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SEYCHELLES

CHAPTER 22: SEYCHELLES

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22.1 Constitutional requirements for environmental protection in Seychelles

Environmental rights are clearly entrenched in the Seychelles Charter of Fundamental Human Rights and Freedoms.¹ Article 38 states that:

The State recognises the right of every person to live in and enjoy a clean, healthy and ecologically balanced environment, and with a view to ensuring the effective realisation of this right the State undertakes:

- i. To take measures to promote the protection, preservation and improvement of the environment*
- ii. To ensure sustainable socio-economic development of the Seychelles by judicious use and management of the resources of the Seychelles*
- iii. To promote public awareness of the need to protect, preserve and improve the environment*

Article 40(e) places a duty on every citizen to “*protect, preserve and improve the environment*”.

Since the Constitution is the supreme law of the islands, such stringent protection of the environment at constitutional level should facilitate environmental management in the Seychelles.

22.2 Institutional and administrative structure for EIA in the Seychelles

22.2.1 Ministry of Environment, Energy and Climate Change

The Ministry of Environment, Energy and Climate Change (MEECC) is responsible for administering the Environmental Protection Act, No 18 of 2016 (EPA). The functions of the MEECC are set out in section 4 of the 2016 EPA and include:

- Administer, implement and enforce the provisions of the Act
- Develop and implement policies, programmes and guidelines in pursuance of the national objectives on environmental protection
- co-ordinate the activities of other agencies concerned with the protection of the environment under this Act or under any other law which relates to the objectives of this Act
- develop, evolve and where necessary adopt standards for the quality of the environment in its various aspects and for emission or discharge of environmental pollutants from any source whatsoever
- commission research and sponsor studies on problems relating to environmental pollution

¹ Government of the Republic of Seychelles (1993). *The Constitution of the Republic of Seychelles*. Victoria.

- examine such manufacturing processes, materials and substances as are likely to cause environmental pollution
- identify areas in which any activity shall not be carried out or shall be carried out subject to certain safeguards
- develop, evolve and where necessary adopt procedures and safeguards for the prevention of accidents which may cause environmental pollution and remedial measures for such accidents
- collect and disseminate information in respect of matters relating to environmental protection
- co-ordinate actions required in a state of environmental emergency or any other situation which may pose a serious threat to the environment
- prepare manuals, codes or guidelines relating to environmental protection and for the prevention, control and abatement of pollution

The MEECC consists of two departments (each with its own divisions) and six state-owned enterprises (agencies and authorities) (Figure 22.1). The two departments are:

- The Environment Department (ED):
 - Waste, Enforcement and Permit Division
 - Biodiversity and Conservation Management Division
- The Energy and Climate Change Department:
 - Energy Division
 - Climate Change Division

The six agencies and authorities are:

- Landscape & Waste Management Agency (LWMA)
- National Botanical Garden Foundation (NBGF)
- Seychelles National Park Authority (SNPA)
- Public Utilities Corporation (PUC)
- Seychelles Energy Commission (SEC)
- National Meteorological Services (NMS)

The ED carries out all tasks associated with the administration of the Environmental Impact Assessment (EIA) Regulations. The Department is also responsible for pollution control and the control of environmental malpractice.

22.2.2 National Environment Advisory Council (NEAC)

The 1994 EPA provided for the establishment of the National Environment Advisory Council (NEAC). This council is also provided for in the 2016 EPA. This body comprises representation from government departments, NGOs (non-governmental organisations) and associations with environment-related functions. The Council was formed and met once in early 1996 before going dormant². In 2014 the President of the Seychelles relaunched the Council³. This Council would be

² Republic of Seychelles, 2000. Environment Management Plan of Seychelles EMPS 2000 – 2010

³ Nature Seychelles, 2014. Appointment of National Environmental Advisory Council. www.natureseychelles.org

useful for facilitating communication within the Government (inter-sectoral cooperation) and between the Government and NGOs on environmental matters.

The functions of the NEAC (which remain unchanged in the 2016 EPA) shall be to:

- consider any matter affecting the quality of the environment and report to the Minister
- advise the Minister on the state of the environment and make recommendations regarding actions and measures for environment protection and for improvement of the quality of the environment
- consider any other matter that may be referred to it by the Minister

22.2.3 Environmental Appraisal Committee (EAC)

The 2016 EPA empowers the Minister of the MEECC to appoint an Environmental Appraisal Committee (EAC). The function of the EAC is to evaluate the environmental impacts of any development, project or activity referred to it and make recommendations to the MEECC.

The Minister is empowered to make regulations for the composition and proceedings of the EAC, but at the time of writing, no such regulations have been gazetted.

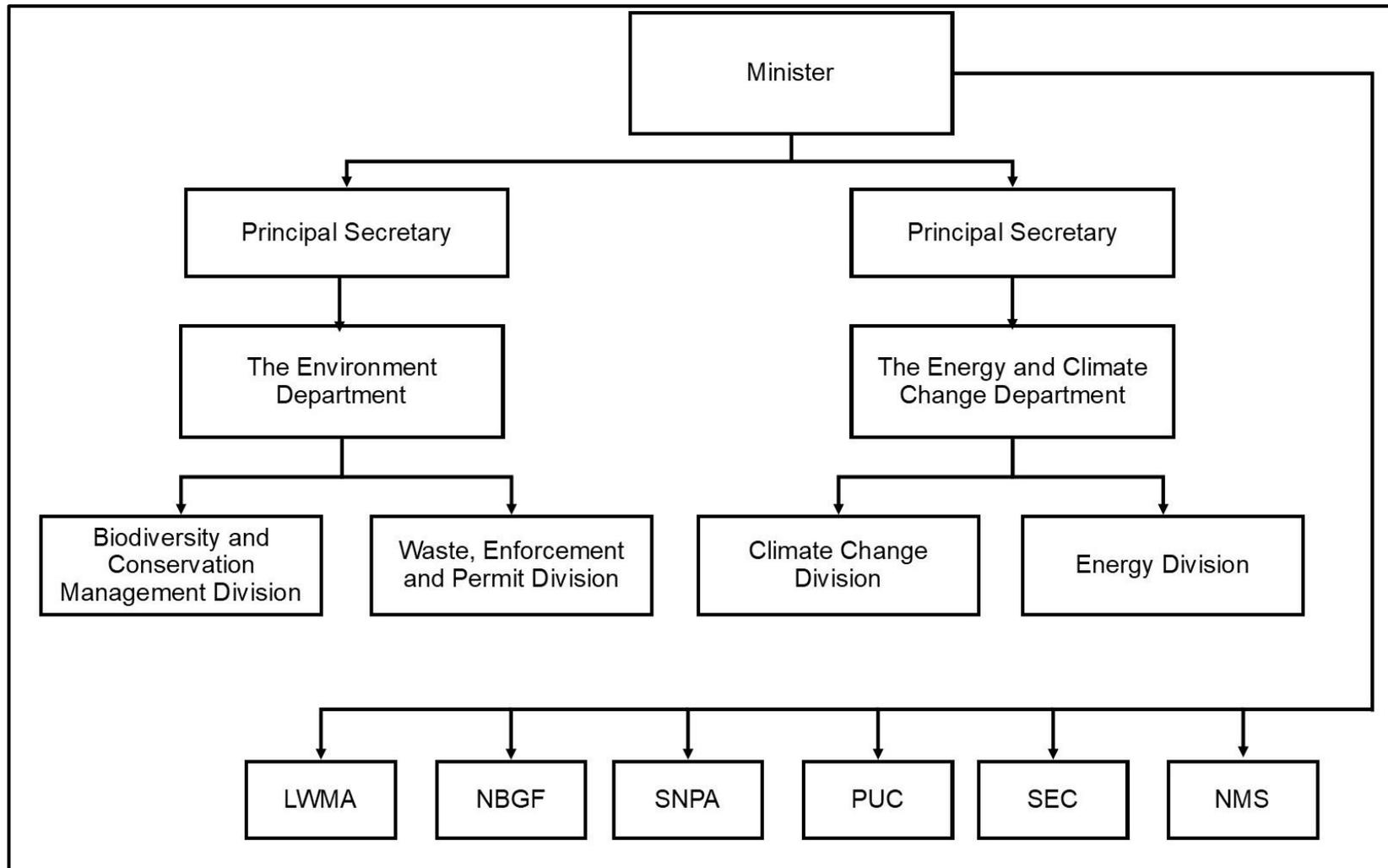


Figure 22.1: Organisational structure of the technical components of the Ministry of Environment, Energy and Climate Change

22.2.4 Authorised Officer

Section 60(1) provides for the appointment of Authorised Officers, by the Minister of the MEECC. An Authorised Officer may at any reasonable time enter any premises for the purpose of ensuring compliance with the EPA.

