

**Guidelines for Public Participation
in the Procedure of
Providing an Environmental Impact Assessment Report**

Introduction

The Office of Natural Resources and Environmental Policy and Planning (ONEP) published this set of Guidelines for Public Participation in the Procedure of Providing an Environmental Impact Assessment Report, by studying information from guidelines for public participation and social impact assessment, which ONEP and the Policy Study Institute jointly studied since B.E. 2539. Later, ONEP and the World Bank developed Guidelines for Public Participation and Social Assessment of Environmental Impacts in Environmental Impacts Analysis in B.E. 2549 to comply with Constitution of the Kingdom of Thailand B.E. 2550 and the Prime Minister Office's Regulation on Public Consultations B.E. 2548.

In preparing these Guidelines for Public Participation in the Procedure of Providing an Environmental Impact Assessment Report, ONEP has undertaken this task pursuant to its obligations specified in Constitution of the Kingdom of Thailand B.E. 2560 and the Enhancement and Conservation of National Environmental Quality Act (No. 2) B.E. 2561 which has provisions on public participation in environmental impact assessment and public consultations to hear opinions of relevant stakeholders, people and communities. These Guidelines are provided to be used in preparing an environmental impact assessment report. ONEP has distributed them to different agencies, project owners, report providers, qualified people with expertise in social aspects, and the general public, so that they have knowledge and understandings and can proceed with public participation activities in the same direction.

Office of Natural Resources and Environmental Policy
and Planning
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Abbreviations

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| IEE | Initial Environmental Examination Report |
| EIA | Environmental Impact Assessment Report |
| EHIA | Environmental Impact Assessment Report for the Project, Undertaking, or Operation that May Seriously Impact Natural Resources, Environmental Quality, Health, Sanitation, Life Quality of People in a Community (Environmental and Health Impact Assessment) |
| NEB | National Environmental Board |
| ECEIA | Expert Committee to Consider Environmental Impact Assessment Reports |
| ONEP | Office of Natural Resources and Environmental Policy and Planning |

Chapter 1

Environmental Impact Assessment

Environmental impact assessment is a tool to forecast both direct and indirect impacts that may occur due to an operation of the project, in order to stipulate environmental impact prevention and correction measures and environmental impact monitoring measures. In the process of providing an environmental impact assessment report, there are relevant people in providing a report from many sectors. Chapter 1 will explain the definition and benefits of environmental impact assessment, classifications of environmental impact assessment, and a procedure in environmental impact assessment and roles of relevant people.

1.1 Definition and Benefits of Environmental Impact Assessment

The Enhancement and Conservation of National Environmental Quality Act (No. 2) B.E. 2561 provides the definition of “environmental impact assessment” which means procedure for studying and assessing impacts that may occur due to carrying on any project, undertaking, or operation of the State or which the State will give permission to operate, that may directly or indirectly impact natural resources, environmental quality, health, sanitation, life quality, or other interests of people or communities by going through the process of public participation, in order to determine measures to prevent and rectify such impacts. Results of the study shall be called an “environmental impact assessment report.”

Benefits of environmental impact assessment are as follows:

1. It is a tool to assist in considering whether a project to be operated may damage environmental quality and in what level, and if there is an impact on environmental quality, the project developer must have proper environmental impact prevention and correction measures and environmental impact monitoring measures before proceeding with the project.

2. It is a tool to be used in forecasting important environmental problems which may occur under an academic principle so that prevention and resolution can be arranged at preparation step of the project, including guidelines in determining a plan to monitor different impacts that will happen after the construction and operation.

3. It is information that supports decisions to invest and develop the project, preparation of plans, financial plans for environmental management, as well as information to support decisions in the process of authorization/permission of an agency that has the legal power.

4. The study outcome can be used as information to the public and relevant agencies to build knowledge and understandings and reduce conflict of resource utilization that can possibly happen.

1.2 Classifications of Environmental Impact Assessment

Determining which project, undertaking, or operation must be provided an environmental impact assessment report will be required under with the Ministry of Natural Resources and Environment’s notification issued under Section 48 of the Enhancement and Conservation of National Environmental Quality Act (No. 2) B.E. 2561. At present, there are three following types of environmental impact assessment reports:

1. initial environmental examination (IEE);
2. environmental impact assessment (EIA);
3. environmental impact assessment report for the project, undertaking, or operation that may seriously impact natural resources, environmental quality, health,

sanitation, life quality of people in a community, or in short, environmental and health impact assessment (EHIA).

Furthermore, there are the Cabinet's Resolution on Additional Preserved Forests (dated 13 September B.E. 2537) and a working mechanism on environmental impact analysis of different projects in accordance with the Cabinet's resolution on 26 April B.E. 2554, as well as the areas announced as environmentally protected ones under the Notification of the Ministry of National Resources and Environment on Determining Areas and Environmental Protection Measures which identifies types and sizes of the project or undertaking that is required to provide an environmental impact assessment report and initial environmental examination.

