trade secrets or other confidential commercial information
- Information that could be expected to result in damage, destruction, or interference with historical sites, national monuments or endangered species if the release is not in the public interest
- Information relating to the personal affairs of any person alive or dead

BUT if the document was created twenty years ago then it is no longer exempt.

Also, parts of the document which contain exempt information can be deleted and the rest of the document given to you.

Which Public Authorities can I get information from?

You can get information from almost all Public Authorities in the public sector including:

- Government Ministries
- Executive Agencies and Departments
- Statutory Bodies
- Parish Councils
- Companies owned entirely by the Government
- Companies in which the Government has more than 50% shares

¹ The Act does not define public interest. The Public Authority will need to judge each case on merit. Public interest does not mean 'of interest to the public' but 'in the interest of the public'.



You cannot get information from:

- The Governor General where he is exercising his powers and duties under our constitution
- Judges
- The Jamaica Constabulary Force (JCF) and Jamaica Defence Force (JDF) in relation to their intelligence gathering activities

The Minister of Information can pass an Order that this Act applies to ANY BODY OR ORGANIZATION that provides public services essential to the welfare of the Jamaican society.

How do I make a request under the Act?

Making a request for an official document is simple! It can be made in writing, by telephone, fax or e-mail. You can make a written request using an Application Form. See page 23 for a sample Application Form.

Your request must be addressed or directed to the Responsible Officer for Access to Information for the Public Authority that has the information. See page 28 for a list of Responsible Officers for the Ministries and other Public Authorities.

When making your request you must:

- Include your name and address. This will make it easy for the Public Authority to contact you and keep you updated on the progress of your request.
- Describe the document you want. You must give some information about the document that will allow the Authority to be able to identify it. You do not have to know the name of the document or the author

Remember you do NOT have to give a reason for your request!



Is there a cost for obtaining information?

It costs \$10.00 per page to obtain information. You can apply to the Minister, responsible for the Public Authority receiving your request, to have the fees waived, reduced or remitted.

See page 25 for other reproduction costs.

Applications and Timelines

Try to remember the date you requested the information because this is very important!

A Public Authority must:

- a. Inform you in writing that it has received your request and
- b. Inform you within 30 days of receipt of the request whether the information will be:
 - Granted
 - Refused
 - Deferred (given to you at a later date)

The Public Authority can also extend the time period for giving you the requested information. The initial 30-day period may be extended for an additional 30 days where there is reasonable cause for an extension.

If the Public Authority refuses or defers the request, they must inform you of their reasons for this and your rights of appeal.

What happens if the Public Authority does not have the information?

A Public Authority can transfer a request if it believes the document is held by another Public Authority or is more closely connected to another authority's function. A transfer must be made within 14 days of receipt of the request.

The Public Authority receiving the transferred request has 30 days after the receipt of the request to decide whether to give you the information. No more than 3 transfers are allowed unless you agree.



What do I do if the Public Authority does not give me the information?

You have the right to apply for an Internal Review or the right to Appeal where:

- Access to any document is refused
- Only some of the documents requested are provided
- Access to any document is deferred

You can also take action for:

- Refusal to amend or annotate a personal record
- The charging of, or amount of a fee (no right of appeal only review)

How do I apply for an Internal Review of a decision?

You can apply for an internal review by making a written request to the responsible Minister, Permanent Secretary or the principal officer of the Authority (e.g Chief Executive Officer).

This application for internal review must be made within 30 days after the date the Authority notified you of their decision or if you do not receive a decision within 30 days.

How do I appeal a decision?

You can appeal after you have made an application for an internal review and if you have received no response after 30 days or if there is a refusal. An appeal must be made no more than 60 days after the date you were notified or should have received a response.



The Appeal is heard by a five member independent Tribunal called the Access to Information Appeal Tribunal. You must fill out a Notice of Appeal Form and submit it to the Chairman of the Access to Information Appeal Tribunal c/o the Access to Information (ATI)



Unit. See page 26 for a copy of the Notice of Appeal Form and page 33 for contact information for the ATI Unit.

The burden of proving that the decision was justified is on the Public Authority. If the Appeal before the Tribunal is unsuccessful then you may have the right to challenge the Tribunal's decision by filing an action for judicial review in the Supreme Court. You will need the assistance of a lawyer to do this.



