



Netherlands Commission for
Environmental Assessment

Advice on a Call for Consultant Proposals for Specific Tasks to be accomplished in the Frame of the Mozambique Coastal Spatial Planning Process / Strategic Environmental Assessment

Memorandum by the NCEA

18 November 2009



Advice of the Secretariat

To Ministry for Coordination of Environmental Affairs (MICOA/DPE), Mozambique

Attn From Mr. Erasmo Nhachungue, Ms. Vilela de Sousa
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Subject Advice on a Call for Consultant Proposals for Specific Tasks to be accomplished in the Frame of the Mozambique Coastal Spatial Planning Process / Strategic Environmental Assessment

By: Secretariat of the Netherlands Commission for Environmental Assessment – with expert input from oil and gas expert

Advice 2009-007

1. INTRODUCTION

Following advisory reports on the approach for the coastal zone planning process in May (19th) and July (14th), MICOA, by telephone, asked NCEA in September 2009 to reformulate MICOA's draft call for proposals and bring it in line with NCEA thinking on the proposed spatial planning process/SEA.

2. APPROACH

In order to formulate advice, NCEA first developed a proposal for an integrated planning / SEA process that fits the MICOA requirement of working in three regions. Subsequently, it deducted from this suggested process that tasks that can be executed by consultants.

3. ADVISORY CALL FOR PROPOSALS

See next pages.

REPÚBLICA DE MOÇAMBIQUE

MINISTÉRIO PARA A COORDENAÇÃO DA ACÇÃO AMBIENTAL

**Projecto de Avaliação Ambiental Estratégica para um plano especial
(orientações) da zona Costeira – Moçambique**

CALL FOR PROPOSALS

**Strategic Environmental Assessment Project for definition of a spatial
framework (orientations) for the Coastal zone – Mozambique**

Terms of Reference

November 2009



Figure 1 Characterization of the coastal zone



Terms of Reference

Strategic Environmental Assessment project for definition of a spatial framework (orientations) for the

Coastal zone of Moçambique

Title:	Strategic Environmental Assessment
Region:	Coastal zone – Moçambique
Period:	30 months
Contracting Authority:	Ministry for the Coordination of Environmental Affairs (MICOA)

Background

Informed decision making related to land use and territorial planning is today one the key issues at the local, regional and national level in the Mozambican development context. Promoting sustainable development requires information on actual natural resource use practices (land, natural resources and marine resources), knowledge on the resilience of ecosystems and the potential of investment in the region.

Around the world, the use of strategic environmental assessment (SEA) is encouraged to assess beforehand the likely impacts (positive and negative) of plan alternatives on the people's livelihoods, their well – being and on the environment and to explicit conflicting interests and choices to be made. A strategic environmental assessment (SEA) will not necessarily substitute the more specific environmental impact assessment studies that must be done for concrete investments but it will enable the various stakeholders (government, investors, civil society and local communities) to look at a investment proposals or conservation interventions from different angles. As an SEA is

not driven by a specific investors agenda or by investment deadlines, it often puts on the discussion agenda important national and international values and norms that are crucial for guiding the decision making process. To secure implementation and to support key decision processes at a multi sectoral level (plans, strategies and policies), the orientations (spatial planning framework) that result form the integrated framework formulation / SEA process, should guide the regional, provincial and district territorial planning process

Practical experience in Mozambique with SEA is still limited, although the CDS ZC and the DNAIA at MICOA have documented a few pilot experiences (Tofo, Heavy Sands and Mavoco). The GOM plan is to strengthen multi-sectoral decision making processes in Mozambique by applying SEA for spatial planning on the entire coastal region. The SEA process should provide solid data and information on:

- Character of the coastal zone (topography, geology, geomorphology, hydrology natural vegetation, soils, land suitability);
- Coastal terrestrial and marine ecosystems;
- Status of physical processes (such as coastal erosion, sedimentation and salinization) and the role that ecological processes play in these physical processes;
- Potential for development of each district and the identification of specific areas for nature conservation and for investment projects;
- The economic structures in place, the distribution of activities per sector involved and the socio-economic stratification of the population.