1.3 Procedure in Environmental Impact Assessment and Roles of Relevant People

The procedure in environmental impact assessment consists of three main steps, namely, studying and preparing the environmental impact assessment report, considering the environmental impact assessment report, and operation and monitoring. There will be relevant people taking roles in each step as follows:

| Steps | Relevant Person | Roles |
|---|--|--|
| Studying and preparing the environmental impact assessment report | Project owner | <ul style="list-style-type: none"> - to prepare project information for studying and providing an environmental impact assessment report. The provider of environmental impact assessment report granted permission will be the report provider. In this step, the project owner must plan an operation in advance from the beginning of the project because studying and providing of an environmental impact assessment report must take time to study depending on type of the project and environmental impacts that may happen; - to oversee and jointly work with the report provider in assessing impacts as well as determining environmental impact prevention and correction measures and environmental impact monitoring measures which are an important part that the project owner must implement after the report is approved. |
| | Report provider | <ul style="list-style-type: none"> - to coordinate with the project owner in order to receive project information in preparing the environmental impact assessment report and must specify scope of study, analyze detail information and environmental status of the project, assess different aspects of environmental impacts that may happen as well as propose environmental impact prevention and correction measures and environmental impact monitoring measures; - must provide information in relation to the project and impacts that may happen, and consult opinions and concerns of relevant people with the project owner to be used in the consideration of providing the report. |
| | People/Private sectors/Other government agencies | <ul style="list-style-type: none"> - to provide information regarding current situation and problem status in the areas, complaints, conflict issues on the projects (if any); - to provide information regarding natural resource and environment that has values in the area and other |

| Steps | Relevant Person | Roles |
|------------------------|---|---|
| | | important information, including opinions, concerns to environmental impacts of the project. |
| | Media | - to distribute news and information related to the project. |
| | ONEP | - to consider granting permission to provider of an environmental impact assessment report; - to prepare guidelines for relevant environmental impact assessment as well as provide advice to the project owner or report provider on providing the environmental impact assessment report. |
| Considering the report | Project owner | - to submit the report to ONEP for consideration under the procedure; - to give cooperation during inspection of project location - to jointly participate in explaining and giving information regarding operation of the project to ECEIA during the consideration process. |
| | Report provider | - to jointly participate in explaining about information submitted to ECEIA with the project owner. |
| | ONEP | - to examine the report and consider to submit initial opinions on the environmental impact assessment report as the secretariat to the ECEIA following the procedure and time period as required by law. |
| | Expert committee to consider the environmental impact assessment report (ECEIA) | - persons to give opinions on the environmental impact assessment report as well as have a power to order the report provider or project own to amend or provide anew the report according to guidelines, detail issues, or topics as required; - to inspect the place that is a location of the project submitted in the environmental impact assessment report or assign the secretariat to act on its behalf; - in case where the affected person or relevant people submits opinions during the ECEIA's consideration, ECEIA may use those opinions in its consideration. |
| | Agency granting authorization/permission | - a component in ECEIA; - to jointly consider the report as well as provide information and relevant laws and regulations to ECEIA |
| | National Environmental Board (NEB) | - in case where the project, undertaking, or operation of the state agency or which the state agency and a private sector jointly operate, for which requires the Cabinet's approval, the report will be submitted to NEB who will provide opinions for the Cabinet's consideration. |
| | Operation and monitoring | Project owner |

| Steps | Relevant Person | Roles |
|-------|--|--|
| | People/Private sectors/Media | - should participate in the monitoring process and provide opinions or surveil the project's environmental impacts |
| | Agency granting authorization/permission | - to oversee and supervise the project to proceed according to the environmental impact prevention and correction measures and environmental impact monitoring measures, which are conditions for granting permission. - to receive and gather implementation reports of measures and send them to the Provincial Office of Natural Resources and Environment in that area or to ONEP for the projects located in Bangkok within 60 days from the date of receipt of the report. - to bring the implementation report of measures to be considered in the consideration process of permission and/or renewing a license. |
| | ONEP | - to gather the implementation report of measures from the Provincial Office of Natural Resources and Environment and the agency providing authorization/permission and provide a report with recommendations and opinions to the NEB at least once a year. |

Note: Providing an environmental impact assessment report must be done in accordance with the Enhancement and Conservation of National Environmental Quality Act (No. 2) B.E. 2561.

Chapter 2

Public Participation Principles

Public participation in environmental impact assessment is a procedure to which the report provider and relevant persons will have to give importance. Arranging a process in public participation must be proceeded by persons having knowledge, understandings, and experiences in public participation. Basic conditions for public participation are independence, equality, capability, and public mind. Chapter 2 will refer to definition of public participation and important principles of public participation.