22.3 Policy and legal framework for EIA in the Seychelles

22.3.1 Environmental policies and plans

There is no environmental policy as such but there are two key documents which have been used to guide sustainable development in the Seychelles. These are the Government's Environmental Management Plans for the Seychelles (EMPS) for 1990–2000⁴, 2000–2010⁵ and the Seychelles Sustainable Development Strategy 2012-2020⁶. The President supported the EMPS initiatives, which served to propel the progress of national development planning in the direction of sustainable development for the country.

In the introduction to the Sustainable Development Strategy, the former President of the Seychelles, James Michel, stated the following:

“The importance of sustainable development is enshrined in the Constitution of the Seychelles. It commits the people of the Seychelles to participate actively in the sustainable economic and social development of our society. Sustainable development represents a unique challenge, especially in Seychelles where land is scarce and natural resources almost non-existent. It requires taking wise decisions to achieve a delicate balance between the finite carrying capacity of small-island ecosystems and economic growth.”

The vision of the Sustainable Development Strategy is, *“to contribute to the realisation of the nation's economic, social and cultural potential through an innovative, knowledge-led approach, being mindful of the need to conserve the integrity of the Seychelles natural environment and heritage for present and future generations.”*

The vision is based on six sustainable development principles:

1. Principle of sustainable use
2. Principle of inter-relationship and integration
3. Precautionary principle
4. Inter-generational and intra-generational equity
5. Conservation of biological diversity and ecological integrity
6. Internalisation of external environmental costs

⁴ Republic of the Seychelles, 1990. Environment Management Plan of the Seychelles EMPS 1990– 2000.

⁵ Republic of the Seychelles, 2000. Environment Management Plan of the Seychelles EMPS 2000 – 2010

⁶ Republic of the Seychelles, 2012. Seychelles Sustainable Development Strategy 2012-2020. <http://www.egov.sc>

22.3.2 Seychelles National Climate Change Strategy

The Seychelles government published the Seychelles National Climate Change Strategy in 2009, which formed part of the 2nd National Communication to the United Nations Framework Convention on Climate Change, initiated in 2006.

The vision for the Strategy is “*to minimise the impacts of climate change through concerted and proactive action at all levels of society*”. Furthermore, the Strategy is underpinned by the following eight principles:

1. Early action is more cost effective and builds long-term resilience capacity
2. Sustainable development is an integral part of resilience building
3. Consistent progress in advancing towards the Millennium Development Goals (MDGs)⁷ will enhance economic growth and quality of life
4. Integrated planning enables cross-sectoral harmonisation and effectiveness of adaptation measures
5. Effective implementation of policy at all levels of management
6. Actions and adaptation response should rely on proactive planning and available scientific information
7. Capacity building and empowerment at all levels of society
8. Ecosystem-based adaptation needs to be further developed to decrease vulnerability to climate change

22.3.3 The Environment Protection Act

The first Environment Protection Act (EPA) was enacted in 1988, however this was repealed and replaced by a more comprehensive act, the Environment Protection Act 9 of 1994, which has since been repealed and replaced by the Environment Protection Act 18 of 2016. The aim of the EPA is stated as being:

“... to provide for the protection, improvement and preservation of the environment, to set objectives and guiding principles aimed at protecting the environment and human health for the promotion of environmental principles so as to facilitate the implementation of international commitments including the prevention, control and abatement of environmental pollution in the Seychelles.”

According to the EPA, the term ‘*environment*’ means *the air, water and land and the inter-relationship which exists among and between air, water and land, and human beings, other living creatures, plants, micro-organisms and property*”. This definition takes a holistic and integrated view of the environment, incorporating both social and biophysical elements.

⁷ Note that the MDGs have been superseded by the Sustainable Development Goals

According to section 43(1) of the 2016 EPA a person is required to obtain an Environment Authorisation before carrying out a 'development' (see Appendix 22-3 at the end of this Chapter for the definition of 'development').

22.3.4 Regulations

The Minister of Environment promulgated regulations in terms of the 1994 EPA relating to, *inter alia*, noise emissions, ozone, container storage, the establishment of the Marine Parks Authority, the designation of a Solid Waste Agency and EIA.

The Environmental Protection (Impact Assessment) Regulations were published in the Government Gazette in May 1996 and were promulgated in terms of Sections 15 and 40 of the 1994 EPA. It is assumed that these are still in effect under the 2016 EPA.

Schedule 1 of the EIA Regulations contains a list of projects or activities requiring environmental authorisation under regulation 3(1) (see Appendix 22-1). Schedule 2 lists the protected and ecologically sensitive areas proclaimed under regulation 3(2) (see Appendix 22-2 of this Handbook) and Schedule 3 provides the form for a Memorandum of Appeal.

The regulations provide a mechanism for close consultation between the key ministries involved in the administration of EIA, i.e. the Ministry of Land Use and Housing (responsible for the Town and Country Planning Act (TCPA)) and Ministry of Health. A direct link and cross-reference to the Public Health Act 1960 and the 1972 TCPA was included in the 1994 EPA, while only the 1972 TCPA is referenced in the Regulations. It should be noted however, that no reference to any town planning legislation is made in the 2016 EPA, but the Public Health Act is still referenced and the Minister of the MEECC is prohibited from exercising any functions in any matter relating to public health under the Public Health Act.

The 1996 EIA regulations bring together a wide scope of issues, such as environmental, social, economic, health, cultural, resource management and risk within the entire planning process. Similarly, the regulations are not only limited to the impacts of projects and activities, but look at habitat responses, biodiversity effects, and sustainability considerations.

22.3.5 Permits and licences

In terms of section 44(1) of the Act, the proponent of a development (as provided for in s. 43(1)), project or activity specified in Schedule 1, or if a proponent contemplates a project or activity in any area specified in Schedule 2, must make an application for an **Environmental Authorisation** before he/she can proceed with the development, project or activity. Please refer to Appendices 22-1 and 22-2 for the lists of scheduled activities.

However, where the project or activity is included within the ambit of the Town and Country Planning Act (TCPA), the application must be made to the Authority responsible for the administration of that Act, who will forward a copy of the application to the MEECC. When this occurs, the Minister or the Town and Country Planning Authority may, in exercising the powers under the Town and Country Planning Act, grant or refuse an environmental authorisation in respect of that application. It should be noted that this requirement might change when the 1996 regulations are repealed/replaced.

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In addition to an Environmental Authorisation, a proponent may need to obtain a number of other authorisations from MEECC for the following:

- Discharge or place into the ground or dispose of in the sub-soil or dig into the ground any effluent or polluting or hazardous substance or waste (s. 19(1))
- Discharge any effluent or throw, deposit, or place any polluting or hazardous substance or waste or any obstructing matter into in any watercourse or in the territorial waters (s. 20(1))
- Dispose of any hazardous waste (s. 39(1))
- Transport hazardous waste within or through the Seychelles (s. 39(2))
- Export hazardous waste to any country (s. 39(3))
- Emit any air pollution, or establish or operate an industrial plant in an air pollution control area (s. 21(4))
- Emit noise in excess of noise emission standards (see Table 22.2) (s. 26(1))
- Develop or operate a waste disposal site (s. (34(1))

22.3.6 Penalties

The 2016 Act clearly specifies what is considered an offence, and penalties are specified for each offence. These are summarised in Table 22.1.

