

## **APPENDICES**

**with the advice for Terms of Reference for  
the environmental impact statement of a  
seaport in the Gaza Strip**

**(appendices 1 to 4)**

## APPENDIX 1

### Letter of DGIS dated November 14th 1994, in which the Commission has been asked to submit an advisory report

Ministry of Foreign Affairs

The Hague

Commissie voor de m.e.r.	
03	
ONTWINGEN 18 NOV 1994	
aanvrager:	061-94
aanvraag:	015-1
kopie naar:	Sc/10

Commissie voor de milieu-effectrapportage  
t.a.v. de heer drs. J.J. Scholten  
Postbus 2345  
3500 GH Utrecht  
Nederland

Directorate-General  
International Cooperation

Date : 14 November 1994

Re : Gaza port  
WW/92/850  
JRC 381-93;  
MER/94/013

Ref : DST/ML  
528/94

The Palestinian Authority wishes to build a harbour in Gaza. The Netherlands has promised to fund part of the costs of this harbour if a number of conditions are met. One is that attention be devoted to the environmental aspects of the project. In this connection, it has been decided, in consultation with the Palestinian Authority, that a proper environmental impact statement (EIS) for the port should be drawn up.

The Minister for Development Cooperation, Jan Pronk, recently gave the go-ahead for starting work on the EIS. I would therefore ask you to set up a working group to draw up an advisory report on the terms of reference for the EIS, based on the background documents sent to you on 17 October 1994 and the preliminary discussion on 28 October 1994. You should include a Canadian representative of CIDA in the working group, in addition to as many Palestinian experts as possible, to permit coordination with the Canadian initiative of supporting EIA activities in the Gaza Strip. In accordance with the normal procedure, you should ensure maximum consultation with, and participation of, the various Palestinian interest groups.

The proposed activity is likely to have transboundary effects. I would therefore ask you to consult with the Palestinian experts in drawing up a plan for involving neighbouring countries in the environmental impact assessment process through consultations and the exchange of information, and to submit this plan to the Ministry of Foreign Affairs.

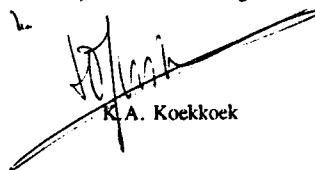
Ministry of Foreign Affairs

The Hague

At the meeting on 28 October 1994, it was agreed that the working group would examine as soon as possible what new information was absolutely essential for the drafting of the EIS. As soon as this information is available, would you kindly organise a meeting at the Ministry of Foreign Affairs for all the agencies involved to discuss ways of coordinating the necessary studies with the EIA process.

With reference to the EIA agreement between DGIS and the Commission, I would appreciate receiving proposals concerning membership of the working group and the budget for the aforementioned advisory report.

THE MINISTER FOR DEVELOPMENT COOPERATION  
For the Minister  
Head, Environment Programme

  
K.A. Koekkoek

**APPENDIX 2**

**Notification of Intent**

**GAZA PORT ENVIRONMENTAL IMPACT  
ASSESSMENT**

**Notification of Intent**

# GAZA PORT ENVIRONMENTAL IMPACT ASSESSMENT

## 1. INTRODUCTION

The Palestinian National Authority (PNA) intends to realize a port in the Gaza strip in order to support economic development of the Gaza strip and the West Bank. The initiative is rooted in longly felt needs of the Palestinian people as expressed in the 'Declaration of Principles' (D-OP). The DOP, that was signed on 13 September 1994, foresees establishment of a Gaza Sea Port Authority (Article VII DOP).

The Government of the Netherlands recognizes the need for establishment of a sea port and warrants funding of the port for 40 million Netherlands guilders if additional funding is assured by the PNA. Netherlands funding will be provided via the ORET Programme of the Netherlands Government (Export Transactions relevant for Development).

The PNA is the competent authority in the Gaza. The PNA decides where the sea port will be located, what will be its capacity, how its development will be phased and how the sea port will affect physical planning of the Palestinian territory.

The Netherlands government is the competent authority with regard to agreement of the ORET funding of the project. Port construction is an activity that, according to OECD standards (Organisation for Economic Co-operation and Development) and international loan agreement conditions, is subject to Environmental Impact Assessment (EIA). Objective of the EIA in support of Gaza Sea Port is to provide both competent authorities with relevant information on the environmental effects of the activity so that well-informed decisions can be made.

An additional objective of the EIA for Gaza Sea Port is to familiarize the PNA and the relevant Palestinian Institutions with EIA and to assist in building capacity to produce and review Environmental Impact Statements (EIS), the product of the EIA-procedure.

The Directorate General for International Cooperation of the Netherlands Ministry of Foreign Affairs, as initiator of the EIA-procedure and as competent authority for ORET funding, has asked the Netherlands Commission for the EIA to advise on Terms of Reference for the EIS. Preparatory talks on the EIA procedure were held between the Commissions and Dr. Nabeel Shaath, minister of planning and international cooperation of the PNA, on January 6<sup>th</sup> 1995. A working group of the Commission, composed of four Dutch experts, a chairman and a technical secretary, will visit Gaza from 10 to 17 February. Purpose of this visit is to gather site relevant information related to the project in order to enable formulation of project and site specific terms of reference for the EIS. The working group will accomplish its activities in close contact with the Palestinian Authorities, particularly the Environmental Planning Directorate (EPD). The Terms of Reference for the EIS will be published by the end of February.