2.1 Definition of Public Participation

“**Public participation**” means the process that people or stakeholders have an opportunity to express their viewpoints, exchange information, and show opinions in order to find alternatives and to make different proper decisions on a project. All sides therefore should participate in this process from the beginning in order to build their understandings and recognition, learning, joint adjustment of the project, which will benefit all sides.¹

“**Public participation in environmental impact assessment**” means the process that is provided in an environmental impact assessment of the project with objectives for people, non-governmental organisations, as well as different agencies that are affected by the project, to be able to participate in information presentations, counterarguments, or recommendations related to environmental impact assessment of the project which is a two-way communication.

2.2 Important Principles of Public Participation

Public participation principles are sensitive matters to be proceeded by persons having knowledge, understandings, and experiences in working with communities and understanding rules and guidelines in managing successful and meaningful public participation. Otherwise, it is possible to inaccurately assess the situation which may cause unexpected problems. Public participation must be planned step-by-step with the problems assessed and operation method adjusted in each step to suit the situation

In order to achieve a successful public participation, operation shall be correctly undertaken with principles, i.e. planning a process aiming for accurate and appropriate public participation, specifying groups of people being impacted and other stakeholders, and providing special interest to specifically vulnerable groups.²

Successful participation must emphasize significance of two parts³ as follows:

1. Basic principles of managing public participation comprise the 4S principles:

1.1 Starting Early: Public participation has to start at the very beginning with giving information, incentivize people to have opinions, and holding public consultations before making decisions. Bringing people to participate in the process from the beginning will allow people to have time to think of alternatives or guidelines for solving the community’s problems more appropriately and information can be used to develop the project.

1.2 Stakeholders: Another important principle of public participation is allowing a broad range of people to participate. People impacted or all the people with interests, both direct and indirect ones, have to have an opportunity to come into the public

¹ Office of Natural Resources and Environmental Policy and Planning, B.E. 2548.

² Mekong River Region Development Partnership for the Environment, B.E. 2559.

³ Public Administration Master Degree Foundation, Thammasat University, B.E. 2546.

participation process. However, those groups directly affected may be considered to receive information or be consulted early.

1.3 Sincerity: Public participation is a sensitive process and a relationship among responsible people. Arranging public participation is considered a dimension that is important in successful participation management. The project owner agencies or persons with authorizing power must provide for a process with sincerity, openness, honesty, without partiality; and Two-way communication is important, especially in providing accurate and sufficient information, responsiveness to curiosity of stakeholders as well as continuous reports of progress or changes of the project.

1.4 Suitability: Choosing appropriate techniques or formats of public participation with consideration of types and sizes of the project, diversity and nature of different areas and stakeholders, including cultural, social, and value differences, the community's levels of interest in the topics or the project, capability and readiness, as well as limitations of responsible people in arranging for public participation.

2. Public participation needs planning which contains three following steps:

2.1 Preparation: Specify a team or responsible people, examine situation related to responsible people in making their decisions, such as relevant regulations, time periods of activities held, and budgets. Assessments of public situation are not less important, such as determine level of interest of the public or community in the issues needing a decision.

2.2 Planning: Bring different information from preparation to be analyzed for arranging a public participation plan, determining stakeholders and analyzing significance of different groups of stakeholders, as well as bring information to prepare a public participation plan so as to build clarity and cooperative coordination.

2.3 Bringing things into Practice: is implementation of the plan which has to cover each activity of public participation, such as places to hold public hearings, documents for public hearings, e.g. agenda of the program, speakers.

Furthermore, in managing public participation, there should be preparation and planning of providing information and consulting the communities systemically and continuously. The process has to be consistent with economic, social, political, and cultural contexts for participants in consultations. Consultation facilitators should take into account the following key components:

1. Disclosure of project-related information: with disclosure of complete information and news on the project, including both benefits to be received and negative impacts to stakeholders and the public. Information that the project owner must provide for people consists of:

- 1.1 reasons, necessities and purpose of the project;
- 1.2 important substance of the project/output and outcome of the project;
- 1.3 operator;
- 1.4 location of operation;
- 1.5 procedure and period of operation;
- 1.6 positive impacts or benefits each group of stakeholders will obtain;
- 1.7 negative impacts to the environment and people, as well as environmental impact prevention and correction measures and compensation to remedy injuries and damages that may occur due to those impacts;
- 1.8 resource of funding (in case of the state's project)

The project owner must post this information in public at announcement boards of local government organisations, location of project operation, and relevant communities.

The projects that are required to provide an environmental impact assessment report in accordance with the Ministry of Natural Resources and Environment's Notification

are exempted from obligations under the Prime Minister Office's Regulation on Public Consultations B.E. 2548.⁴

2. Time periods of information disclosure: In providing information, it must be ensured that people, especially stakeholders, receive information in advance so that they have sufficient time to be able to understand substances, raise relevant questions, as well as give useful advice on the project. Providing initial information of the project must be given at the time of project design. Moreover, the project owner has to prepare a plan in giving information and consulting stakeholders. This operation plan should be announced to people to take note of methodology of providing information and consulting opinions, time periods, places, as well as sufficient and appropriate detail and consultations for people to be able to access information and involve in participation in provide opinions in different issues within the periods specified.

