



## Environmental Protection of International River Basins Project

Contract No. 2011/279-666



This project is funded by  
The European Union

A project implemented by a Consortium  
led by Hulla & Co. Human Dynamics KG

### Annex 1:

#### Terms of Reference

### Additional support to formal adoption of the RBMP for Akhuryan RBD of Armenia, including environmental impact assessment and expert examination

#### I. Background

The consultant will assist Human Dynamics to fulfil its requirements under the EU technical assistance contract “Environmental Protection of International River Basins (EPIRB)”. The overall objectives of the EPIRB project are:

- To improve availability and quality of data on the ecological, chemical, and hydro-morphological status of trans-boundary river basins including groundwater; and
- To develop River Basin Management Plans for selected river basins / sub-river basins according to the requirements of the WFD.

The project is being implemented in six countries (Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine) and five pilot river basins:

- Akhurian River Basin District (Armenia),
- Central Kura (Azerbaijan),
- Upper Dnieper Basin (Belarus, Ukraine),
- Chorokhi-Adjaristskali Basin (Georgia),
- Prut Basin (Moldova, Ukraine)

As part of the River Basin Management Plan development process the EPIRB project will implement selected number of improvement measures from the overall Programme of Measures (PoM), as defined under the Water Framework Directive. The selected measures have been agreed with the beneficiaries in each country and will be executed in accordance with the EC contractual conditions. In the Republic of Armenia the following measures have been chosen:

- Refurbishment of new groundwater monitoring borehole in Aknashen community of the Akhuryan RBD of Armenia, including installation of automated equipment (completed). The objectives of the project were (1) supporting the MNP in addressing the issues of artesian groundwater overuse in the Ararat Valley through collecting more accurate groundwater monitoring data; and (2) promoting more efficient decision-making groundwater allocation in the Ararat Valley. In the framework of the pilot project, a new groundwater monitoring well was constructed in Aknashen community. It was refurbished and modern water level and temperature measuring equipment and automated data transfer was installed. The transfer of data to the Hydrogeological Monitoring Centre of the MNP, the authorized institution for groundwater monitoring in Armenia, is being implemented through telemetric technologies. After installation of equipment, the appropriate training has been provided to the staff members of the Hydrogeological Monitoring Centre;
- A demonstration project for the automated monitoring of critical water abstractions in the Metsamor (Sevjur) River basin in order to strengthen compliance and improve water resource planning and management (completed). The overall goal of the project was to support regulation of surface and groundwater use in the Akhuryan RBD, ensuring a transparent decision-making process through

introduction of automated centralized control system. WRMA of the MNP, Akhuryan BMO of the WRMA, and Environmental Inspectorate of the MNP were the three main beneficiaries of the project. In the first stage, detailed terms of reference were prepared for the development of an automated, centralized, on-line control system of actual water use in Metsamor River basin. In cooperation with the project subcontractors, “Geoinfo” LLC and “Locator” CJSC, appropriate computer software for maintaining the automated, centralized, on-line control system was created, which is based on the SCADA<sup>1</sup> system, was developed in addition to a data import/export tool between the SCADA system and State Water Cadastre Information System.

In the second stage, three pilot water users were selected and abstractions automated, centralized, on-line control system installed: one small, one medium and one large fish farm were selected in Jrrarat, Araks and Metsamor communities respectively.

Flow meters and data loggers and the equipment and the developed computer software were tested accordingly.

Appropriate computer equipment has been provided to the three “control points” in WRMA, Akhuryan BMO and Environmental Inspectorate of the MNP and training on the use of the systems was conducted for the staff members of the mentioned organizations. A brief user manual was prepared and distributed to the participants of the training courses.

Finally, a full economic assessment for introduction of the system throughout the entire Metsamor River basin was undertaken. The study covered all 213 surface and groundwater use points in the basin and the results of this study were submitted to the Ministry of Nature Protection of Armenia;

- Rehabilitation of 10 (ten) priority groundwater monitoring springs in Akhuryan catchment of the Akhuryan RBD of Armenia;
- Rehabilitation of Akhuryan-Akhurik transboundary hydrological post in Akhuryan RBD of Armenia, including installation of gauging equipment;
- Additional support to formal adoption of the River Basin Management Plan for Akhuryan RBD of Armenia, including environmental impact assessment and expert examination.

The following Terms of Reference are for the *additional support to formal adoption of the River Basin Management Plan for Akhuryan RBD of Armenia, including environmental impact assessment and expert examination*.

## II. Scope of Work

Draft basin management plan for Akhuryan River Basin District is developed with the support of the EU “Environmental Protection of International River Basins” project with active participation of the Water Resources Management Agency of the Ministry of Nature Protection of Armenia and particularly its Akhuryan Water Basin Management Authority. The draft RBMP is in line with the approaches and principles of the EU Water Framework Directive, as well as the approaches and principles envisaged by the water sector legislation of Armenia. Thus, the draft plan is developed taking into consideration the methodology of the EU WFD and requirements of the Water Code of Armenia, Republic of Armenia laws on National Water Policy, National Water Program and the Outline of the model water basin management plan, adopted by Government of Armenia Protocol Session Resolution No 4 on February 3, 2011.