Table 22.1: Offences and penalties in terms of the 2016 Environmental Protection Agency Act

Section of the Act	Offence	Penalty
36(2)	Littering	A fine of not less than SCR5,000 and not exceeding SCR100,000 or 2 years imprisonment or to both such fine and imprisonment
37(4)	Allow litter to blow from vehicles	
54(3)	Failure to comply with an Enforcement Notice	A fine of not less than SCR25,000 and not exceeding to SCR100,000 and to 2 years imprisonment or to both such fine and imprisonment
55(5)	Failure to comply with a Prohibition Notice	
56(5)	Failure to comply with a Nuisance Notice	
60(4)	Wilful delay or obstruction, assault, insult, abuse, mislead, bribe, threaten, cohort of an authorised officer	
61(2)(b)	Failure to assist an authorised officer	
19(7)	Discharge or place into the ground or dispose of in the sub-soil or dig into the ground any effluent or polluting or hazardous substance or waste without authorisation.	A fine of not less than SCR100,000 and not exceeding SCR1,000,000 or to 2 years imprisonment or to both such fine and imprisonment
20(5)	Discharge any effluent or throw, deposit, or place any polluting or hazardous substance or waste or any obstructing matter into in any watercourse or in the territorial waters without authorisation	
21(5)	Emission of air pollution in an air pollution control zone (APCZ) without authorisation	
	Establish or operate an industrial plant in an APCZ without authorisation	
22(2)	Cause the emission of any pollutant into the atmosphere.	

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Section of the Act	Offence	Penalty
26(5)	Emit noise without authorisation	
28(3)	Discharge polluting or hazardous substances in a designated Coastal Zone	
34(2)	Disposal of waste without authorisation	
35(2)	Failure by a landowner to keep his/her land free from waste.	
38(2)(a)	Import of hazardous waste.	
39(4)	Disposal or transport of hazardous waste without authorisation	
40(3)	Handle or cause to be handled any hazardous substance except in accordance with prescribed procedures.	
42(6)	Failure to remedy pollution as directed by the Minister	
44(6)	Commencing a development, project or activity without an environmental authorisation	
50(3)	Carries out the functions of an EIA consultant under this Act without being registered	
52(3)	Failure to comply with the EIA requirements set out in s.44 of the EPA	

22.3.7 Fees

There are no EIA application or review fees in the Seychelles.

22.3.8 Guidelines

The Environmental Management Plan for the Seychelles (EMPS) 1990–2000 included EIA Guidelines for the following sectors, which are thought to be still in current use:

- Agriculture and Animal Husbandry
- Coastal Zone Management
- Construction
- Fisheries and Aquaculture
- Forestry and Public Gardens
- Industry and Power
- Information and Education
- Oil Resources Management
- Quarries
- Solid and Liquid Waste Management
- Tourism
- Transport

These guidelines are used by the authorities in screening applications and drafting ToRs, and should be referred to by developers and their consultants to ensure that all key issues are addressed in the EIA.

The Environmental Management Plan for the Seychelles (EMPS) 2000–2010 identified ten thematic areas which cover all major social and economic sectors as well as subjects of relevance to environmental management. These thematic areas are:

- Society, Population and Health (including Gender)
- Land Use, Coastal Zones and Urbanisation
- Biodiversity, Forestry and Agriculture
- Energy and Transport
- Fisheries and Marine Resources/Processes
- Water, Sanitation and Waste
- Tourism and Aesthetics
- Environmental Economics and Mainstreaming, and Sustainable Financing
- Regulatory, Policy and Institutional Mechanisms
- Commerce, Industry and Production

As with the EIA guidelines provided in the 1990-2000 EMPS, these thematic areas should be referred to by developers and their consultants to ensure that all key issues are addressed in their EIAs.

22.3.9 Environmental standards

In terms of section 14 of the 2016 EPA, the Minister may prescribe standards for:

- Quality of air, water or soil for various areas and purposes
- Effluent limitations for existing and new point sources
- Emissions of air pollutants from mobile and stationary sources
- Noise emissions from various sources including construction sites, plants, machinery, motor vehicles, aircraft, industrial and commercial activities
- Emission of light, vibration and other forms of energy into the environment
- Odours as are required to preserve and maintain public health and the environment
- Pesticide residues in the environment

Emission standards have been published under the EPA for noise, the Environment Protection (Noise Emission Standards) Regulations, SI 49 of 1999 (see Table 22.2), and effluent quality, the Environment Protection (Standards) Regulations, CAP 71 of 1996 (see Table 22.3). No other emissions are monitored or regulated.

Table 22.2: Noise Emission Standards

Description Area	Time	Limits in Decibels (dB(A))
Residential	06h00 -23h00	60 Leq
	23h00 – 06h00	55Leq
Industrial	At all times	75 (measured at the boundary of the industrial site)
Audible intrusion in pristine acoustic environment	At all times	60 Leq

Table 22.3: Effluent Discharge Standards

Parameter	Maximum concentration in milligrams per litre (mg/l) unless otherwise stated
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Parameter	Maximum concentration in milligrams per litre (mg/l) unless otherwise stated
Temperature	30°C measured at the point of discharge
pH	5.5 – 8.5
Suspended solids	30
BOD at 20°C	30
COD	80
Free chlorine (as Cl ₂)	0.5
Phosphorus (as PO ₄)	5
Nitrate (as NO ₃)	15
Nitrite (as NO ₂)	1
Phenols	0.1
Chromium (total) (as Cr)	1
Arsenic (total) (as As)	0.1
Mercury (total) (as Hg)	0.05
Cadmium (total) (as Cd)	0.2
Lead (total) (as Pb)	0.9
Copper (total) (as Cu)	1
Zinc (total) (as Zn)	2
Iron (total) (as Fe)	5
Nickel (total) (as Ni)	1
Aluminium (total) (as Al)	1
Tin (total) (as Sn)	0.1
Manganese (total) (as Mn)	2
Oil and grease	10
Total coliforms	500 per 100ml
Faecal coliforms	100 per 100ml
Faecal streptococcus	100 per 100ml
Salmonella	0
Pesticides	As per prevailing law

22.3.10 Certification of environmental consultants

Section 50(1) of the EPA empowers the MEECC to register a person as an EIA consultant. Section 47(4) of the 2016 EPA requires EIAs to be conducted only by EIA consultants registered in accordance with section 50. Section 50(2) of the 2016 EPA makes provision for regulations to be made on the registration of EIA consultants, however, at the time of writing no regulations regarding the registration process have been gazetted.

22.4 EIA procedural framework in the Seychelles

The steps required to conduct an EIA are outlined in the following subsections and shown schematically in Figure 22.2.

22.4.1 Screening

A developer who wishes to undertake a development in the Seychelles has to engage in a number of consultations before moving towards the final feasibility study stage of the development.

In terms of the EIA Regulations, the following projects or activities are subject to EIA:

- A development as defined according to section 43(1) of the 2016 EPA (see Appendix 22-3);
- An activity listed in Schedule 1 of the Regulations (see Appendix 22-1 for the list)
- A project in a protected area or ecologically sensitive area listed in Schedule 2 of the Regulations (see Appendix 22-2)
- Any other project or activity likely to have a significant impact on the environment

The Schedules are comprehensive in their listings of activities as well as sensitive areas. Even when a proposed project does not fall into any of the categories, the MEECC is empowered to insist that it should comply with the EIA Regulations if it may have a potentially significant impact upon the environment.

An initial consultation involves the presentation of the development concept to the Environmental Appraisal Committee. This committee is responsible for giving initial guidance on how the concept can be further developed or amended to meet national policies and guidelines. It is often after this screening process, that the MEECC decides whether the project will be subject to an EIA (Class I EIA) or a Class II assessment (see Section 22.4.2 below and Figure 22.2). This determination will be based on appraisal guidelines and the likely impact that the project will have on the environment and whether the project type is listed in Schedule 1 or it is located in an area listed in Schedule 2. This determination has to be made within **14 days** of receipt of the application.

Where a project is deemed to have a potentially significant impact on the environment, a Class I EIA will be required and the MEECC will provide the Terms of Reference for the EIA.