FORM 1 (Regulation 8(1) and (2))

Reference No.

THE ACCESS TO INFORMATION ACT, 2002
Application Form For Access to Official Document

(Please use a separate application form for each document requested)

1. Title of Public Authority:

.....

2. Name of Applicant:

.....

3. Address:

(Please indicate the address to which correspondence related to your application should be sent).

Mailing:

Business:

Tel:.....Fax:

Tel:.....Fax

Email

Other

4. Description of Document:

(Please state all information available to you which will assist us in filling your request quickly).

Name/Type of Document (if known)

Reference/File No. (if known)

Other

.....

.....



5. I would like to:

(Please check the relevant box (es))

inspect the document

listen to the document

view the document

have a copy(ies) of the document made available to me in the following format:

photocopy

compact disc

diskette

transcript

other *(please specify)*.....

Number of copies required:.....

Please note that:

- *payment will be required before copies are made;*
- *information on available formats and prices per copy may be obtained from the public authority;*
- *where the provision of copies in the requested format is not possible, an alternative format, as may be agreed between the parties, will be made available.*

..... Date

Signature of applicant

Note: Responsible Officers should complete a Memorandum of Attestation and Verification if an Application is completed by him/her on behalf of the Applicant.



Cost of Reproduction of Official Documents

Format	Cost
Photocopy	\$10.00 per page
Transcript	\$60.00 per page
Computer print out	\$10.00 per page
Photographs	
Black and White	
5" x 7"	\$400.00
8" x 10"	\$500.00
11" x 14"	\$1,200.0
16" x 20"	\$2,000.00
Colour	
5" x 7"	\$300.00
8" x 10"	\$400.00
11" x 14"	\$2,000.00
16" x 20"	\$3,000.00
Audiocassette	\$300.00 per cassette
Video cassette	\$500.00 per cassette
Diskette	\$20.00 per diskette
Compact disc	\$35.00 per disc
Paper to Braille	\$60.00 per Braille page
Diskette to Braille	\$40.00 per Braille page
Microfilm duplication (35mm)	\$1,500.00 per roll of 100ft microfilm; minimum order of 10ft at a cost of \$150.00
Microfilm duplication (16mm)	\$380.00 per roll of 100ft microfilm; minimum order of 10ft at a cost of \$38.00
Microfilm print out\	\$20.00 per page

Taken from the Access to Information (Cost of Reproduction of Official Documents) Regulations, 2003



FORM 1
Notice of Appeal

(RULE 3(1))

IN THE MATTER OF THE ACCESS TO INFORMATION ACT

APPEAL No./20

BETWEEN APPELLANT
(insert name of appellant)

AND DEFENDANT
(insert name of public authority)

TO THE APPEAL TRIBUNAL:

TAKE NOTICE that
(full name of appellant,

.....
occupation, address)

appeals against the decision of [.....] contained in a decision
(insert name of public authority)

dated a copy of which is attached to this Notice.
(insert date)

(1) The details of the decision appealed are:

(2) The Appellant challenges the following findings of fact and of the law-

(i) Findings of fact: *(please indicate the nature of the original request for information and the decision, if known, and date of decisions of the public authority)*

.....

(ii) Findings of law: *(Please indicate any legal basis for your appeal)*

.....

.....



(3) The grounds of appeal are (state why the public authority's decision should be reversed)

- (i)
- (ii)
- (iii)
- (iv)

List of relevant documents and correspondence to be used (if any):

.....

.....

.....

(5) Number and names of witnesses (if any):

.....

.....

.....

(6) Legal Representatives (if any):

(indicate the name(s) and address(es) of the person(s) who will make representations on the appellant's behalf)

.....

.....

.....

(7) I request an early hearing:

If yes, state reasons for request: yes no

.....

.....

.....

(8) Set out any specific power which the Appeal Tribunal is being asked to exercise:

.....

.....

I certify that all facts set out in this Notice of Appeal are true to the best of my knowledge, information and belief.

Dated the day of , 20 .

.....
Appellant's Signature



Access to Information

Responsible Officers for Ministries and Other Public Authorities

This is a non-exhaustive list of the Responsible Officers, Ministers and Principal Officers for Ministries and other Public Authorities. Not all Public Authorities are included in this list.