In the implementation of the EIA procedure the 'Netherlands Representative's Office' in Jericho will play a facilitating and mediating role.

This 'Notification of Intent' marks the start of the EIA-procedure that will support the decisions about the financing, the design and the implementation of the Gaza Sea Port project.

## 2. PHASING AND TIME SCHEDULE OF THE EIS-PROCEDURE

The decisions on the Gaza Port project will be taken in a complex and dynamic diplomatic context. If the information contained in the EIS is to play its presumed role in the decision making process, the EIS will be completed as soon as possible. The influence of the EIS on the decisions will directly depend on the timing of its completion. Particularly the location-related parts of the EIS should be available as soon as possible. Therefore these parts will be formulated first and directly following the publication of the ToR. Swift availability of summaries of policy intentions with regard to the fields of physical planning, fisheries, tourism and industrial development (as agreed upon during the 6 January talks) will speed up realisation of this part of the EIS. The Commission for the EIA is prepared to phase the review of the EIS according to its completion in phases.

## 3. INSTITUTIONAL SETTING AND PUBLIC INVOLVEMENT

The Gaza Sea Port project will be realized under the responsibility of the Palestinian Ministry of International Cooperation and Planning (MPIC). The Palestinian Environmental Planning Directorate (EPD) is responsible for environmental guidance of the project. Realisation of the Gaza Sea Port will greatly affect the physical structure of the Gaza strip and eventually the physical structure of the hinterland. Therefore careful physical planning is envisaged. The Palestinian Economic Council for Development and Reconstruction (PEGDAR) is responsible for the physical planning aspects. Port management will be assured by the Gaza Sea Port Authority (and its executive agency). Detailed institutional information will be given in the EIS.

The interests of many categories of people and professional groups may be affected by the realisation of Gaza Sea Port. It is foreseen that stakeholders in the project are consulted in the EIA procedure. The working group and its individual members will have free access to any individual person and any professional group in seclusion in order to collect relevant information. Interviews are scheduled during the site visit in February 1995. For economical and political reasons no reference will be made during these interviews to any possible location for the port.

## 4. THE PROBLEM AND THE PROPOSED SOLUTION

### The rationale

Many rather severe problems are encountered in the Gaza strip. As a consequence of the permanent presence of refugee camps the strip is densely populated. Local resources cannot sustain the present population. Traffic is under control of Israel. Economic activity is declining as a result of frequent closure of the borders with Israel. Underemployment is overwhelming as many workers are not allowed to work in Israel any longer. Immediate and massive creation of jobs is essential for successful continuation of the peace process. Jobs will give the population confidence and faith in the future. For job-creation the PNA prefers to rely on local investment. Optimal conditions will be created to attract these local investments. A well-functioning infrastructure is one of these conditions. The Gaza port must be considered as investment in the infrastructure. Its functioning will greatly reduce some of the bottlenecks and is a prerequisite for economic development.

Therefore realisation of this port is proposed. Its construction will be a tangible sign that efforts are undertaken to improve the fate of the Palestinians. Within the PNA realisation of the Sea Port has the highest priority.

#### **The peace-process**

The future chances for socio-economic development of the Gaza Strip and the West Bank will in essence be determined by the outcome of the dynamic peace-process. This implicates that at this very moment by no means a reliable impression can be given of future economic activity nor of territorial limits of the Palestinian Nation.

The location, the capacity, the design and the development phasing of the Gaza Sea Port is closely related to requirements as defined by the socio-economic development of the Gaza Strip and the West Bank (industry, trade and fisheries) and by policy intentions with regard to development of beach-tourism and recreation.

In order to enable an approach as realistic as possible a limited number of development scenarios related to various conceivable results of peace negotiations will be formulated.

### **5. LOCATION OF THE PROJECT AND REACH OF ENVIRONMENTAL EFFECTS**

The Gaza port will be realized in the Gaza strip. In principle in the EIS no limitations are observed with regard to the exact location within the Gaza strip. The reach of the environmental effects is related to the location where the port will be established. The port will probably have direct transboundary effects especially in Israel (coastal erosion and possibly water pollution). No direct transboundary effects seem likely to occur in Egypt. Indirect effects concern port induced developments in industry, agriculture, fisheries, transport, energy and infrastructure. They will cover part of the territory of the Gaza strip and may reach the territories of Israel and Egypt.