If a Class II EIA is deemed adequate, the MEECC may undertake the study themselves, or request that the proponent does so. The Class II study involves completing a checklist of potential issues, which is passed to a senior official within the Environment Department for approval. A Class II EIA can be thought of as a mini-EIA – i.e. less rigour is demanded owing to the relatively lower environmental risk.

22.4.2 Scoping

Scoping can be described as an open process for determining the scope of issues to be addressed in the EIA. There are, at the time of writing, no clear guidelines for the scoping process in the Seychelles, but some consultants adopt international guidelines in this regard, such as the European Community's 'Guidance on Scoping', or the World Bank's 'Guidelines on Public Consultation in the EA Process'.

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Following submission of the scoping reports and verification of the issues raised by the stakeholders, the EIA Terms of Reference (ToR) are prepared by MEECC according to a set of available EIA templates for different types of development. Depending upon issues addressed in the scoping report, the ToR are modified accordingly and communicated to the proponent. The scoping activities for each class of EIA study are listed below:

Class I

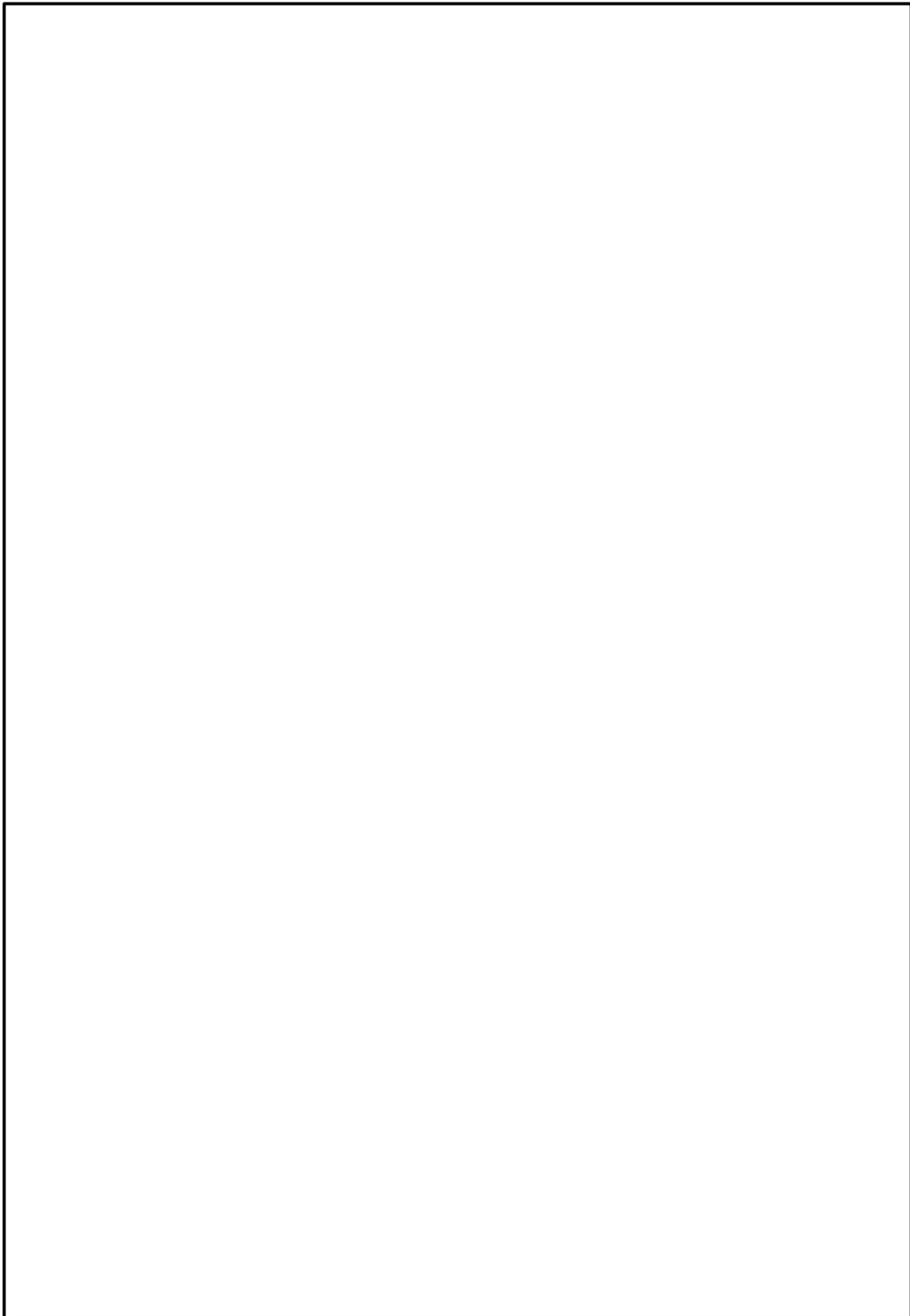
- ED meeting with proponent to point out critical issues
- An independent consultant must be appointed
- A joint site visit is undertaken with the proponent, the relevant authorities and consultants
- Separate scoping meetings with affected parties
- Fill in scoping form and submit scoping report to MEECC
- ToR for EIA are prepared outlining critical issues from the scoping report

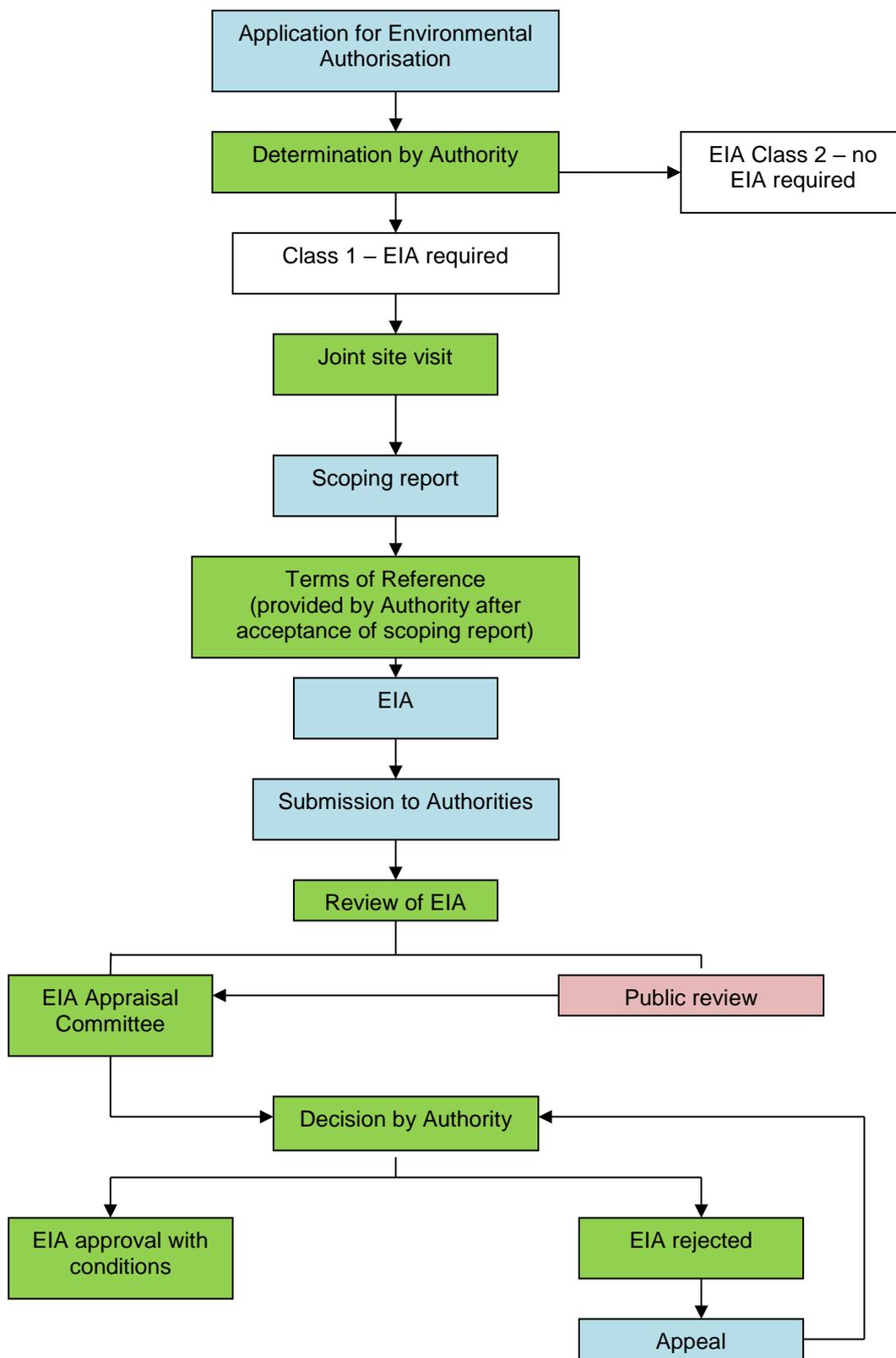
Although one of the activities is to hold scoping meetings with affected parties, there are no regulations or guidelines setting out how these meetings should be conducted.