3. Transparency of providing information to stakeholders: Aspects to be taken into account are: competence of stakeholders in having an access to the project information, understanding details of the project, being able to assess different alternatives as well as explaining concerns and opinions independently without fear or use of force. Therefore, different information, especially technical one, should be screened and simple language is to be used to help with understandings of participants at the meetings so that they are able to consult different issues on the project and its impacts. Consultation methodology must include and be consistent with the context of that locality. Documents and language used should be adjusted to suit participants from all walks of life, especially when people affected are from groups of original or tribal communities.

The project owner must completely record consultations in different issues and summarize conclusion of public consultations and publish it to be available to people after the last day of public consultations.

⁴ Public Service Center, Permanent Secretary Office of the Prime Minister Office, B.E. 2548

Chapter 3

Guidelines for Public Participation in the Procedure of Providing an Environmental Impact Assessment Report

In the process of preparing an environmental impact assessment report, there are many groups of stakeholders. One important key issue in public participation work is classifying stakeholders and having to arrange public consultations to reach as many stakeholders as possible. Chapter 3 will discuss relevant people in the environmental impact assessment, operation in public participation, classifications of stakeholders, rules in public participation management, techniques of public participation, and information presentation in public participation.

3.1 Relevant People in Environmental Impact Assessment

From the process of environmental impact assessment and roles of relevant people in each step, relevant people can be classified into seven groups:

1. People affected:

“disadvantaged group” is a group being negatively affected by the project directly and indirectly;

“advantaged group” is a group being positively affected by the project directly and indirectly.

2. People responsible for providing an environmental impact assessment report:

- a project owner here may mean a state agency/state-owned enterprises or private sector who proceeds with the project, including joint investment between the state and private sector;

- a provider of an environmental impact assessment report granted permission by law.

The project owner and the report provider will jointly operate in every step in environmental impact assessment.

3. People having duties in considering an environmental impact assessment report:

- ONEP as the secretariat to the ECEIA or the state agency assigned by the NEB to act on its behalf;

- ECEIA and/or NEB;

- Persons with duties in deciding to authorize/grant permission to the project, such as the Cabinet, minister, and state agency or official with a legal power to grant permission.

4. Government agencies at different levels: in the central, regional, and local administrations, such as Royal Irrigation Department, Royal Forest Department, Department of National Parks, Wildlife and Plant Conservation, local administrations, provincial public health office, regional environmental offices, and provincial offices of natural resources and environment.

5. Private environmental protection entities, private sector development organizations, educational institutions, and independent academicians:

- private environmental protection entities that are registered with the Department of Environmental Quality Promotion or community entities interested in and work for environment or private sector development organization or different organizational groups in the areas or entering to utilize the area;

- educational institutions at a university level in the study area or nearby;

- independent academicians including qualified people with specific expertise;

- academicians in different fields.

6. Media: both at the levels of local and central administrations, with the roles in presenting information and news on the project, impacts of the project, and progress in preparing the environmental impact assessment report.

7. General public: who are interested in and desire to join participation.

3.2 Operation in Public Participation and Classifications of Stakeholders

Operation in public participation must be undertaken by experts who have experiences in public participation. Activities to be organized in public participation are as follows:

1. classifying topics regarding social aspects and public participation;
2. classifying stakeholders;
3. preparing a plan for public participation, scope of participation, and activities to be undertaken with stakeholders;
4. providing information to the public;
5. organizing consultations by jointly coordinate with groups of stakeholders throughout the whole process;
6. making a plan to monitor participation.

One important principle in operating public participation is analyzing and classifying stakeholders because it is a tool to identify main stakeholders. Analysis of stakeholders will bring about important information with regard to people affected by the project, both directly and indirectly. Operators of the project therefore must allow for stakeholders to participate in order to establish understandings and to receive the information to benefit planning participation for the project.⁵

Stakeholder classification should firmly attach to integration of the maximum number of relevant people possible and must consider the relationships of each stakeholder group. However, in order to be consistent with the Thai society context, stakeholder groups may be classified into more than seven groups or in some areas, there may not contain some particular groups. Operators for public participation must make a proper consideration to suit the project and situation.

3.3 Rules in Organizing Public Participation in the Process of Providing an Environmental Impact Assessment Report

According to public participation principles mentioned above, public participation will have the nature of “process,” and not that a one-time public consultation event can be a success for every case. However, it is necessary to identify a minimum threshold as a guideline for relevant people to follow. In an actual practice, it may be necessary to operate more than the minimum threshold. The key is to take into account maximum participation from the people and important principle of managing a meaningful and efficient participation. In organizing a process of public consultations for people and stakeholders, there must be qualified people with expertise in public participation as follows:

3.3.1 Projects required IEE:

1. Persons responsible for providing the report must enter area of the project before public consultations (preparation process) with the purpose of making the communities ready by giving information about the project to people, coordinate with and provide information for community leaders and agencies.