Studies carried out in the past and investment proposals submitted, indicate that the coastal zone of Mozambique is rich in natural resources and in unique biodiversity. This attracts a series of users and potential clients with often conflicting interest. However, its also known that information on the coastal zone is highly fragmented and essentially focused on specific sector interests.

The purpose of the spatial framework/SEA on the coastal zone is to

1. bridge crucial information gaps;
2. assure harmonized sector and district planning and integrate the environmental component herein;
3. better inform the local population and investors about possible alternatives that support a more sustainable development.

General Objectives

The objective of is to undertake a comprehensive coastal SEA which will :

1. assist the preparation of a strategic spatial framework;
2. propose guidelines for exploration and investment projects along the Mozambican coast;
3. propose guidelines for nature conservation practices along the Mozambican coast;
4. define a capacity development program to manage framework implementation (institution building) and monitor environmental and socio - economic aspects of framework implementation

The coastal AAE should result in an overall integrated coastal spatial plan that minimizes the environmental and socio - economic risks and capitalizes on the potential for rapid socio-economic development of the coastal region of Mozambique.

Expected Results

Expected Result 1: Within a strategic spatial framework, key spatial data and information are readily available and enable authorities and stakeholders to

assess the status of use of natural, coastal and marine resources and environmental risks involved in this use;

Expected Result 2: There is a spatial framework defining per district zones for investments, for exploration and exploitation of natural resources and for nature conservation. Authorities and stakeholders are fully informed about the zones guidelines and apply them when planning district development,

Expected Result 3: There is an agreed upon program to build capacity within the Mozambican sectors and within local governmental institutions in the coastal districts and provinces that guarantees that the spatial framework is applied and that the SEA is a continuous process that guarantees informed decision making and assures sustainable coastal development.

Institutional set up

CONDES assures final decision-making on the spatial framework and on the guidelines for investments.,

A Coordinating Committee composed of Directors of the Sector Ministries involved and an administrators of each province deals with assuring continued government backing for the process, with eventual interim decision-making and with overseeing progress.

Per region, a regional platform, composed of local non government and government stakeholders, including local representatives of the sector ministries will assure the debate leading to development scenario's underlying the spatial framework.

The planning/SEA process is managed by a management team from MICOA/DPA.

The process

An integrated process will be used for the planning and Strategic Environmental Assessment. This process is thoroughly participatory in nature and is designed to secure full and continuous buy-in of government and non-government stakeholders. Annex 1 gives steps of the proposed process and checks the process against OECD guidance for SEA.

For purposes of manageability of the planning and SEA process, the plan area is subdivided in three regions and the process is phased.

Subdividing the plan area

The following regions, each with their set of specific requirements and conditions for the SEA:

- i) Northern region – Rovuma Delta (development in the tourism industry , biodiversity conservation (Querimbas National Park), local and commercial fishery and the ongoing oil and gas research developments (including the Exclusive Economic Zone or till 12 nautical miles).

<u>Northern region</u> – Rovuma Delta	Cabo Delgado and Nampula province
Districts (12) along the coast	Palma, Mocimba da Praia, Macomia, Quissanga, Pemba, Mecúfi, Memba, Nacala, Mossuril, Mogincual, Angoche, Moma
Duration:	08 months
Contracting Authority:	Ministry for the Coordination of Environmental Affairs

ii) Central region - Zambezi delta (on-going oil and gas research developments in wetland area (Sofala) and development in the tourism industry , biodiversity conservation (Bazarute National Park - Inhambane), local and commercial fishery, and the expansion of gas exploration (on and off - shore developments));

<u>Central region</u> - Zambezi delta	Zambezia and Sofala province
Districts (11) along the coast	Pebane, Maganja da Costa, Namacurra, Quelimane, Chinde, Marromeu, Cheringoma, Dondo, Beira, Buzi, Chibabava
Duration:	06 months
Contracting Authority:	Ministry for the Coordination of Environmental Affairs

iii) Southern region - Major tourism industry developments on the coast around and North of Maputo, biodiversity conservation (Maputo Elephant Reserve and Ponto de Ouro marine reserve) and the creation of an industrial parks.