### **6. ALTERNATIVES AND VARIANTS**

#### **Alternatives**

The distinct development-scenarios will be elaborated in their consequences for the selection of the location of the sea port, its capacity and its development phasing. In the EIA-procedure these scenarios will be considered as alternatives. Within each development scenario port capacity forecasts (and its development in time) for fisheries, tourism and traffic will vary widely. Therefore for each of these sectors highly flexible port design, facilitating extension from minimal capacity to a capacity observed as maximum by the Palestinian Authority, will be presented in the EIS. This maximum capacity corresponds with the maximum forecasts of a study made by the Dutch Consultant Gabrowsky & Poort. Each alternative will be able to accommodate the full range between minimum and maximum capacities.

In conclusion three phases can be distinguished in the EIA:

- Definition of peace-process scenario's and related development scenarios. (To be completed in the phase of formulation of the terms of reference).
- EIA for site selection.
- EIA for lay out, design, construction and exploitation of the port.

Besides the alternatives already mentioned, the 'alternative most friendly to the environment' and the 'no action' alternative will be elaborated in the EIS. The 'alternative most friendly to the environment' combines the most favourable location for the port from an environmental point of view with the lay out, the design, the construction and the way of exploitation that has the least negative environmental effects. The 'no action alternative' will describe the situation in which no port will be realized and the Gaza strip will develop autonomously. This alternative is meant to serve as reference situation and enables comparison of environmental effects of the various alternatives.

#### **Variants**

Variants for each alternative may be found in more environmentally sound lay-outs, in infrastructural links with the hinterland, in use of construction materials, in dredging and construction methods and in coastal protection and by-pass systems, in garbage-, sewage-, run-off- and oil waste treatment and processing systems and in disaster management.

## **7. EXPECTED ENVIRONMENTAL EFFECTS**

#### **Direct effects**

During the construction phase the port will temporarily cause turbidity in the dredging and sand mining zones. Construction works will have an impact on coastal morphology. It will cause hindrance by noise and vibrations. The port will occupy a portion of land, that will no longer be available for tourism or other functions. Archaeological sites may be damaged or destroyed. The possible impact on the geo-hydrological situation will be assessed as well.

In its exploitation phase the port will cause sand sedimentation on its south-side and coastal erosion to the north. These effects may be annihilated by a good functioning by-pass system, but any system will heavily depend on adequately functioning institutions. Off-shore sand mining may influence wave characteristics and cause coastal erosion. Construction materials and vessels may emit harmful substances (e.g. anti fouling). The port will lay a claim on water reserves, sewage-, garbage- and waste oil treatment capacity. Proper (environmentally sound) management will heavily depend on compliance with relevant standards and regulations and will be dependent on well trained, well equipped and adequately functioning institutions. Pollution may occur if regulation enforcement is deficient. Disasters and spills may happen and cause severe environmental, health and security effects.

Air pollution will occur from cargo handling equipment, evaporation of hydrocarbons and other shipped substances after spills and via air releases.

The port will cause noise and, depending on materials shipped, dust. Moreover the port may generate considerable quantities of drifting garbage from packaging materials. The degree to which these emissions cause hindrance is related to the location of the port.

#### **Induced effects**

Presence of the port will induce development of the infrastructure, construction of tank farms and warehouses, establishment of industrial and tourist activities. All the induced activities will occupy land and will all have their own environmental effects, which together will certainly exceed the direct environmental effects of the port.



## 8. CAPACITY BUILDING

An important objective of the Gaza Port Environmental Impact Assessment is to enable the Palestinian Authorities to gain experience with environmental impact assessment practice. The prevailing project is of great complexity and offers the opportunity of integral planning. Therefore, during the site visit in February, the working group will constantly be in contact with the MPIC and principally with the EPD. Workshops with other sectors of the PNA (physical planning, tourism, agriculture and fisheries and industrial development) will be organised. In order to enable capacity building in EIS-drafting in the Palestinian consultancy world, it will be strongly recommended to the Netherlands Government (DGIS) that the EIS be written by an experienced Dutch consultant in close cooperation with a Palestinian consultant.

Done at Gaza on 12 February 1995,

The Minister of Planning and International Cooperation

  
**Palestinian Authority**  
Ministry of Planning And  
International Cooperation  
General Cabinet

## **APPENDIX 3**

### **Project information**

**Proposed Activity:** The Palestinian Authority (PA) intends to realize a sea port in the Gaza Strip in order to support economic development of the Gaza Strip and West Bank. The 'Declaration Of Principles' (DOP), that was signed on 13 September 1994, foresees establishment of a Gaza Sea Port Authority (Article VII DOP). The approximate location of the port has been decided prior to this Environmental Impact Assessment (EIA). The EIA concerns the exact location, the capacity, the lay out and design, operation and management and induced developments.

**Categories:** DAC/CRS 71210

**Project numbers:** DGIS: MER/94/013, Cie m.e.r.: 015

**Progress:** Terms of Reference published: 1 March 1995

**Composition of the working group of the Commission for EIA:**

mr E.W. Bijker

mrs M.J. van Maren

mr R. Paul

mr A.S. Ramsundersingh

mr D. de Zeeuw (chairman)

**Technical secretary:** mr R.A.M. Post.

# APPENDIX 4

## Port Lay out (Basic Engineering Study final report, part 10, September 1994)