⁵ Office of the Public Sector Development Commission, B.E. 2560

2. During report preparation, persons responsible for providing the report must open an opportunity for people in the area and relevant agencies to provide opinions on issues of their concerns at least once and must record the results from that public consultation in the report and use them when considering to identify environmental impact prevention and correction measures and environmental impact monitoring measures. The information must be available to the public.

3.3.2 Projects required EIA:

1. Persons responsible for providing the report must enter area of the project before public consultations (preparation process) with the purpose of:

1.1 making the communities ready by giving information to people (public information) on the issues: detail of the project and rules in public consultations of the project with an emphasis on communication in a format in which people can easily understand, such as providing infographics, short video clips, brochures, and publicity board, in order to receive complete and sufficient information for expressing opinion;

1.2 analyzing stakeholders in order to identify a format of public participation that is appropriate for each group of stakeholders (stakeholder engagement);

1.3 consulting dates, times, places and formats of public consultations that are appropriate to the context of the area.

2. Persons responsible for providing the report must proceed to organize a process of public consultations at least twice with the following details:

2.1 First public consultation: is to receive opinions on draft proposal of the project, detail of the project, scope of the study, and assessment of project alternatives with the purpose of providing information to people and relevant agencies regarding detail of the project to be operated and direct and indirect impacts that may occur, as well as scope of the study and assessment of project alternatives. Opinions and recommendations from the public consultation are to be used to improve the study and provision of the report.

2.2 Second public consultation: is to receive opinions on preparing draft report as well as environmental impact prevention and correction measures and environmental impact monitoring measures with the purpose of making people confident in the report and measures. Opinions and recommendations from the public consultation must be used to improve the report and measures and must be attached as part of the report. For large and complicated projects, it may need to hold a broad range of public consultation and may consider utilize other appropriate participation techniques.

In giving information of the project to stakeholders, persons responsible for providing the report, must having relevant document available in public places, as well as may publish on websites so that people can get access to them more conveniently and quickly.

3.3.3 Projects required EHIA:

1. Persons responsible for providing the report must enter area of the project before public consultations (preparation process) with the purpose of:

1.1 making the communities ready by giving information to people (public information) on the issues: detail of the project and rules in public consultations of the project with an emphasis on communication in a format in which people can easily understand, such as providing infographics, short video clips, brochures, and publicity board, in order to receive complete and sufficient information for expressing opinion;

1.2 analyzing stakeholders in order to identify a format of public participation that is appropriate for each group of stakeholders (stakeholder engagement);

1.3 consulting dates, times, places and formats of public consultations that are appropriate to the context of the area.

2. Persons responsible for providing the report must proceed to organize a process of public consultations at least three times with the following details:

2.1 First public consultation: is to organize a public consultation forum in order to identify scope and guidelines for environmental impact assessment, as well as detail of the project and assessment of project alternatives so that people, stakeholders, and relevant agencies have a chance to participate in presenting issues of their concerns and guidelines for environmental impact assessment. This has the purpose of providing information to people and relevant agencies regarding detail of the project to be operated and assessment of alternatives; direct and indirect impacts that may occur; scope of the study; assessment of project alternatives as well as of bringing opinions and recommendations from the public consultation to be used in studying and providing the report completely. Organizing the first public consultation must follow the rules and procedure below:

1) must inform stakeholders no less than 30 days before the date of public consultation by notifying through communication channels of no less than three channels so that a wide range of interested stakeholders can prepare themselves to participate;

2) must disclose the project documents to stakeholders no less than 15 days before the date of public consultation by indicating background, necessities, process, and guidelines for proceeding with the project, including presenting initial information regarding factors that may impact environment, draft proposal of scope, guidelines for environmental impact assessment in order for stakeholders and people to consider through no less than three channels of communication. Those channels should be the same as those used to notify stakeholders about the date of public consultation;

3) provide a registration system for people, stakeholders, and relevant agencies who intend to give opinions on specifying scope and guidelines for environmental impact assessment can register in advance by themselves;

4) organize a process of public consultation with people and stakeholders at a proper time period so that stakeholders and the public get to present their concerns and relevant information as well as propose guidelines for environmental impact assessment according to appropriate time periods. The person responsible for providing the report must take into account all the opinions;

5) after the public consultation held, there must be channels of receiving opinions continuously for no less than 15 days through no less than three channels of communication. Those channels should be the same as those used to notify stakeholders about the date of public consultation;

6) persons responsible for providing the report must summarize opinions of relevant people and the public with explanations and proposal of scope and guidelines for environmental impact assessment to be available to the public and used in the process of providing the environmental impact assessment report.