Class II

- Undertaken by officials in the ED on behalf of proponent according to regulations;
- A joint site visit is undertaken with the proponent and the relevant authorities; and
- Complete field checklist and submit Appraisal Report to MEECC.⁸

⁸ Presentation by J. Rath to the Inception Meeting of the Regional task Force on EIA in the Western Indian Ocean Region, 25-26 July, Maputo, Mozambique.





22.4.3 Environmental Impact Assessment

According to regulation 6, the Authority may undertake a Class II EIA on behalf of the proponent or it may be done by the proponent itself. Class I EIAs are undertaken by an EIA consultant on behalf of the proponent. According to s. 47(2) a Class I EIA Study must contain a description of:

- The location, size and scope of the development, project or activity and description of the original state of the environment prior to implementation of the development, project or activity
- The principle, concept and the purpose of the development, project or activity
- The technical aspects relating to the development, project or activity
- The direct or indirect effects that the development, project or activity is likely to have on the population, flora and fauna, soil, air, water, landscape, and other physical assets including historical, artistic and archaeological
- Any actions or measures which may avoid, prevent, change, mitigate or remedy the likely effects of the development, project or activity on the environment
- The inevitable adverse effects that the development, project or activity is likely to have on the environment if it is implemented in the manner proposed by the proponent
- The irreversible and irretrievable impact on the commitment of resources which will be involved by the development, project or activity
- A study of the feasible alternatives considered, including a summary of all the expected impacts
- The actions or measures proposed for compensating physically or financially for any resulting loss or damage to the environment
- An environmental monitoring programme
- Such other information as may be necessary for a proper review of the potential environmental impact of the development, project or activity

22.4.4 Environmental Management Plans

The 2016 EPA does not make specific reference to environmental management plans (EMPs), but requires that an EIA include the following:

“...any actions or measures which may avoid, prevent, change, mitigate or remedy the likely effects of the development, project or activity on the environment” (section 47(2)(e))

“...the actions or measures proposed for compensating physically or financially for any resulting loss or damage to the environment.” (section 47(2)(i))

Notwithstanding the provisions of the 2016 EPA, the standard Terms of Reference prepared by MEECC for EIA consultants usually require the inclusion of an EMP, as well as environmental monitoring and reporting plans.

22.4.5 Public consultation

One of the activities to be undertaken during scoping for Class I studies is to hold meetings with affected parties (see s. 22.4.2 above). The only other mention of public involvement in the EIA

Regulations is the two-week public review period for the final EIA report, which is only applicable to Class 1 EIAs. When the EIA documents are ready, the public is informed by the MEECC through a notice in the national newspaper, and the EIA documents are placed by MEECC at various convenient public places for consultation by members of the public for the **two-week** period (see Figure 22.2). Comments from the public are then evaluated and compiled. All views are communicated to the developer, along with possible mitigating measures. By law, comments from the public are taken into consideration by the Environmental Appraisal Committee (EAC) and any substantial comments or issues must be included in the recommendations made by the EAC. It should be noted that comments on EIAs can only be made by citizens or residents of the Seychelles.⁹

22.4.6 EIA review and decision-making

Once the EIA has been completed a first draft is forwarded to the Authority for review by the EAC, which comprises environment experts and representatives of other sectors such as land use, the NEAC, tourism and social affairs, and, subsequent to the EAC review, for public review. Following review, comments and conditions regarding the proposed development, project or activity are communicated to the proponent, who then undertakes to revise the EIA accordingly. After meeting all the requirements, the proponent is issued with an authorisation, usually with conditions, and the plans are then submitted for review under the TCPA and associated building regulations. In many cases though, some projects come through a referral by the TCPA. If the MEECC refuses to grant authorisation, the proponent is entitled to appeal against such decision (see section 22.4.8 below).

A decision on Class I EIAs must be given within **56 days** from the date of acknowledgement of receipt of the EIA documents. Decisions on Class II EIAs must be made within **28 days** of receipt of documents.

The Environment Department has developed a standard set of review criteria that it uses to review an EIA report. These criteria include the following questions:

- Has prominence been given to relevant issues?
- Does the information identify and address the main concerns of the interested parties?
- Is the information factually correct?
- Are the assessment methodologies consistent with internationally accepted methods?
- Is the identification and description of impacts complete?
- Have alternatives been adequately considered?
- Has the EIA addressed the need for monitoring and auditing?
- Does the EIA include environmental requirements and mitigation measures that the applicant is prepared to implement?

The reviewing officials need to be satisfied that each of the above questions – as well as others posed – have been addressed. If not, reasons need to be given for not regarding the information given as satisfactory.

⁹ Regulation 8(4).

EIA reports are not subjected to external review, although the MEECC recognises that this may be appropriate in certain instances. The National Environmental Advisory Committee could carry out this role; alternatively, a separate technical review body should be established.¹⁰

22.4.7 Monitoring and enforcement

Part V of the EPA sets out procedures for the authorities to issue an Enforcement Notice (s. 54), a Prohibition Notice (s. 55), Nuisance Notice (s. 56), the powers of authorities to carry out inspections (s. 60 and 61), declare an environmental emergency (s. 62) and take samples (s. 63).

ED staff are responsible for the monitoring of EIA implementation. These officials visit each construction site on a regular basis, depending on the sensitivity of the site.

22.4.8 Appeals

The 1996 EIA Regulations, which have yet to be repealed, provide that any person aggrieved by a decision given by the Authority (MEECC) may appeal to the Minister on the Form presented in Schedule 3 of the Regulations, within 30 days from the date of receipt of the decision, and the Minister may affirm, revoke or vary the decision or order.

The 2016 EPA provides a further option for legal recourse in Section 73 which provides for the establishment of an Appeals Board, which is a body responsible for handling all appeals made in terms of this Act. According to section 74(1) the 2016 EPA:

“a person aggrieved by a decision of the Minister or Authority constituted or agency designated under the powers of the Minister under the repealed Act [i.e. 1994 EPA] or any Authority or Agency established under section 9 of this Act [i.e. 2016 EPA] may appeal to the Appeals Board.”

22.4.9 Strategic Environmental Assessment

The concept of Strategic Environment Assessment is not well developed in the Seychelles. Little improvement with respect to SEA was realised with the repeal of the 1994 EPA, with the only reference to SEA being a definition:

“‘Strategic Environmental Assessment’ is the formalised, systematic and comprehensive process of identifying and evaluating the environmental consequences of proposed policies, plans or programmes to ensure that they are fully included and appropriately addressed at the earliest possible stage of decision-making on a par with economic and social considerations”.

However, there are no regulations or guidelines available setting out the procedures, roles and responsibilities for SEA in the Seychelles.

22.5 Other relevant environmental legislation

A number of sector laws in the Seychelles are relevant to EIA. Table 22.4 provides a summary of the relevant sector legislation.