<p>MINISTRY: AGRICULTURE AND FISHERIES RESPONSIBLE MINISTER: Hon. Christopher Tufton PERMANENT SECRETARY: Mr. Donovan Stanberry Location: Hope Gardens, Kingston 6 Tel: 927-1731-50 Fax: 977-1875 Website: www.moa.gov.jm E-mail: ati@moa.gov.jm Business Hours: 8:30a.m. – 5:00 p.m. (Mon-Thurs.) 8:30 a.m. - 4:00 p.m. (Fri.) Responsible Officer for ATI: Mrs. Claudette Milford-Allen, Director – Information and Documentation (ext. 2009/ 977-9169)</p>	<p>MINISTRY: FOREIGN AFFAIRS AND FOREIGN TRADE RESPONSIBLE MINISTER: Hon. Ken Baugh PERMANENT SECRETARY: Ambassador Gayle Mathurin Location: 21 Dominica Drive, Kingston 5 Tel: 926-4220 Fax: 929-6733 Website: www.mfajt.gov.jm E-mail: www.mfaja@cwjamaica.com Business Hours: 8:30a.m. – 5:00 p.m. (Mon-Thurs.) 8:30 a.m. - 4:00 p.m. (Fri.) Responsible Officer for ATI: Mr. Wilton Dyer</p>
<p>MINISTRY: INDUSTRY, INVESTMENT AND COMMERCE RESPONSIBLE MINISTER: Hon. Karl Samuda PERMANENT SECRETARY: Mr. Reginald Budhan Location: 4 St. Lucia Avenue Kingston 5, Jamaica, W.I. Telephone: (876) 968-7116 Fax: (876) 960-7422 E-mail: communications@miic.gov.jm Business Hours: 8:30a.m. – 5:00 p.m. (Mon-Thurs.) 8:30 a.m. - 4:00 p.m. (Fri.) Responsible Officer for ATI: K. Laing Director – Information and Documentation Email: klaing@miic.gov.jm</p>	<p>MINISTRY: HEALTH AND ENVIRONMENT RESPONSIBLE MINISTER: Hon. Rudyard Spencer PERMANENT SECRETARY: Mrs. Grace Allen-Young Location: 2 King Street, Kingston Tel: 967-1100 Fax: 967-7293 Website: www.moh.gov.jm E-mail: diasv@moh.gov.jm Business Hours: 8:30a.m. – 5:00 p.m. (Mon-Thurs.) 8:30 a.m. - 4:00 p.m. (Fri.) Responsible Officer for ATI (Health): Ms. Vinnese Dias, Director of Information (Ext.2002/967-2390) Responsible Officer for ATI (Environment): Mr. Barrington Haynes, Information Manager</p>