2.2 Second public consultation: is to receive opinions at the stage of assessing and preparing the report with the purpose of having participation as well as listening to opinions and concerns of target groups from all aspects. Organizing the second public consultation must follow the rules and procedure below:

1) Persons responsible for providing the report must disclose factual information of the project or undertaking for which the report is being prepared containing at least the following information:

1.1) information about types, size, production capacity, size of areas of the project or undertaking, different types of pollution that will happen from operation of the project or undertaking and other significant detail including factors that may be affected;

1.2) time period expected to be able to start operation of the project or undertaking;

1.3) name of the project owner or agency with a legal power to authorize or grant permission, telephone number, and contact address in case of requesting additional information;

1.4) date, time, and place where the public consultation is held to listen to opinions from people and stakeholder;

1.5) signs to demonstrate information under 1.1)-1.4) must be located at a place and have the size that are accessible to a wide range of people and stakeholders.

2) In the public consultation with people and stakeholders, people responsible for providing the report must demonstrate name of the project or undertaking, purposes, objectives, and issues to be surveyed or heard opinions of people and stakeholders. Each issue to be surveyed must be consistent with detail of the project or undertaking.

3) In the public consultation with people and stakeholders, there should be an emphasis on importance of gathering information and studying, understanding ways of life and surrounding environment of the communities in the area which may be environmentally impacted by operation of the project or undertaking.

4) In the public consultation with people and stakeholders, persons responsible for providing the report may use the following methods:

4.1) individual interview;

4.2) expressing opinions through post, facsimile, the information technology system or any other channel;

4.3) opening an opportunity for people and stakeholders to receive information and express their opinions to the government agency responsible for the project;

4.4) conversations with focus groups;

4.5) workshops/seminars;

4.6) meetings/conferences of people who are representing groups of relevant people or stakeholders.

5) When persons responsible for providing the report survey opinions of people and stakeholders, they must summarize the results of such opinion survey both positive and negative one within 15 days from the date of that opinion survey is finished. The report summarizing opinions must be provided in public places, namely, a provincial office of natural resources and environment, district office, local administration office, sub-district chief, village chief, provincial public health office, and governmental health service providers in the area that is location of the project or undertaking or a place where people or stakeholders can access and easily take notice. The report showing summary of opinions must be posted at those places for not less than 15 days.

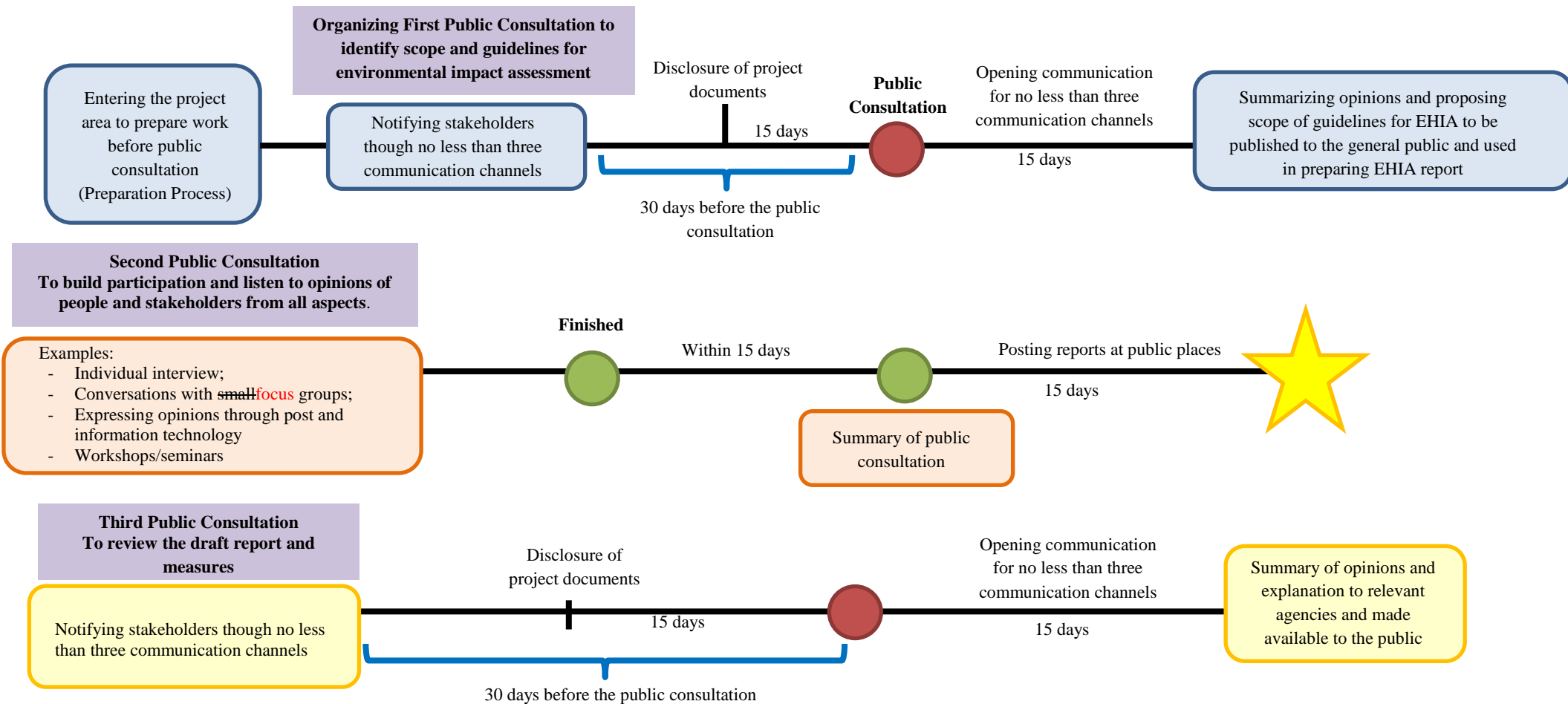
2.3 Third public consultation: is a consultation held to listen to opinions in order to review the draft of the environmental impact assessment report, environmental impact prevention and correction measures and environmental impact monitoring measures, with the purpose of providing a chance to people who are stakeholders and relevant agencies, to examine accuracy and completeness of the draft report, including presentation of information, facts and additional opinions to the report. This is to ensure people's confidence in the draft report and measures. Opinions and recommendations from the public consultation must be used to improve the draft report and measures and must be attached as part of the report. For large and complicated projects, it may need to hold a broad range of