<u>Southern region</u> - Zona de Govuro e Limpopo	Inhambane, Gaza and Maputo province
Districts (15) along the coast	Govuro, Vilanculos, Massinga, Morrumbene, Maxixe, Inhambane, Inharrime, Zavala, Manjacaze, Xai Xai, Bilene, Manhiça, Marracuene, Maputo, Matutuine
Duration:	08 months
Contracting Authority:	Ministry for the Coordination of Environmental Affairs

Phasing the process

The process will include the following phases and steps :

- I. Preparation
 1. Establish an institutional set-up at national level (after stakeholder analysis)
 - a. a management team
 - b. a coordination committee
 2. Develop an operational (inception) plan
 3. An information campaign, informing all potential stakeholders on the intended activity
 4. Discuss scope and expected results

- II. National level analysis
 5. Fact finding and fact documentation (consultant studies)
 6. Defining the sustainability agenda for the coastal region
 7. Defining the planning horizon and planning agenda for the coastal region
 - a. national
 - b. regional
 8. Strategic Impact Assessment on the national planning agenda
 9. Develop scenarios on sustainable development of coastal region in coherence with PARPA
 10. Defining the focal areas (hot spots) for spatial planning (mirroring of potential and ambitions) (per region)
 11. Vision on development of coastal region (national level / main issues)

III Regional / District level analysis

12. Establishing and instructing regional platforms (after stakeholder analysis)
13. Objective analysis of development potential (per region) (repeat steps 4 and 5 with more details)
14. Analysis of the ambitions (per region)
15. Scoping: specifying the development scenarios and scoping their spatial and potential environmental and social consequences (per region)
16. Environmental and Social Impact Assessment, (including reporting –on impacts, mitigation and compensation–) on the scenario’s per region (consultant studies)
17. Validation of the Regional Impact Assessments and designing of the spatial framework alternatives (per region)

IV. Decision making / Implementation management

18. Synthesis of the three regional Impact Assessment into one SEA that assesses the (synthesized) national spatial framework alternatives
19. Institution-centered SEA (assessing institutional capacity for framework implementation)
20. External independent quality assessment of the SEA
21. Decision-making on the spatial framework and publication/divulgateion of the framework
22. Design the capacity development plan for framework implementation, implementation monitoring and SEA application for sector and local government planning
23. Follow through (monitoring, evaluation) on implementing the framework in sector and district planning

The phases and steps indicated have a logical sequence. Some of them, however, can be run simultaneously. Some processes are iterative in nature and impose repetition of process steps.

Funding

To cover the costs of the SEA, the Government of Mozambique has requested various bilateral development partners and private sector operators to contribute.

Work to be entrusted to consultants

Work that will be contracted out to consultants includes:

1. Contract 1: Complementing the team at MICOA/DPE that will manage the process
2. Contract 2: Fact finding and fact documentation
3. Contract 3: Impact Assessment and reporting

The consultant company contracted for contract 1 cannot be the same as the consultant contracted for contracts 2 and 3. NCEA recommends that the consultant contracted for contracts 2 and 3 be the same.

Duration and working order

Contract 1 covers the duration of the entire process. Consultant tasks 2 and 3 have a shorter duration. Fact finding and Impact assessment will be done consecutively for each of the regions. The management team will define the order of this sequence. Process runs for each of the three regions can be overlapping in time. NCEA advises against a fully simultaneous running of the process in all three regions as this would be highly inefficient in terms of using institutional capacity and in terms of using the benefits of the learning curve.

