Title: Scoping in Shell Petroleum Development Company (SPDC): The Experience with the Major Trunk line Replacement Project

(Poster)

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'Scoping' is the process employed in identifying and classifying (significant or insignificant) issues that will define the scope of an Environmental Impact Assessment (EIA) study for a proposed project. It is a critical initial step in the EIA process and it is valuable because it is an opportunity to engage the project stakeholders early in the project openly and transparently. When conducted properly, the exercise involves the stakeholder in decision making about the project, ensures public participation in the EIA process and delivers cost benefits in the EIA study. In addition, the engagement and involvement of key stakeholders is a requirement for EIA approval by the regulators in Nigeria.

In 2000 Shell Petroleum Development Company (SPDC) initiated steps to improve its EIA process. One of the aims of the improvement was the early engagement and involvement of stakeholders in proposed projects to demonstrate the transparency and openness of the process. The involvement of the stakeholders in the conceptualization of the EIA was also believed to be beneficial in obtaining 'social license' from the communities that will be impacted by the project, and in easing the process of obtaining statutory permits from regulators. 'Scoping Workshop' became a part of the EIA process in SPDC in 2002 and the company has since conducted numerous scoping exercises within communities in the Niger Delta.

The proposed Major Trunk-line Replacement (MTR) project, because of number of stakeholders in the project, was a test case for the scoping process. The major trunk line system of the eastern division of SPDC consists of 3 subsystems,

- 104 km Nembe Creek Trunk Line (NCTL)
- 89 km Greater Port Harcourt Swamp Line (GPHSL)
- 274 km Trans Niger Pipeline (TNP)

The trunk lines are the oil evacuation system of SPDCs Eastern Division. The MTR project is intended to guarantee the integrity of the pipelines for the next 20years by replacing the existing network with a new one. The project will impact over 200 communities in the Niger Delta directly or indirectly. In line with SPDCs EIA process manual, scoping of the project was required. These workshops were conducted over period of one year.

This paper introduces the concept of scoping exercise and present a case study of the scoping exercise for the MTR project. It highlights the details of the planning requirements of the scoping workshop. The paper also draws attention to Key success factors in the organization and execution of a scoping workshop.

Key words: Scoping, Major Trunk line Replacement, Nembe Creek Trunk Line, Greater Port Harcourt Swamp Line, Trans Niger Pipeline, Shell Petroleum Development Company.

Conference topic: Public involvement

Introduction

The Niger Delta is a wetland of about 70,000 square kilometers. It spreads over a number of ecological zones: sandy coastal ridge barriers, brackish or saline mangroves, freshwater permanent, seasonal swamp forests and lowland rain forests. Over the years, the rainforest has been cultivated leaving only the seasonal and permanent swamps as original vegetation. Some 1,600 long settled communities of predominantly subsistence farmers and fishermen inhabit the area. Increased economic activities, especially the oil industry, have resulted in significant immigration of people to the area. The population is about seven million and the upland areas, particularly the urban centers, are densely

populated while the swamps have scattered settlements that take advantage of higher grounds in the swamp.

With the exception of the deep offshore concessions, all of Nigeria's oil is produced from the Niger Delta. While basic infrastructure is lacking in most parts of Nigeria, the case of the Niger Delta is particularly bad due to a combination of neglect and the difficulty of the terrain. Lately, the issue of neglect of the N. Delta has become a major source of difficulty for E & P operators in the region. Most E&P projects in the delta must therefore address not only the operator's objectives, but also a larger number of socio-economic issues within the communities where the project is located. In recent years there has been an increase in the involvement of Non-Governmental Organizations (NGO), Community-Based Organizations (CBO), Community-Based Activists (CBA) and government bodies in EIA studies. All EIAs therefore requires a careful balancing of the interest of all stakeholders to ensure the success of the proposed project. While recognized in theory, the practice of consultation is still evolving in SPDC. This paper gives a snapshot of SPDC scoping process as a key part of an EIA and a successful project.

What is Scoping?

A process of engaging all stakeholders in a proposed project with the objective of

- Identifying the boundaries of the EIA study
- Identifying and addressing significant concerns of stakeholders
- Generating information for decision-making on the project
- Identifying significant effects and factors to be considered in the EIA

Why do Scoping?

In Nigeria, EIA is a statutory requirement for all categories of E & P projects backed by legislation that include the Petroleum Act of 1969 and EIA Act 86 of 1992. In response to various concerns about the effectiveness of EIAs, SPDC developed a process for producing EIAs that calls for a greater involvement of all stakeholders. The scoping exercise is one of the new initiatives introduced to address the problem of low involvement of stakeholders in the EIA process.

Scoping provides a unique opportunity for continuous contact between the project proponent and the stakeholder. The objectives of scoping are:

- To consult with the people that will be directly affected by the proposed project, the regulators, NGOs and other parties interested in the project.

- To provide an forum for the proponent to explain to stakeholders the purpose, the value for the project, the legal requirements, technical and/or environmental details of the project and SPDCs EIA process

- To ensure public participation from the outset of a project and allow stakeholders to express their fears, aspirations, concerns, observations and needs early in the project life.

- To build stakeholder confidence in the EIA process and ensure the project obtains the 'social license to operate' from the stakeholder communities, the regulatory permit and reduce project down time.

- To define the boundaries of the EIA study, analytical methods, consultation procedure and establish the Terms of Reference

When to conduct a scoping exercise

This is undertaken at the earliest stages of the project planning. The early commencement of consultation with stakeholders might trigger "early warning" issues saving the project time and money that would have been expended in resolving conflicts later in the project life.