<p>MINISTRY: EDUCATION RESPONSIBLE MINISTER: Hon. Andrew Holness PERMANENT SECRETARY: Ms. Audrey Sewell Location: 2 National Heroes Circle, Kingston 4 Tel: 922-1400 Fax: 948-2683 Website: www.moec.gov.jm Business Hours: 8:30a.m. – 5:00 p.m. (Mon-Thurs.) 8:30 a.m. - 4:00 p.m. (Fri.) Responsible Officer for ATI: Ms. Marlene Hines – Information Manager (ext.3138 / 922-3398)</p>	<p>MINISTRY: TOURISM RESPONSIBLE MINISTER: Hon. Edmund Bartlett PERMANENT SECRETARY: Mrs. Barbara James Location: 64 Knutsford Boulevard, Kingston 5 Tel: 920-4924/920-4926-30 Fax: 926-6618 Website: www.tpdco.org Business Hours: 8:30a.m. – 5:00 p.m. (Mon-Thurs.) 8:30 a.m. - 4:00 p.m. (Fri.) Responsible Officer for ATI: Ms. Renee Brown, Access Officer (920-4924/9204926-30 ext. 253)</p>
<p>MINISTRY: FINANCE AND THE PUBLIC SERVICE RESPONSIBLE MINISTER: Hon. Audley Shaw FINANCIAL SECRETARY: Mr. Colin Bullock Location: 30 National Heroes Circle, Kingston 4 Tel: 922-8600 (ext. 5077 – 78) Fax: 922-7097 Website: www.mof.gov.jm E-mail: ati@mof.gov.jm Business Hours: 8:30a.m. – 5:00 p.m. (Mon-Thurs.) 8:30 a.m. - 4:00 p.m. (Fri.) Responsible Officer for ATI: Ms. Helen Rumbolt, Director Documentation & Information Access Officer: Mrs. Arlene Reid-Smith</p>	<p>MINISTRY: JUSTICE RESPONSIBLE MINISTER: Hon. Dorothy Lightbourne PERMANENT SECRETARY: Mrs. Carol Palmer Location: Mutual Life Building- North Tower, 2 Oxford Road Kingston 5 Tel: 906-4908-31 Fax: 906-4983 Website: www.moj.gov.jm E-mail: dsmith@moj.gov.jm Business Hours: 8:30a.m. – 5:00 p.m. (Mon-Thurs.) 8:30 a.m. - 4:00 p.m. (Fri.) Responsible Officer for ATI: Ms. Brenda Smith, Documentation Manager (906-4908-31. ext.2128)</p>
<p>MINISTRY: LABOUR AND SOCIAL SECURITY RESPONSIBLE MINISTER: Hon. Pearnel Charles PERMANENT SECRETARY: Mr. Alvin McIntosh, C.D. Location: (a) 1F North Street, Kingston (b) 14 National Heroes Circle, Kingston 4 Tel: 922-9500 /922-8000 Fax: 922-6902, 924-9639 E-mail: mlss_recgmt@cwjamaica.com Business Hours: 8:30a.m. – 5:00 p.m. (Mon-Thurs.) 8:30 a.m. - 4:00 p.m. (Fri.) Responsible Officer for ATI: Ms. Portia Magnus, Information Manager (922-9500-14. ext.2527/967-7743)</p>	<p>MINISTRY: TRANSPORT AND WORKS RESPONSIBLE MINISTER: Hon. Michael Henry PERMANENT SECRETARY: Dr. Alwin Hales Location: 138 Maxfield Avenue, Kingston 10 Tel: 754-1900-1 Fax: 754-2595 Website: www.mtw.gov.jm E-mail: ps@mtw.gov.jm Business Hours: 8:30a.m. – 5:00 p.m. (Mon-Thurs.) 8:30 a.m. - 4:00 p.m. (Fri.) Responsible Officer for ATI: Ms. Myrtle Williams, Information Manager (754-1900-1 ext. 267)</p>