Contract 1: Complementing the management team at MICOA/DPE

Task

The DPE management team manages the spatial framework formulation and SEA process. DPE will provide the team coordinator. The successful applicant proposes a team that will in practice execute all specific tasks of the management team but will do that under the responsibility of the MICOA/DPE coordinator.

Specific Tasks

The specific tasks of the management team are:

1. Run, manage and monitor the process:
 - a. do stakeholder analyses;
 - b. steer the establishment of the proposed institutional set-up;
 - c. develop information material on the planning process/SEA
 - d. realize an information campaign and realize and maintain a coastal SEA web-site;
 - e. manage the planning/SEA process timetable;
 - f. develop detailed ToR for the consultant contracts 2 and 3
 - g. contract consultants for the contracts 2 and 3, monitor, quality-assess and accept consultant work;
 - h. initiate and set the agenda for all meetings, organize them, provide documentation to participants, chair and report on these meetings;
 - i. wrap-up/synthesize in reports the results and conclusions of consultative meetings of the coordinating committee and the regional platforms;
 - j. formulate the synthesis SEA report, integrating therein the three regional SEA reports;
 - k. initiate, feed, coordinate and successfully run the CONDES decision making process;

1. elaborate the spatial framework alternative decided by CONDES into a prescriptive framework with conditions for its implementation.
2. assure the coherence of the process;
3. manage the budget;
4. manage the relations with donors/contributors, inform them;
5. publically report on progress on a half yearly basis;
6. based on the experience gained by managing the planning/SEA process, study and formulate a realistic proposal for institutionalizing SEA for government planning.

Team composition

The consultancy team that complements DPE Management shall at least be composed of:

- 1 A Team Leader with at least 10 years of relevant experience in SEA, land use evaluation, zoning and conservation practices and project/consultancy management. Experience within Southern African coastal region and wetlands is highly desirable;
- 2 Development expert in the field of Land Use planning, mapping exercises and management of projects and consultancies. At least 10 years of relevant experience in design of mega projects (oil and gas exploration). Experience within the Southern Africa region is recommended;
- 3 Social scientist or rural development specialist with at least 5 years of relevant experience in participatory community development, ideally with experience in the working area (i.e. southern Mozambique).
- 4 A GIS and mapping specialist with at least 10 years of relevant experience
- 5 Legal expert with at least 5 years of relevant experience in legal framework and policy related to land use rights, conservation and protected area in the region. Previous experience in Mozambique is a net advantage.
- 6 Environmental economist.

Time investment of individual team members

MICOA to specify the estimated number of man-months to be invested by each individual team member

Deliverables

The team will produce the following deliverables:

Management products

1. Inception report / operational plan (scope and detailed design of the planning/SEA process and final TOR)
2. Half yearly progress reports
3. An up to date archive

Process products

4. Information documents on the coastal SEA for all government and non-government stakeholders
5. The sustainability agenda for the coast
6. The national spatial planning agenda for the coastal region
7. Three regional spatial planning agenda's
8. A set of spatial planning scenario's (alternative spatial frameworks)
9. A validated impact assessment, mitigation and compensation report on validated spatial framework alternatives for each region and a validated synthesis impact assessment report on the validated spatial framework alternatives (the SEA)
10. A CONDES-approved national spatial framework for the coastal region with implementation conditions
11. A spatial framework implementation monitoring and information plan

Additional products

12. A capacity development program for framework implementation, implementation monitoring and SEA application for sector and local government planning
13. A (set of training) manual(s) for the program mentioned under 11
14. A proposal (with timeframe) for the legal imposition of SEA for government planning based on a rapid assessment of the administrative and financial implications of institutionalizing SEA.

Proposed timeframe

The management teams will start work :Further to be filled in by MICOA

The GOM targets to have taken decisions on the spatial framework by 2012.