Planning for Scoping in SPDC

Case Study: The scoping exercise for the Major Trunkline Replacment Project

The trunk line system of the eastern division of SPDC consists of 3 subsystems the 104 km Nembe Creek Trunk Line (NCTL); the Greater Port Harcourt Swamp Line (GPHSL) 89 km; and the Trans Niger Pipeline (TNP), 274 km. These trunk lines make up the oil evacuation system of SPDC-E.

Due to the age of the network (most were more than 25years old), an evaluation of the technical integrity of the network was conducted in 2001. The initial objective of the evaluation was to determine actions required to eliminate unacceptable risks of failure in the network, however, the results of the survey pointed to a need to replace the entire MTR system.

Since this activity falls within the mandatory list of projects that require an EIA and in line with the EIA Act 86 of 1992, the Federal Ministry of Environment (FMENV) was notified via a project proposal on the proposed MTR project. The Department of Petroleum Resources (DPR) was also notified through a Preliminary Environmental Impact Assessment Report (PAIR). Three EIAs were to be prepared for the project, one for each subsystem. The SPDCs EIA Improvement Project Manual stipulates that scoping exercises should be conducted as a part of the stakeholders' engagement process for all EIAs in SPDC. It was therefore necessary to plan scoping workshops for the EIAs.

Stakeholder identification

The first step is the correct identification and listing of communities that may be impacted by the project. Depending on the type of project, the physical boundary of impacted communities is defined at specified distance from the project location using a map. The communities that fall within this boundary are identified and a physical verification of identified communities is then conducted. The communities are then categorized according to their land rights (landlord, tenant or migrant communities). Institutional stakeholders like local government authorities, regulators, NGOs and individuals that might be interested in the project are also identified.

This identification process produced 230 communities in the MTR project. Due to the large number of communities, 12 scoping workshops spanning a year were planned. The 230 communities were classified according to their land rights and grouped according to their physical location along the proposed pipeline for the workshops.

Contacting all identified stakeholders

Invitation letters for the workshop were sent to all identified stakeholders informing them of the proposed project and the consultation plans for the project.

For the communities, it was important to ensure that participants were drawn from the various social strata (chiefs, elders, youths, women, opinion leaders, and community development committee members) within the communities. Community representatives from the Chiefs council, the Women, the Youths and an Opinion leader were invited from each community as well as the Local Government Chairpersons.

Environment, social and health regulators, consultants and Non-governmental organizations were also invited for each workshop.

Pre-Workshop Communication

A workshop information pack consisting of all the presentations to be made at the scoping workshop was prepared given to all participants attending the workshop. The information pack included the following:
Technical Information:

- The project objective
- A simple diagram explaining the different types of flow lines, delivery line and trunk line.
- Pictures of the trunk line rights of way
- Explanation of Pipeline construction activities

Environmental Information:

- An explanation of the environmental components
- The need for the EIA
- SPDC's improved EIA process highlighting the scoping exercise
- Data requirements for the biophysical, social and health studies and biodiversity issues

Medium and Content of communication at the workshop

The medium of communication at the workshops was either 'pidgin english' (a mixture of English and other languages that widely spoken in the Niger

Delta) or the indigenous language of the people of the area whenever there is a language common to all the communities.

Technical and environmental presentations were made at the workshop. The project engineers explained the objectives of the project and technical details of its implementation. The environmental impact assessment team of SPDC highlighted the potential environmental impacts of the project.

After the presentations, there was a question and answer session. This was followed by stakeholder analysis, syndicate exercise and feedback sessions where historical issues in any of the project communities that could impact on the new project were documented.

Stakeholder Analysis by the communities

A list of invited stakeholders was presented to the participants and they identified other communities, groups and government agencies that should be consulted in connection with the project.

Syndicate work sessions

Project activities were grouped into site preparation, construction and operation phases. Issues of concern to stakeholders for each activity were described in the issues register. Potential impacts and mitigative measures were also stated in the register. At the end of the work session each team was given a few minutes to present highlights from the group exercise.

Terms of Reference

After the scoping exercise the syndicate documents were used to prepare a Terms of Reference (ToR) for the project. The ToR team comprised representatives from the Local Government Areas, Regulators, NGOs consultants and the SPDC project team. The ToR indicated parameters to be collected for the biophysical, social and health aspects and highlighted areas of interest to the communities. This document was then sent to the regulators.

Scoping report

Scoping reports for the three subsystems were prepared. The reports included the purpose of scoping, EIA process, legal and policy framework, project description, environmental profile, the scoping exercise, attendance, the syndicate exercises and reference listing. This document is a key input into the EIA and is used by SPDC to ensure that the EIA addresses issues raised during the scoping exercise.

Key to successful scoping

Experience has shown that the key to successful scoping is careful planning, comprehensive and open consultation led by knowledgeable and competent persons. Active participation is required from all stakeholders at a scoping workshop with the aim of a thorough review of all aspects of the project in relation to the environmental components that could or would be affected. Thus, the success of the MTR scoping exercise was due to the following:

- The medium of communication was the common language spoken
- Simple pictures and examples ensured better understanding
- Careful listening and patience, a must
- Opinions expressed were explored by all present
- All concerns raised were valid
- No promises were made or expectations raised
- Homework on communities was thorough and conflicts were therefore avoided
- The project team was dedicated, held numerous planning meetings to allocate various tasks and above all worked as a team

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