public consultations and may consider utilizing other appropriate participation techniques. Organizing the third public consultation must follow the rules and procedure below:

- 1) must inform stakeholders no less than 30 days before the date of public consultation by notifying through communication channels of no less than three channels so that a wide range of interested stakeholders can prepare themselves to participate;
- 2) must disclose the complete draft report and measures in advance of no less than 15 days before the date of public consultation so that relevant people and stakeholders can consider through communication channels of no less than three channels which should be the same as those used to notify stakeholders about the date of public consultation;
- 3) organize the public consultation to review draft report must choose an appropriate time so that relevant people and the public can express additional information, facts, and opinions to the draft report in an appropriate period. It must take into account all the opinions;
- 4) after the public consultation held, there must be channels of receiving opinions continuously for no less than 15 days through no less than three channels of communication. Those channels should be the same as those used to notify stakeholders about the date of public consultation;
- 5) persons responsible for providing the report must summarize opinions of people and stakeholders along with opinions and explanations from the public consultation to make available to the public.

In providing information of the project to stakeholders, persons responsible for providing the report must provide documents in public places, namely, a provincial office of natural resources and environment, district office, local administration office, sub-district chief, village chief, provincial public health office, and governmental health service providers in the area that is location of the project or undertaking or a place where people or stakeholders can access and easily take notice.

Summary of the process of public consultation for the environmental impact assessment report for the project, undertaking, or operation that may seriously impact natural resources, environmental quality, health, sanitation, life quality of people in a community, or in short, environmental and health impact assessment (EHIA) is as appeared in the flowchart below:



Flowchart showing public consultations for the project required to provide the environmental impact assessment report for the project, undertaking, or operation that may seriously impact natural resources, environmental quality, health, sanitation, life quality of people in a community, or in short, environmental and health impact assessment (EHIA)

Rules in organizing public participation in cases where IEE, EIA, and EHIA reports are required for the project, stipulate the minimum threshold as a guideline for relevant people to proceed, by attaching to the principle of allowing for the maximum participation from people. Organizing a process of public consultations with people and stakeholders must be done by qualified people with expertise in public participation. A summary of arranging public participation as for the cases of the projects required to provide IEE, EIA, and EHIA reports are as follows:

| Report | Number (minimum) | Public Consultation | Purposes |
|--------|------------------|--|--|
| IEE | 1 time | <u>First</u> : during preparing the report | <ul style="list-style-type: none"> - to open an opportunity for people in the area and relevant agencies to give opinions on issues of concerns; and publicize project information to the public; - to bring results of the public consultation to indicate in the report and use them for consideration of environmental impact prevention and correction measures and environmental impact monitoring measures |
| EIA | 2 times | <u>First</u> : to receive opinions on the draft project proposal, detail of the project, scope of the study, and assessment of project alternatives | <ul style="list-style-type: none"> - to publicize information to people and relevant agencies on detail of the project that will be operated and possible direct and indirect impacts, as well as scope of the study and assessment of project alternatives; - to use opinions and recommendations from the public consultation in conducting the study and completely providing the report. |
| | | <u>Second</u> : to receive opinions on providing the draft report and environmental impact prevention and correction measures and environmental impact monitoring measures | <ul style="list-style-type: none"> - to ensure that people are confident with the report and measures. Opinions and recommendations from the public consultation are to be used to improve the report and measures and attached as part of the report. |
| EHIA | 3 times | <u>First</u> : to specify scope and guidelines for environmental impact assessment | <ul style="list-style-type: none"> - to publicize information to people and relevant agencies on detail of the project that will be operated and possible direct and indirect impacts, as well as scope of the study and assessment of alternatives; - to use opinions and recommendations from the public consultation in conducting the study and completely providing the report. |
| | | <u>Second</u> : at the stage of assessing and providing the report | <ul style="list-style-type: none"> - to build participation and to listen to opinions and concerns of target groups from all aspects. |
| | | <u>Third</u> : to review the draft report and measures | <ul style="list-style-type: none"> - stakeholder people and relevant agencies to examine accuracy and completeness of the draft report; |

| | | | |
|--|--|--|---|
| | | | <ul style="list-style-type: none">- to present additional information, facts, and opinions on the report;- Opinions and recommendations from the public consultation are to be used to improve the report and measures and attached as part of the report. |
|--|--|--|---|