Contract 2: Fact Finding and fact documentation (base line)

The fact-finding process to be followed

1. For each of the items on the list in annex 1, the consultant makes an inventory, collects and documents (in a format determined by the management team, GIS database) the existing information on paper and knowledge in people;
2. for each element identified in the inventories mentioned under 1, the consultant assesses and list its opportunities or impediments for sustainable development;
3. Subsequently, the consultant assesses and motivates in writing for each item on the list whether the information and knowledge that is available is relevant and sufficient to make potential conflicts of interests explicit and take and motivate decisions on these conflicts of interest;

4. If the consultant assesses that there is insufficient information and knowledge on a certain item, the consultant proposes further research to the management team.
5. If the management team decides that additional research must be done, the consultant does this research and documents the results in the same way as described under 1;

Access to information

Data and information on planned investments and data on biological and ecological and geological features should be available through the sectors or through the provincial and local authorities in the selected target areas. The DPE management team assures that the successful applicant consultancy firm is given free access to and the right to copy all relevant (sources of) information including sources in the Ministry for Coordination of Environmental Affairs (MICOA) and other sector ministries (the Ministry of Tourism, the Ministry of Fishery and the Ministry of Public works and Industry, Agriculture, State Administration, Transport and Communication, Mining and Energy), and the provincial and district authorities (the Provincial Directorate of Environment, the Provincial Directorate of Tourism, the Provincial Directorate of Fishery, Provincial Directorate of Industry).

Participatory approach in data collection

The consultants should follow a thorough participatory process data collection, involving the district consultation boards, the local communities, private sector and civil society.

Deliverables:

The consultant must produce the following deliverables:

1. An accessible, coherent and exchangeable GIS database on all inventories;

2. An advisory report on the necessity of additional research;
3. An set of uniformly formatted environmental profiles (one per coastal district). This profile will include;
 - a. maps presenting results of all inventories (see annex 1);
 - b. per map (and/or combination of maps) a listing of related opportunities and impediments for sustainable development;
 - c. a clear legend (key) on any map presented;
 - d. an assessment and analyses of biophysical data as well as the actual land use practices;
 - e. an environmental and social assessment of the actual land use
 - f. annexes listing the results of the inventories (see annex 1)

Team composition

The consultancy team that complements DPE Management shall at least be composed of:

- 1 A Team Leader with at least 10 years of relevant experience in SEA, land use evaluation, zoning and conservation practices and project/consultancy management. Experience within Southern African coastal region and wetlands is highly desirable;
- 2 Development expert in the field of Land Use planning, mapping exercises and management of projects and consultancies. At least 10 years of relevant experience in design of mega projects (oil and gas exploration). Experience within the Southern Africa region is recommended;
- 3 Social scientist or rural development specialist with at least 5 years of relevant experience in participatory community development, ideally with experience in the working area (i.e. southern Mozambique).
- 4 A GIS and mapping specialist with at least 10 years of relevant experience
- 5 Legal expert with at least 5 years of relevant experience in legal framework and policy related to land use rights, conservation and

protected area in the region. Previous experience in Mozambique is a net advantage.

Proposed Time Frame and working sequence

Starting date: To be filled in by MICOA

The consultant addresses the regions concerned in the following order: to be filled in by MICOA. The consultant submits the draft and final deliverables per region. Dates for submission of the final deliverables are respectively: to be filled in by MICOA.

Contract 3: Impact Assessment

The impact assessment process

Step 7 in the planning/SEA process (defining the sustainability agenda) will provide a detailed set of criteria and standards on which the environmental and social impacts of the alternative development scenario's that step 13 formulates must be assessed. Step 13 will result in detailed ToR for these Impact Assessments. The management team will formulate these ToR.

The base line for impact assessment is available in the form of the deliverables of contract 2. The consultant must apply the same assessment methods in each regional Impact Assessment.

In general terms, the Impact Assessment process must follow the following steps:

Impacts must first be assessed excluding mitigation measures. Subsequently, the Impact Assessment must propose measures as to mitigate the negative and enhance the positive impacts to the extent that they undoubtedly comply with the standards imposed by step 7. This implies that the effectiveness of

the measures must be assessed and documented. The assessment must also include a motivated estimate of the cost of the proposed mitigation and enhancement measures. If mitigation / enhancement is insufficient to attain the standards, the Impact Assessment must qualify and quantify the residual impact at maximum level mitigation / enhancement and document the cost of such level measures. The Impact Assessment may also suggest, assess, cost and document effectiveness of compensating measures in other areas.