<p>MINISTRY: CULTURE, YOUTH AND SPORTS RESPONSIBLE MINISTER: Hon. Olivia 'Babsy' Grange PERMANENT SECRETARY: Mrs. Faith Innerarity Location: 64 Knutsford Boulevard, Kingston 5 Tel: 960-6427; 960-0908 Fax: 968-4511 E-mail: info@micys.gov.jm Business Hours: 8:30a.m. – 5:00 p.m. (Mon-Thurs.) 8:30 a.m. - 4:00 p.m. (Fri.) Responsible Officer for ATI: Mrs. Mais Coombs</p>	<p>MINISTRY: WATER AND HOUSING RESPONSIBLE MINISTER: Hon. Horace Chang PERMANENT SECRETARY: Mrs. Genefa Hibbert Location: 6 St. Lucia Avenue, Kingston 5 Tel: 754-0973 Fax: 754-0975 Business Hours: 8:30a.m. – 5:00 p.m. (Mon-Thurs.) 8:30 a.m. - 4:00 p.m. (Fri.) Responsible Officer for ATI: Ms. Claudette Thomas, Director, Documentation Centre (926-1690-37 ext. 2901/920-9738)</p>
<p>MINISTRY: MINING AND ENERGY RESPONSIBLE MINISTER: Hon. James Robertson PERMANENT SECRETARY: Dr. Jean Dixon Location: PCJ Building, 36 Trafalgar Road Kingston 10 Tel: 929-8990 -9 Fax: 960-1623 E-mail: jwilson@mct.gov.jm Business Hours: 8:30a.m. – 5:00 p.m. (Mon-Thurs.) 8:30 a.m. - 4:00 p.m. (Fri.) Responsible Officer for ATI: Miss Juliet Wilson Director, Documentation Centre</p>	<p>MINISTRY OF INFORMATION AND TELECOMMUNICATIONS RESPONSIBLE MINISTER: Hon. Daryl Vaz PERMANENT SECRETARY: Mrs. Marcia Forbes Location: PCJ Building, 36 Trafalgar Road Kingston 10, Jamaica, W.I. Telephone: (876) 929-8990 -9 Fax: (876) 960-1623 E-mail: communications@mct.gov.jm Business Hours: 8:30a.m. – 5:00 p.m. (Mon-Thurs.) 8:30 a.m. - 4:00 p.m. (Fri.) Responsible Officer for ATI: Miss Juliet Wilson, Director, Documentation Centre</p>
<p>MINISTRY: OFFICE OF THE CABINET RESPONSIBLE OFFICER: Ambassador Douglas Saunders, Cabinet Secretary Location: 2a Devon Road, Kingston 10 Tel: 927-4101-2 Fax: 929-8459 Website: www.cabinet.gov.jm E-mail: info@cabinet.gov.jm Business Hours: 8:30a.m. – 5:00 p.m. (Mon-Thurs.) 8:30 a.m. - 4:00 p.m. (Fri.) Responsible Officer for ATI: Mrs. Jacqueline McGibbon, Information Resources Officer</p>	<p>MINISTRY: OFFICE OF THE PRIME MINISTER RESPONSIBLE MINISTER: The Most Hon. Orrett Bruce Golding, M.P. PERMANENT SECRETARY: Mrs. Patricia Sinclair-McCalla Location: 1a Devon Road, Kingston 10 Tel: 927-4101-2, 9941-3 Fax: 929-6676/978-3073 E-mail: rsmccalla@opm.gov.jm Business Hours: 8:30a.m. – 5:00 p.m. (Mon-Thurs.) 8:30 a.m. - 4:00 p.m. (Fri.) Responsible Officer for ATI: Mr. Rohan McCalla, Information Resources Manager</p>



<p>MINISTRY: NATIONAL SECURITY RESPONSIBLE MINISTER: Hon. Dwight Nelson PERMANENT SECRETARY: Mr. Gilbert Scott Location: Mutual Life Building, 2 Oxford Road, Kingston 5 Tel: 906-4908-31 Fax: 906-1712 Website: www.mns.gov.jm E-mail: claudette.mcpherson@mns.gov.jm Business Hours: 8:30a.m. – 5:00 p.m. (Mon-Thurs.) 8:30 a.m. - 4:00 p.m. (Fri.) Responsible Officer for ATI: Ms. Claudette McPherson, Information Manager 906-4908-31 ext. 2351/968-7410</p>	<p>NATIONAL WORKS AGENCY (NWA) PRINCIPAL OFFICER: Mr. Ivan Anderson, Chief Executive Officer Location: 140 Maxfield Avenue, Kingston 10 Tel: 926-3210-9 Fax: 926-2572 Website: www.nwa.gov.jm E-mail: ivananderson@nwa.gov.jm Business Hours: 8:30a.m. – 5:00 p.m. (Mon-Thurs.) 8:30 a.m. – 4:00 p.m. (Fri.) Responsible Officer for ATI: Ms. Marion Edwards, Manager - Information Resource Management Unit 926-3210-9 (ext. 4002) /511-4002</p>
<p>ACCOUNTANT GENERAL'S DEPARTMENT PRINCIPAL OFFICER: Mrs. Millicent Hughes, Accountant General Location: Public Building West, King Street, Kingston Tel: 922-8320-7 Fax: 967-0315 Website: www.mof.gov.jm E-mail: mofagd@colis.com Business Hours: 8:30a.m. – 3:00 p.m. (Mon-Thurs.) 8:30 a.m. – 2:00 p.m. (Fri.) Responsible Officer for ATI: Ms. Janice Landell</p>	<p>PLANNING INSTITUTE OF JAMAICA (PIOJ) PRINCIPAL OFFICER: Dr. Wesley Hughes, Director General Location: 10-16 Grenada Way, Kingston 5 Tel: 906-4386/4463-4/4468-9 Fax: 906-5011 Website: www.pioj.gov.jm Email: doccen@mail.colis.com Business Hours: 8:30a.m. – 5:00 p.m. (Mon-Thurs.) 8:30 a.m. – 4:00 p.m. (Fri.) Responsible Officer for ATI: Mrs. Arlene Ononaiwu, Technical Information Manager, 906-4386/4468</p>