¹⁰ Section 8 of the 2016 EPA

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Table 22.4: Other potentially applicable sectoral requirements

Sector	Primary Agency	Title and Date of Document	Purpose
Water	Ministry of Environment, Energy and Climate Change (MEECC)	Water Supply (Abstraction Licence) Regulations, S.I. 48 of 1984	Lays down a scale of flat-rate charges for the abstraction of water under statutory licence. Different levels of charges are levied according to the uses of abstracted licence. A basic distinction is thus made between "trade, business, industrial or commercial" uses of water on the one hand
		State land and River Reserves Act, Cap 228	Sets out, among other things, the areas to be considered as sensitive due to the presence of important water courses.
Effluent disposal	MEECC	Environment Protection (Miscellaneous) Regulations, SI No. 84 of 1995	Provides for the control of effluent discharge
Noise	MEECC	Environment Protection (Noise Emission Standards) Regulations, SI No. 49 of 1999	Provides for the control of noise emissions
Waste	MEECC	Environment Protection (Landscape and Waste Management Agency) Regulations, SI 29 of 2009	Provides for the establishment of the Landscape and Waste Management Agency as a body corporate and declare the Agency to be responsible for the management of waste and overall landscape development and management of Seychelles
		Petroleum Mining (Pollution Control) Act, No. 18 of 1976 (Chapter 168)	Defines the liability for oil pollution by licensees, i.e. persons to whom an exploration licence is granted under section 6 of the Petroleum Mining Act or a company that is a party to a petroleum agreement under section 9 of that Act
Air Quality	MEECC	Environment Protection (Ozone) Regulations, SI No. 24 of 2000	Provides for the control of ozone depleting substances
Mining		Removal of Sand and Gravel Act of 1982 (Chapter 203) Removal of Sand and Gravel (Fees) Regulations, SI No. 40 of 1982	Provides for the control of the extraction of sand and gravel
		Minerals Act, No. 14 of 1962 (Chapter 129)	Makes provision for the licensing of mining operations and provides rules for mining operations and related matters such as the abstraction of water for mining purposes. The Act vests the property in and the control over minerals in the Seychelles in the Republic
Health	Ministry of Health	Public Health Act of 1960 (Chapter 189)	Provides for the protection of

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Sector	Primary Agency	Title and Date of Document	Purpose
			public health in the Seychelles and lays down rules relative to, food hygiene, the keeping of animals, protection of clean water supplies and the abatement of nuisances
Forestry	MEECC	Forest Reserves Act of 1955 (Chapter 84)	Empowers the Minister responsible for the environment to constitute Forest Reserves and lays down rules relative to acts in or in relation with such reserves. Provides for the felling of trees
		State Land and River Reserves Act, No. 11 of 1903 (Chapter. 228)	Makes provision for the management and alienation of State land, for the appointment of forest rangers and for the protection of State Lands and River Reserves
Conservation	MEECC	Breadfruit and Other Trees [Protection] Act of 1917 (recently amended; Chapter 18)	These instruments provide for the protection of certain plant species and the management of protected areas
		Environment Protection (Marine Parks Authority) Order, SI No. 54 of 1996	
		National Parks and Nature Conservancy Act of 1969 (Chapter 141)	
		Environment Protection (Seychelles National Parks Authority) Order, SI No. 30 of 2009	
		Environment Protection (Marine Parks Authority) Order, SI 54 of 1996	
		Plant Protection Act, No. 10 of 1996 Plant Protection (<i>Verticillium calophylli</i>) Regulations, SI No. 76 of 1997	
		Plant Protection (Quarantine Pest and Infected Area) Regulations, SI No. 14 of 2000	
		Protected Areas Act of 1967 (Chapter 185)	
		State Land and River Reserves Act of 1903 (Chapter 228)	
		Wild Animals and Birds Protection Act of 1961 (Chapter 247)	
		Wild Birds Protection Regulations 1966 (Chapter 247)	
Marine Areas	Ministry of Tourism, Civil Aviation, Ports and Marine MEECC	Dumping at Sea Act of 1974 (Overseas Territories) Order of 1975 (Chapter 67)	Provides for the control of waste disposal from ships
		Maritime Zones Act, No. 2 of 1999	

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Sector	Primary Agency	Title and Date of Document	Purpose
		Merchant Shipping (Oil Pollution) (Seychelles) Order of 1975 (Chapter 128) The Oil Pollution (Compulsory Insurance) Regulations, SI No. 8 of 1976	
Fisheries	Ministry of Fisheries and Agriculture	Fisheries Act of 1987 (Chapter 82) Fisheries (Amendment) Act, No. 3 of 1997 Fisheries (Amendment) Act, No. 2 of 2001 Fisheries Regulations, SI No. 35 of 1987	Provides for the control of fishing activity within the Seychelles territorial waters
Agricultural and Land	Ministry of Agriculture and Marine Resources	Land Reclamation Act of 1967 (Chapter 106)	Provides for the control of the reclamation of land
		Pesticides Control Act, No. 4 of 1996	Provides for the control of use and handling of pesticides
		Seychelles Agricultural Agency Act, No. 4 of 2009	Establishes the Seychelles Agricultural Agency as a body corporate, defines its powers and functions and provides for its administration and functioning
		Animal and Plant Biosecurity Act 2014 (No. 10 of 2014)	Prevents the entry of animal and plant pests into, and their establishment and spread in, Seychelles, regulates and controls the movement of animal and plant pests and diseases and of animals and plants and their products within Seychelles, facilitates international trade and cooperation in respect of animal and plant pests and diseases
Planning and Zoning	Ministry of Land Use and Housing	Town and Country Planning Act of 1972 (Chapter 237)	Provides for land use management (including planning authorisations)
Archaeological, Historical and Cultural	Ministry of Tourism, Civil Aviation, Ports and Marine	National Monuments Act of 1980 (Chapter 140) Declaration of Monuments, SI No. 96 of 1984	Provides for the identification and protection of national monuments
	Seychelles Heritage Foundation	Seychelles Heritage Foundation Act, 2006	Provides for the identification and protection of cultural heritage
Energy	MEECC	Energy Act, No. 11 of 2012	Repeals and replaces the Seychelles Energy Commission Act 2010, provides for the establishment and management of the Seychelles Energy Commission and Seychelles Energy Board, provides for

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Sector	Primary Agency	Title and Date of Document	Purpose
			electricity related activities, renewable energy sources, energy efficiency, Clean Development Mechanism, tariffs and charges, consumer protection rights and issuance of licences and permits
		Public Utilities Corporation Act, 1985 (Chapter 196)	Establishes the Public Utilities Corporation. The functions of the Corporation shall be: (a) the supply of electricity; (b) the supply of water; and (c) the provision of sewerage
		Petroleum Act, No. 6 of 1938 (Chapter 165)	Provides rules for the handling (including landing by ship) and storage of petroleum, i.e. any kind of mineral oil, and any oil product or by product made or obtained from petroleum, asphalt, coal, shale schist, peat or lignite, or made from any petroliferous or bituminous substance
Labour employment and occupational health	Ministry of Employment, Immigration and Civil Status	Employment Act, 1995 (Chapter 69))	Provides for the control of employment conditions
		Occupational Safety and Health Decree 1978. No. 54	Secures the health, safety and welfare of persons at work. Repeals the Factories (Safety of Workers) Decree (Cap. 173)
		Radiation Safety and Security Act, No. 17 of 2014	Provides for protection of persons, society and environment against the harmful effects of ionizing radiation, risks associated with exposure to ionizing radiation, for the security of radioactive and nuclear materials and their safeguards, and for designating a competent authority for radiation safety, security and protection

Appendix 22-1: Projects or Activities Requiring Environmental Authorisation (Schedule 1)

1. Mining:

- 1-1 Quarries and deposit sites
- 1-2 Rock crushing, splitting, blasting and excavating
- 1-3 Commercial production of aggregates and other materials
- 1-4 Earthworks.