The Impact Assessment must compare the alternative scenario's for impacts on the criteria and against the standards defined in step 7. In doing so, it may distinguish two levels of mitigation/enhancement (medium level and maximum level, quoting the costs of each level).

The Impact Assessment must draw the spatial framework for each scenario in the comparison.

Participatory approach in impact assessment

In their Impact Assessment, the consultants should follow a thorough participatory process involving the district consultation boards, the local communities, private sector and civil society.

Deliverables:

The consultant must produce the following deliverables:

1. for each of the tree regions:
 - a. an Environmental and Social Impact Assessment Report that satisfies the detailed ToR;
 - b. a spatial framework for every development scenario considered in the Impact Assessment;
 - c. per spatial framework, the list of mitigating and enhancing measures and proposed compensating measures, including the estimated costs of the measures and the total costs.

2. a narrative report, listing the consultants opinion on the feasibility of the assignment and reporting on its experiences in carrying out the assignment.

Presentation

The three Impact Assessment Reports must follow the same format. They must include a not-technical summary and chapters as indicated in the detailed ToR. Comparison of the alternative scenario's on their impacts against the base line and the standards must be done in tabular form. Scores in this table may (but need not) be aggregated scores. Each score must be qualitatively and quantitatively motivated in accompanying text.

Team composition

The consultancy team that executes the Impact Assessments shall at least be composed of:

- 1 A Team Leader with at least 10 years of relevant experience in SEA, land use evaluation, zoning and conservation practices and project/consultancy management. Experience within Southern African coastal region and wetlands is highly desirable;
- 2 Development expert in the field of Land Use planning, mapping exercises and management of projects and consultancies. At least 10 years of relevant experience in design of mega projects (oil and gas exploration). Experience within the Southern Africa region is recommended;
- 3 Social scientist or rural development specialist with at least 5 years of relevant experience in participatory community development, ideally with experience in the working area (i.e. southern Mozambique).

- 4 A GIS and mapping specialist with at least 10 years of relevant experience
- 5 Legal expert with at least 5 years of relevant experience in legal framework and policy related to land use rights, conservation and protected area in the region. Previous experience in Mozambique is a net advantage.

Proposed Time Frame and working sequence

The starting date for this contract is dependent on progress in execution of the process. The management team will determine the starting date in line with this progress. The consultant addresses the regions concerned in the same order as the order indicated under contract 2. The consultant submits the draft and final deliverables per region on dates to be determined by the management team and in line with the process implementation stage.

General requirements for all contracts:

Qualifications for all consultant contracts

- A consortium of national or international consultancy firms with far-reaching experience in SEA in sub-Saharan Africa in Mozambique and a combined asset of at least ten years of relevant experience in the elaboration of management plans for protected areas and participatory community development;
- Large experience (at least ten years) in similar assignment in the region;
- Extensive knowledge of both English and Portuguese;
- Previous experience in Mozambique is a net advantage;
- Knowledge of legal and political framework related to the management of natural resources in Mozambique;
- CV of the members of the working team compatible with the present TORs;

Additional requirements and terms

- The reports and executive summaries are submitted in draft form two months ahead of the date of submission of the final reports. The management team will provide observations and comments on the drafts no later than one month after having received them. If the consultant does not receive such comments within a month, the draft can be considered accepted. In such cases the consultant can proceed to submit the report as final.
- All final reports, including executive summaries will need to be produced both in English and Portuguese (30 hardcopies and CDs, text files both in .pdf and .doc format).
- All data (including the GIS database), metadata and any information gathered should be handed over to the Contracting Authority (MICOA) at the time of the delivery of the final product.