<p>BANK OF JAMAICA (BOJ) Principal Officer: Mr. Derick Latibeaudiere, Governor Location: Nethersole Place, Kingston Tel: 922-0750-9 Fax: 922-0854 Website: www.boj.org.jm E-mail: mofagd@colis.com Business Hours: 8:30a.m. – 4:30 p.m. (Mon-Thurs.) 8:30 a.m. – 5:30 p.m. (Fri.) Responsible Officer for ATI: Mrs. Louise Brown, Senior Advisor, Economic Information and Publications Dept. (ext. 4301)</p>	<p>JAMAICA INFORMATION SERVICE (JIS) PRINCIPAL OFFICER: Mrs. Carmen Tipling, Chief Executive Officer Location: 58 Halfway Tree Road, Kingston 10 Tel: 926-3590/3740 Fax: 929-6727 Website: www.jis.gov.jm E-mail: research@jis.gov.jm Business Hours: 8:30a.m. – 5:00 p.m. (Mon-Thurs.) 8:30 a.m. – 4:00 p.m. (Fri.) Responsible Officers for ATI: Andrea Bryan, 926-3590/3740 Manager Computer Services/Research Departments Enthrose Campbell, 926-3590/3740 Manager, JIS Radio Althea Buchanan, 922-8680 Manager, JIS TV</p>
<p>URBAN DEVELOPMENT CORPORATION (UDC) Principal Officer: Mr. Wayne Chen, Executive Chairman Location: 12 Ocean Boulevard, Kingston Mall Tel: 922-8317-9 Fax: 922-9326 Website: www.udcja.com E-mail: info@udcja.com Business Hours: 8:30a.m. – 4:30 p.m. (Mon.-Fri.) Responsible Officer for ATI: Ms. Dorreth McKnight, Manager - Documentation Centre (ext. 2719/3725)</p>	<p>ADMINISTRATOR GENERAL'S DEPARTMENT PRINCIPAL OFFICER: Ms. Lola Brown Location: 12 Ocean Boulevard Tel: 922-0700-5 Fax: 922-4201 Website: www.mnsj.gov.jm/agd Email: admingen@cwjamaica.com Business Hours: 8:30a.m. – 5:00 p.m. (Mon-Thurs.) 8:30 a.m. – 4:00 p.m. (Fri.) Responsible Officer for ATI: Mrs. Roxanne D'Aguilar</p>
<p>NATIONAL ENVIRONMENT AND PLANNING AGENCY Principal Officer: Mr. Peter Knight, Chief Executive Officer (Acting) Location: 10-11 Caledonia Avenue, Kingston 5I Tel: 876-754-7540 Fax: 876-754-7595/6 Website: www.nepa.gov.jm E-mail: pubed@nepa.gov.jm Business Hours: 8:30a.m. – 4:30 p.m. (Mon.-Fri.) Responsible Officer for ATI: Ms. Natalie Fearon Manager- Documentation Centre</p>	



USEFUL CONTACTS

For additional information on:

- **Environmental Permits**

National Environmental Planning Agency
10 - 11 Caledonia Avenue
Kingston 5
Tel: (876) 754-7540
Web: www.nepa.gov.jm

Ministry of Health and Environment
16A Half Way Tree Road
Kingston 10
Tel: (876) 926-1590 or (876) 926-1325

- **Access to Information**

Access to Information (ATI) Unit
5-7 South Odeon Avenue
Kingston 10
Tel: (876) 968-3166, 968-8282
Fax: 906-4667
Web: www.ati.gov.jm

Ministry of Information
Office of the Prime Minister
1 Devon Road
Kingston 10
Tel: (876) 929-8880-5

Jamaicans For Justice
2 Fagan Avenue
Kingston 8
Tel: (876) 755-4524-6 - Fax: (876) 755-4355
Web: www.jamaicansforjustice.org



ACRONYMS

ATI – Access to Information

EIA – Environmental Impact Assessment

EPA - Environmental Protection Agency (United States)