2. Agricultural production:

- 2-1 Commercial rearing of livestock, including pigs, cattle and poultry
- 2-2 Drainage or irrigation for commercial purposes

3. Forestry:

- 3-1 Logging operations and vegetation clearing
- 3-2 Forest tracks or trails: construction or improvement
- 3-3 Sawmills: construction

4. Fish and associated products farming:

- 4-1 Fish farming works and extension, aquaculture
- 4-2 Fish processing plants and equipment

5. Chemical industries:

- 5-1 Manufacture, handling, storage and transportation of hazardous chemicals or substances

6. Industry:

- 6-1 Construction of industrial buildings
- 6-2 Installation of industrial equipment
- 6-3 Transportation equipment of industrial products: (classified dangerous as per UNEP specifications)

7. Food and agricultural industries.

8. Energy production and distribution:

- 8-1 Power plants
- 8-2 Electricity transmission lines
- 8-3 Gas storage
- 8-4 Pipelines
- 8-5 Bottling plants¹¹

9. Water:

- 9-1 Dams and reservoirs
- 9-2 Water treatment plants
- 9-3 Public water supply networks
- 9-4 Desalinisation plants

10. Sewage and wastewater:

- 10-1 Sewerage treatment plants
- 10-2 Sewage networks and outfall

11. Solid waste:

- 11-1 Dumping sites
- 11-2 Treatment plants
- 11-3 Collecting equipment

12. Hotels, Restaurants, and Tourism:

- 12-1 New hotels or extension of existing hotels
- 12-2 Facilities such as golf courses, swimming pools
- 12-3 Restaurants

¹¹ Possibly gas bottling.

13. Fishing vessels and fleet construction:

13-1 New industrial vessels

14. Transport, Harbour and Marine:

14-1 Harbour construction and development

14-2 Construction of airfields, aviation strips and landing grounds

14-3 Harbour dredging operations

14-4 Equipment purchase and installation

14-5 Sea defences and sea walls

14-6 Dry docks

15. Land reclamation.**16. Habitat:**

16-1 Housing development and/or land subdivision that would give rise to the creation of a large housing estate

16-2 Housing development and/or land subdivision that would result in increased pressure on existing infrastructure and or the environment

17. Road networks:

17-1 New roads.

17-2 Extension out from existing bank

17-3 Surfacing of earth tracks or roads

17-4 Water drainage networks

Appendix 22-2: Protected and ecologically sensitive areas (Schedule 2)

A) Protected areas

A.1. National parks, special nature or wildlife reserves and other protected areas:

- (i) All areas designated under section 5 of the National Parks and Nature Conservancy Act (Cap 141)
- (ii) Shell reserves as designated under the Fisheries Act. (Cap 82 Sub. Leg. pg 16)
- (iii) Protected areas designated under the Protected Areas Act: African Banks, - Ile Coco , -Ile la Fouche, -Ilot Platte, -Bel Ombre. (Cap. 185 Sub. Leg. pgs 9, 10 and 11)
- (iv) Sainte Anne Island land use plan conservation area. NRC 95/13
- (v) Anse Lazio coastal belt (landscape of outstanding beauty). CAB 95/54

A.2. Historical sites and areas surrounding the National Monuments:

The area within a radial distance of fifty metres around each of the National Monuments which are protected by a declaration order under the National Monuments Act (Cap 140) or any other law and around those sites, buildings and monuments which are given in the list below (A3), except however, in the case of those historical sites, buildings or monuments located in any of the districts of Mount Buxton, English Rivers, St. Louis, Bel Air, Plaisance and Mont Fleuri in which case the radial distance shall be 30 meters instead of 50 metres.

A.3. Sites, buildings, monuments (see A2 for conditions):

Fiennes Esplanade, F. Rachel Av., Victoria	Signal Hill Look Out Post, Mt. Signal
Original Landing of the French, Baie Lazare	Riv. Anglaise
Original site of Pierre de Possession, La Poudrière	Lenstiti Kreol, Anse aux Pins
Water Mill, Cascade	Victoria Market, Victoria.
Carnegie Building, Victoria	ex. St John Bosco School, Belonie, Victoria
Lighthouse, Victoria Harbour	Camion Hall, CODEVAR, Victoria
Northolme Hotel, Glacis	Léproserie, Ile Ronde
Old Pirogue Sheds, Anse aux Pins	Syna Adeline plantation house, Anse Kerlan
Regina Mundi School, Mont Fleuri	Léproserie, Curieuse
Salles d'Oeuvres, Victoria	Queau de Quincy Tomb, State House
Seychelles College, Mont Fleuri	Remains of l'Etablissement du Roi, State House
Seychelles Hospital, Victoria	War Memorial, Mont Fleuri Cemetery, Mont Fleuri
Battery Guns, Sainte Anne	Anse Boileau Catholic church
Four à Graisse de Baleine, Sainte Anne	Grande Anse Catholic church
Queau de Quincy Building, Mont Fleuri	Port Glaud Catholic church
Bagatelle House and gardens	St. Louis chapel, Saint Louis
Jardin du Roi House and gardens	Sainte Anne chapel, Cerf Island
Anse Royale, Church of England	Beauvoir church, La Misère

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Cathedral of the Immaculate Conception, Victoria	Anse Déjeuner Church of England
St Francis Catholic church, Baie Lazare	Seven Day Adventist chapel, St Louis
St Roch Catholic church, Bel Ombre	New Apostolic church, Mont Fleuri
St John the Baptist Catholic church, Glacis	Hindu temple, Victoria
St Anthony Catholic church, Anse Étoile	Islam Mosque, Victoria
Sr Theresa Catholic church, Plaisance	Francis Rachel Street
St Michael Catholic church, Anse aux pins	Market Street
St Mary Magdalena Catholic church, Takamaka	Albert Street
St Matthew's church, Grande Anse Praslin	Revolution Avenue
St. Joseph Catholic church, Grand'Anse Praslin	Sr Joseph Catholic church, Anse Royale
Pentecostal church, Mont Fleuri	

A.4. Remarkable natural landscapes:

All areas listed below are sites of outstanding natural and physical beauty, either natural or developed. As designated on maps deposited with the Division of Environment and certified by the Director General of Environment.

MAHE	
Mont Sebert - Les Dents	-Rock at Anse Louis, "teapot"
Castle peak	-Rocks at Le Rocher
Glacis du Cap at Anse aux Pins	-Danzille to Anse Major
Fairyland, Ile Souris et plages	-Cascade de Grande Anse
Anse Parnel et Cap Lascars	-Cascade de Bel Ombre
Rochers d'Anse Forbans	-Rocks at Baie Lazare beach
Anse Capucins	
Anse Petite Boileau	PRASLIN:
Pointe Police	-Anse Lazio and Baie Chevalier
Pointe du Réduit	-Anse Georgette
Pointe Maravi	-Petite Anse Kerlan
Glacis de Val Mer	-Anse Matelot
Pointe Gouvernement	-Ilot Chauve Souris
Pointe Petit Gouvernement	-Ilot Saint Pierre
Pointe Petite Anse	-Rocher du Comédien
Falaises des Remparts	
Pointe Barbarons	LA DIGUE:
Cascades de Souvenir, la Misère	-Southern coast from Pointe Source d'Argent to Grand l'Anse
Petite ile	-Grande Anse and Petite Anse
Pointe Escalier	-Western coastal strip from Pointe Turcy to Anse Patate
Cascade de Port Glaud.	-Pointe Cap Barbi

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L'Ilot.	-La Passe rocks
Falaise de Danzille	
Pointe sud d'Anse Boileau	
La Réserve	

A.5. Viewpoints:

The area extending up to 50 meters downwards, away from the road, around viewpoints indicated below:

- Forêt Noire road down to 'Tea factory' - altitude from 80 to 120 m, and 160 to 180m
- Forêt Noire road at 'Sans Soucis' - altitude from 200 to 210m, and 420 to 430m
- Mission Lodge car park
- La Misère road before 'Grande Anse' - altitude from 100 to 150 meters
- La Misère road at 'La Misère' - altitude from 170 to 190 meters
- Grand Fond at Praslin - altitude above 300 meters

A.6. Inter-urban buffer zones:

The areas as defined in the indicative land use plan (PAT June 1992)

A.7. Water catchment areas:

Those areas located upstream of dams that are used for public water catchment and water storage, and the following areas that are potential water catchment basins:

- Rivière Mare aux Cochons, above 50 meters altitude
- Rivière les Mamelles, above 80 meters altitude
- Rivière Pasquière, above 50 meters altitude
- La Digue: 150 meters radius around the wells at 'le Plateau'

A.8. Industrial risk areas:

Areas in the vicinity of industrial equipment or activities, with a high-risk potential in case of an accident or a hazard.