According to the Republic of Armenia Water Code the river basin management plans shall be adopted by Government of Armenia Resolution. Thus, in March 2016 EPIRB project officially submitted the draft RBMP for Akhuryan RBMP to the Ministry of Nature Protection for initiation of the formal adoption process. The formal adoption procedures, among other things, include undergoing environmental impact assessment and expert examination at the “Environmental Impact Expertise Centre” State Non-Commercial Organization, as required by Article 14 (Types of Concept Papers and Intended Activities subject to Environmental Impact Assessment and Expert Examination) of the Republic of Armenia law “On Environmental Impact Assessment and Expert

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<sup>1</sup>) SCADA (supervisory control and data acquisition) is a system for remote monitoring and control that operates with coded signals over communication channels (using typically one communication channel per remote station).

Examination” (2014). Also, according to Article 30 of the law, for carrying out expert examination process stamp duty shall be levied.

Thus, the Ministry of Nature Protection of Armenia, who is the owner of the RBMP for Akhuryan RBD and the initiator of the process of formal adoption, has requested the support of EPIRB project in the above-mentioned activity, which will help in formal adoption of draft RBMP for Akhuryan RBD of Armenia.

### **III. Procedures of Environmental Impact Assessment and Expert Examination in Armenia**

The procedures of environmental impact assessment and expert examination of the RBMP for Akhuryan RBD of Armenia and corresponding public hearings are regulated by the Republic of Armenia law “On Environmental Impact Assessment and Expert Examination” (2014) and Government of Armenia Resolution “On Procedures of Public Notification and Public Discussions” (2015).

According to Article 15 of the law the RBMP for Akhuryan RBD shall undergo environmental impact assessment and expert examination prior to formal adoption. The assessment and expert examination shall be carried out in two phases: (1) initial phase, during which application for preliminary assessment shall be reviewed; and (2) primary phase, during which the main assessment report shall pass expert examination.

To start the process, preliminary environmental impact assessment of the RBMP for Akhuryan RBD shall be prepared by the initiator, and together with an application submitted to the authorized entity. Following that, the first public hearing shall be organized on the preliminary assessment. The data, location and venue of the public hearing shall be notified to public at least 7 days in advance of the intended public hearing date. The public hearing shall be video recorded and corresponding written protocol of discussions shall be prepared, which shall be attached to the application package.

The initial phase of expert examination shall be carried out within 30 days after submission of the preliminary assessment application by initiator to the authorized entity. In the initial phase of assessment: (i) completeness of the submitted preliminary assessment application shall be checked; and (ii) the scope of potential environmental impact of the mainframe paper and (or) planned activity shall be determined, content and terms of the assessment report shall be established, list of the participants of the process shall be prepared and, based on all these activities, terms of reference for preparation of consolidated impact assessment report shall be prepared and submitted to the initiator.

The second public hearing on strategic assessment/environmental impact assessment of the RBMP for the Akhuryan RBD shall be organized in the primary assessment phase. At least 7 days before the public hearing, public notification shall be posted. During the second public hearing the initiator shall present a comprehensive and complete information on RBMP for Akhuryan RBD, including environmental impact assessment, and respond to all questions raised by the participants of the hearing. The protocol of discussions of public hearing, as well as video recording of all discussions shall be prepared.

The third public hearing shall be organized by the initiator during the primary expertise phase. The initiator shall prepare a corresponding report on environmental impact assessment and present to the authorized body/expertise centre. The authorized body/expertise centre shall publish the electronic version of the report in the official website and initiate the process of public hearing. Public notification shall be made at least 7 working days before the public hearing. Based on the discussions of the public hearing corresponding protocol shall be developed. If during the public hearing or within 3 days of publishing the report no written comments or remarks are made, then it is considered that there are no objections.

Finally, the fourth public hearing is organized by the authorized body/expertise centre on the opinions and remarks received during the expertise process and on draft expertise conclusion on RBMP for the Akhuryan RBD. After receiving opinions and remarks on environmental impact assessment the authorized body/expertise centre prepares draft expertise conclusion and through its official website notifies the public about the date, location and venue of the planned public hearing at least seven days in advance. Members of public, who were present in the previous discussions and hearings, or who have presented remarks or proposals can be present in this final public hearing. If during this public hearing there are new participants or new justified remarks and suggestions are presented, then the initiators shall provide justified responses to the expertise centre within five days. The experts of the expertise centre, who have the authority for preparing the final conclusion, shall prepare the report on public hearing and discussions. Within seven working days the authorized body or expertise centre shall publish the conclusion of expertise on environmental impact assessment in its official website.

Thus, it is expected that the consultant will help the Ministry of Nature Protection in organizing the first two public hearings and preparation of the preliminary assessment and primary assessment reports.

#### **IV. Deliverables, timeframe and payment schedule**

**Deliverable 1: Proceedings of two public hearing meetings: (i) on preliminary assessment of the RBMP for Akhuryan RBD; and (ii) on strategic assessment/environmental impact assessment of the RBMP for Akhuryan RBD;**

**Deliverable 2: Preliminary environmental impact assessment report and primary impact assessment report for RBMP of Akhuryan RBD.**

The duration of the assignment is up to **4 months**, and the maximum budget of the assignment is **3433.51 EUR**. The expected commencement of the assignment is April 1, 2016 and the completion date is July 30, 2016 the latest.

The tranches made will be subject to acceptance of the tasks according to the following breakdown:

- 50% upon signature of the contract,
- 50% upon completion of deliverables 1 and 2.

#### **V. Reporting**

The contractor shall report to the project TL, Timothy Turner regarding progress of works and to the Country Water Management Expert Vahagn Tonoyan, for all day-to-day management issues.