IDB - International Development Bank

JCF - Jamaica Constabulary Force

JDF - Jamaica Defence Force

JET – Jamaica Environment Trust

NEPA – National Environment and Planning Agency

NGO – Non-Governmental Organisation

NRCA – Natural Resources Conservation Authority

TOR - Terms of Reference



GLOSSARY OF TERMS

Biodiversity – The variety of life on earth: the different plants, animals and micro-organisms, their genes and the ecosystems of which they are a part. From: <http://www.deh.gov.au/biodiversity/about-biodiversity.html> Australia's Dept. of Environment and Heritage.

Borehole – a deep narrow hole, esp. one made in the earth to find water, oil etc.

Cabinet – The committee of senior ministers responsible for controlling government policy

Environment – All external, physical, biotic and social conditions, directly or indirectly affecting the development, life and activities of organisms and populations, over periods of time.

Environmental Impact Assessment (EIA) – A study that looks at a proposed development and the effects it would have on the environment. An EIA analyzes the proposed project's positive and negative effects on the environment and suggest ways to minimize the negative ones. At times, it is requested by government agencies as a requirement of project approval.

Environmental Remediation - Environmental remediation deals with the removal of pollution or contaminants from environmental media such as soil, groundwater, sediment, or surface water for the general protection of human health and the environment

Foreshore – the part of the shore between the high- and low-water marks or between the water and cultivated or developed land.

Governor General - The Governor General of Jamaica is the representative of the Queen in Jamaica. A governor general is selected by the prime minister of Jamaica and appointed by the Queen. The role is mainly ceremonial.



Habitat – A place where an animal or plant is most likely to be found.

Judicial Review – The process by which the exercise of power by a public body is scrutinized. It can be done on the basis that the public body acted unreasonably, irrationally or outside of its powers.

Law- The enforceable body of rules that govern any society. Some laws are made in Parliament while others are made by the interpretation of judicial decisions.

Legislation – A collective term used to refer to a body of laws.

Mitigation measures: Action taken to prevent, avoid, or minimize the actual or potential adverse effects of a policy, plan, programme, or project. Measures might include abandoning or modifying a proposal, or relocating it, substitution of techniques; cleaner methods; recycling; pollution control methods; closure of older plant; landscaping and rehabilitation; acquisition of properties; and better programming.

Parliament – The primary law-making body of the country. It consists of 2 sections or Houses, the House of Representatives – that contains elected Members of Parliament- and the Senate – appointed by members of the government. It is headed by the Prime Minister

Project: A proposed installation, factory, works, mine, highway, airport, or scheme, and all activities with possible impacts on the environment.

Protected Areas – An area on land or in the sea where activity is restricted in order to protect something inside the area that is of scientific, educational, aesthetic, or historical interest.

Regulations – Regulations often clarify specific details only mentioned in general terms in the main Act to which they apply

Sanitation - An important health-related branch of development



embracing drainage and sewage, sewage and sullage treatment and effluent disposal, safe and adequate domestic water supplies, avoidance of public nuisances and controlled tipping, and drainage facilities for floodwater and surface run-off. Few countries renowned for high-tech achievements have been able to resolve the basic requirements of sanitation, relying on primitive methods (or none).

Sedimentation – Matter that settles to the bottom of a body of water

Terms of Reference –A Terms of Reference is a document with guidelines on the kind of information that should be included in a study or other document (eg an EIA).



REFERENCES

1. *Dutta, Ritwick et al. 2006. The Citizens Guide to Participating in Environmental Decisions, HESCO/LIFE, India*
2. *The Access to Information Act, 2002*
3. *The Access to Information (Cost of Reproduction of Official Documents) Regulations, 2003*
4. *The Access to Information (Appeal Tribunal) Rules, 2005*
5. *The Access to Information Regulations, 2003*
6. *The Concise Oxford Dictionary, 8th edition, Oxford, 1990*
7. *The Guidelines for Conducting Environmental Impact Assessments, National Environment and Planning Agency, 2007*
8. *The Natural Resources and Conservation Authority Act, 1991*
9. *The Natural Resources Conservation Authority (Permit and Licence) Regulations (amended 2003).*





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