Mahé

- 200 meters around fuel and LPG storage at Newport Victoria
- 200 meters around fuel storage at Mahé airport
- 50 meters each side of River Anse Etoile, downstream of La Gogue Dam
- 25 meters each side of River Rochon downstream of Rochon dam
- Mahé Airport landing path: 1000 m. radius from the end of the airstrip in both directions, in a 10° angle
- 200 metres around Anse Royale dumping site
- 200 meters around Petit Paris dumping site
- 200 meters around Pointe Larue quarry
- 200 meters around Providence quarry

Praslin

- 200 meters around fuel storage at Baie Sainte Anne
- Airport landing path: 500 m. radius from the end of the airstrip in both directions, in a 10° angle

- 200 m. around La Jalousie dumping site
- 200 m. around La Jalousie quarry
- 200 m. around Anse Citron quarry

La Digue

- 200 m. around L'Union dumping site

A.9. Natural risk areas

Areas with a risk potential, by natural hazards, especially landslides and fall of boulders, on granitic and red earth steepest slopes and surroundings, such as: Trois Frères Estate, Pied du Morne area, north-east of Copolia, Le Rocher and Brillant area, Anse Talbot and Riviere Bayonne area, Mont Buxton area, as designated on corresponding maps.

A.10. Steep slopes

Any area where the average slope within 50 meters on each side of the proposed development is higher than 1:2 gradient.

A.11. Earth erosion areas

Areas which are highly eroded, particularly as a consequence of the destruction of the vegetation. An area is considered as eroded when the vegetation covers less than 50% of the ground, on an average basis.

A.12. High elevations

Areas located at an altitude of more than 200 meters above sea level, except in the following districts viz: English River, Mont Buxton, St Louis, Bel Air, Plaisance, Anse Étoile and Grande Anse, where the altitude is set at 300 m. above the sea level.

A.13. Skyline

Skyline is the line at which earth and sky appear to meet. It has an altitude higher than 50 meters above sea level and a water flow descending in two different directions. The sensitive area includes a 50 meter radius or strip from the skyline.

(B) Ecologically sensitive areas**B.1. Natural Habitats for rare, protected or endemic species of fauna and flora:**

The areas categorised below are based on one or more of the following considerations:

- to protect the endemic species
- to protected species according to national or international (CITES) conventions, laws or regulations
- to protect endangered species which need special attention because of particular uses which threaten their population

The extent of each zone is as designated on maps deposited with the Division of Environment and certified by the Director General of Environment

MAHE

- Montagne Glacis
- Mont Josephine
- Mt. Planeau -L'Abondance -Grand Bois -Varigault
- Mont Sebert -Les Dents

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- Montagne Brulee -Castle Peak
- Mont Parnel
- Le Desert
- Mont Signal
- Montagne Corail -Mont Cauvin -Giraffe
- Rivière Dauban, Bardeau
- Copolia
- Anse Capucin
- Anse Bazarca
- Glacis between Anse Louis and Souvenir
- Glacis at Barbarons
- L'Islette
- Sainte Anne, Grande Anse
- Souvenir
- Roche Caiman, Bird Sanctuary
- Bel Ombre¹²
- Port Glaud¹³
- Endangered birds nesting areas

PRASLIN

- Nouvelle découverte
- Consolation
- Fond Ferdinand
- Fond d'Albaretz
- Cap Jean Marie
- Rivière Pelissier
- Mont Cabris
- Pointe Badamier
- Newcome.
- Savoie.
- Petite Cour glacis.
- Grande Anse,
- Fond de l'Anse.
- Baie Pasquière.
- Endangered birds nesting areas

LA DIGUE

- Nid d'Aigle.
- Woodlands of le Plateau

¹² Addition in accordance with Environment Protection (Impact Assessment (Amendment) Regulations, SI 63 of 2013

¹³ Ibid

- Nesting territories for La Veuve
- Belle Vue
- Endangered birds nesting areas

B.2. Marshes and Wetlands habitats

Areas where the water table enables specific vegetation to thrive, whether the area is permanently or temporarily flooded, or fresh or saltwater, including all mangroves. The relevant areas may show some of the following characteristics:

- contributes to decrease in water pollution before it outflows to the sea
- decreases excessive flooding of lands
- contains specific fauna habitats and contributes to nesting and breeding of this type of fauna

B.3. Streams and Surroundings

Areas as categorised in Schedule A of the State Land and River Reserves Act (Cap 228).

B.4. Coastal Strip

The area extending up to a distance of 100 meters towards the landward side from the high-water mark except in the following cases:

- Where a paved and regularly used vehicular road alongside the sea has been built nearer than 100 meters towards land. In this case, the road defines the boundary of the coastal strip
- Where the area is already developed, including a 20-metre radius around the existing development
- Where the area has been scheduled in an approved development plan for the proposed development
- Where an integrated coastal zone management plan has defined the delineation of the coastal strip under section 11 of the Environmental Protection Act
- On the eastern coast of Mahé from north-east Point to Ile du Suète

B.5. Beaches and intertidal zones

All areas between the lowest low tide and the dune crest plus 20 meters on the landward side. If a dune crest does not exist, the landward boundary will be 30 meters from the high-water mark.

B.6. Seabed

All lands that are regularly flooded by the sea within the territorial waters fall in this category. For estuary and mangroves, the seabed boundary is defined by a junction line across the outflow at the high-water mark.

B.7. Small islands and outlying islands

All Seychelles islands except the main islands of Mahé, Praslin, La Digue where the sensitive areas are defined based on specific considerations.

Appendix 22-3: Definition of ‘development’ (section 43(1))

43.(1) In this Act, ‘development’ -

- (a) means-
 - (i) the carrying out of any building, engineering, mining or other operations in, on, under or over any land
 - (ii) the making of any material change in the use of any building or other land
- (b) includes -
 - (i) the subdivision of land which is or is intended to be used for residential, commercial, industrial or agricultural purposes
 - (ii) the carrying out of reclamation works
 - (iii) the carrying out of backfilling, stacking or earth cutting of any land
 - (iv) the re-roofing of any building which involves any change of colour, material or design of the roof
 - (v) the carrying out of works for the construction of new roads and bridges;
 - (vi) the demolition of any building
 - (vii) the construction of sea walls or groynes, harbours or jetties and the carrying out of rock armouring works
 - (viii) the carrying out of works by a highway authority required for the maintenance or improvement of a road
 - (ix) rock crushing, splitting, blasting and excavating
 - (x) any use of land, sea or building as determined by the Minister

Acronyms

APCZ	Air pollution control zone
CITES	Convention on International Trade in Endangered Species
dBA Leq	Decibel Equivalent Continuous Sound Level
EAC	Environmental Appraisal Committee
ED	Environment Department
EIA	Environmental Impact Assessment
EMP	Environmental Management Plan
EMPS	Environmental Management Plan of the Seychelles
EPA	Environment Protection Act
LPG	Liquefied Petroleum Gas
LWMA	Landscape & Waste Management Agency
MEECC	Ministry of Environment, Energy and Climate Change
NBGF	National Botanical Garden Foundation
NEAC	National Environment Advisory Council
NGO	Non-governmental organisation
NMS	National Meteorological Services
PUC	Public Utilities Corporation
SCR	Seychelles Rupee
SEA	Strategic Environmental Assessment
SEC	Seychelles Energy Commission
SI	Statutory Instrument
SNPA	Seychelles National Park Authority
TCPA	Town and Country Planning Act
ToR	Terms of Reference
UNEP	United Nations Environment Programme

List of useful contacts in EIA Ministry/ Agency/ Department

Department	Ministry	Telephone	Email	Website
Environmental Department	Ministry of Environment, Energy and Climate Change	+ 248 4670 500	info@env.gov.sc	http://www.meecc.gov.sc