Notes: People responsible for providing the report must enter area of the project to make a preparation before the step of public consultations (Preparation Process)

3.4 Techniques in Public Participation

One or more of the following methods of public consultations may be used:

- 1) Surveys of opinions:
 - 1.1) individual interviews;
 - 1.2) opening an opportunity for expressing opinions through post, telephone or facsimile, the information technology system or any other channel;
 - 1.3) opening an opportunity for people to receive information and express their opinions to the state agency responsible for the project;
 - 1.4) conversations with focus groups.
- 2) Consultation meetings/conferences:
 - 2.1) public hearings;
 - 2.2) debate forums;
 - 2.3) information and news exchanges;
 - 2.4) workshops/seminars;
 - 2.5) meetings/references of representatives of group of relevant people and stakeholders.
- 3) Other methods that the Permanent Secretary Office of the Prime Minister Office prescribes

In the past, there have been many agencies gathering different techniques and methods of public participation. Details of operation methods, determining methods for situation, important conditions rendering successful operation, can be studied from the examples of guidelines for adapting techniques in public participation of project management in an overall picture by the Public Administration Master Degree Foundation, Thammasat University B.E. 2546, the detail of which is in the Annex.

3.5 Information Distribution of Public Participation

In providing an environmental impact assessment report, people should be let into the participation process. There should be processes of giving information, public consultations, gathering issues of opinions and concerns of people. The information and opinions are to be used in assessing environmental impacts and used in consideration whether and how the project can respond or resolve the problems on which people have concern as well as proposing environmental impact prevention and correction measures and environmental impact monitoring measures. In presenting information, persons responsible for providing a report must present at least the following details:

1. Scope of areas of study with an emphasis on sensitive areas, such as religious places, schools, government offices, national parks, military camps, embassies, as well as communities along the wind direction, communities where environmental samples are collected, communities with the highest pollution levels;
2. Determine target groups and classification of community groups according to study areas;

3. Determining the number of samples in each community in study areas of the project by expressing formula or calculation method according to social science research methodology and must explain the method of selecting the number of samples to show that all units of people have the opportunity to be part of public participation equally and impartially;

4. Surveying opinions should have at least details consisting of general information of interviewees, household structure (in case of community leaders, there must be information on economic and social structure of the communities) and problem status happening at present.

Persons responsible for providing the report must present all the information of public consultations that have been taken, as well as implementation plan for the future presented in the environmental impact assessment report. Details of work operation, such as techniques, methods, dates, times, places, participants, etc. are to be presented in an annex of an environmental impact assessment report.

Annex
Guidelines for Adapting Techniques in Public Participation of Project Management in an Overall Picture

| Techniques | Steps | | | | | |
|--|--------------------------------|-----------------------------|----------------------------|--|--|--|
| | (1) Beginning of Project | (2) Designing Project | (3) Planning Project | (4) Controlling and Monitoring Results | (5) Assessment and Inspection of Project | (6) Decisions re: future of Project |
| • Public forums | • | | | | | • |
| • Informal meetings | • | | | • | • | • |
| • Working groups on information exchange | • | | • | | • | |
| • Workshops/seminars | • | • | • | • | • | • |
| • Groups of advisors | • | • | • | • | • | • |
| • Individual interviews | • | | | | • | • |
| • Conversations with focus groups | • | • | • | | • | • |
| • Expressing opinions through websites | • | | | | • | • |
| • Surveys of opinions | • | | • | | • | • |
| • Direct line through hotlines | • | | | | • | |
| • Formal consultations (Public hearings) | • | | | | • | • |
| • Information documents | • | | • | | • | • |
| • Newsletters | • | | | • | • | |
| • Study reports | • | • | • | | • | |
| • Videos | • | | • | • | • | |
| • Information center establishment | • | | • | • | • | |
| • Press statements | • | • | | | • | • |
| • Forum to present information | • | | • | • | • | • |
| • Radio station communication | • | | | • | • | • |
| • Academic seminars for the media | • | | • | • | • | |

| | | | | | | |
|--|---|---|---|---|---|---|
| • Community news station | • | | | • | • | |
| • Educational excursions/site visits | • | | | • | • | • |
| • Presentations | • | • | • | • | • | • |
| • Explanation to people in governmental meetings | • | • | • | • | • | • |

Source: adjusted from Manual for Public Participation by the Public Administration Master Degree Foundation, Thammasat University B.E. 2546

Note: Step (6) Decisions regarding future of the project in case of public participation in large projects.

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