



**Review of the Environmental Impact Assessment for the
Montego Bay Perimeter Road, Long Hill Bypass and West Green and
Barnett Street Upgrade, St. James**

EIA done by:

CL Environmental Company Limited

Review prepared by:

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**With technical assistance from
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Eugene, Oregon
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This document contains the professional opinion of the Jamaica Environment Trust (JET). In arriving at our opinion, we made every reasonable attempt to ensure that our resource persons are informed and reliable and experts in the area in which their comment and analysis is sought. JET encourages readers to apply their own critical analysis to the information provided in this document and by others, particularly where JET's opinion differs from those others.

With technical assistance from the Environmental Law Alliance Worldwide (ELAW) in Eugene, Oregon, the Jamaica Environment Trust (JET) reviewed the Environmental Impact Assessment (EIA) for the for the Montego Bay Perimeter Road, Long Hill Bypass and West Green and Barnett Street Upgrade, St. James by CL Environmental Co. Ltd. JET also participated in the Virtual Town Hall to present the EIA which was hosted online on Zoom, YouTube and Facebook, and broadcast live on Jamaica News Network (JNN) on Tuesday, June 23, 2020; being represented by JET's Board Chair, Diana McCaulay and Chief Executive Officer, Suzanne Stanley.

Our review of the EIA and feedback on the public meeting is outlined below:

1. General Comments

JET notes that the proposed project includes four components as illustrated in Figure 1-3 from page 5 of the EIA included below; they are:

- i. Montego Bay Perimeter Road - approximately 15.4km, starting at Alice Eldemire Drive and Howard Cooke Highway with the end point at the Intersection with the A1 North Coast Highway at Ironshore.
- ii. Long Hill Bypass - approximately 10.5km of two-lane, rural arterial highway leading from Montpelier intersection of B8 Road and B6 Road to Temple Gallery Road.
- iii. Barnett Street Upgrade - proposed dualization of 1.06 km of the existing two-lane road section from the intersection of West Green and Fairfield Road in a northerly direction and ending at Cottage Road.
- iv. West Green Avenue Upgrade - proposed dualization of the 0.82 km existing link road between Howard Cooke Boulevard and the Bogue Road at the Fairfield Road intersection.

Whilst all components of this project will have negative impacts on the environment of the communities where road will be constructed, JET finds the coastal section of the Montego Bay Perimeter Road and the Long Hill Bypass to be particularly problematic.

As discussed further in point 2 of this review, the Montego Bay Perimeter Road is proposed to cut through Bogue/Freeport and will negatively impact 27,090.02 m² (2.71 hectares) of healthy mangrove forest, destroying its ecosystem functions. **This project should not be allowed to proceed with a road alignment cutting through this valuable coastal wetland ecosystem. Similarly, this project should not be allowed to proceed without the critical hydrological assessments for the Long Hill Bypass and Montego Bay Perimeter Road and realignment of the Montego River, which are necessary to drive decision-making.** The absence of these studies at this point is particularly worrying considering the concerns expressed by the Water Resources Authority (WRA) in their Preliminary Hydrological and Flood Risk Report for the Montego Bay Bypass Alignment¹. In their report the WRA describes several scenarios in which the construction of the highway could further exacerbate flooding in the highly flood prone communities surrounding Montego Bay.

Additionally, Table 5-2 and 5-3² present environmental impact matrices. Of the 79 impacts listed in Table 5-2 for the site preparation and construction phase of the roadworks, 95% will negatively affect

¹ EIA, pp. 520 - 522

² EIA, pp. 343 - 346

2. Mangroves—vital ecosystems for slowing and managing flooding events—will be irreparably lost in the construction of the Montego Bay Perimeter Road

The EIA describes the results of the mangrove survey as follows:

“Over 30,000m² of the mangrove forest were surveyed (Table 3-46). Based on the density of trees recorded in each zone, a tree density was recorded for each sector. The mean tree density derived from all areas was 0.180625 mangrove trees per m². The surveys of the forested areas revealed pure stands of healthy mangrove forest; the survey transects, and roaming surveys showed the following traits:

- *Standing water presence throughout entire survey area (fresh and saline water)*
- *Evidence of tidal water movements and influence on vegetation*
- *Mature Rhizophora mangle (Red), Avicennia germinans (Black), Laguncularia racemosa (White) mangroves, with lower amounts of Acrostichum speciosum (mangrove/golden fern)*
- *Ample seedlings and saplings for forest regeneration*
- *Expected zonation of a Caribbean mangrove forest (red mangroves on fringes, black and white trees at higher inter-tidal zone)*
- *Numerous faunal species associated with mangrove forest (snails, crabs, birds)”⁴*

Jamaica’s Draft Policy and Regulation for Mangrove & Coastal Wetlands Protection states the following:

“4.2.2.9 Draft Policy and Regulation for Mangrove & Coastal Wetlands Protection

As outlined in this draft policy, the Government of Jamaica has adopted the policy and regulation in order to promote the management of coastal wetlands. The policy seeks to:

- *Provide protection against dredging, filling, and other development;*
- *Designate wetlands as protected areas;*
- *Protect wetlands from pollution particularly industrial effluent sewage, and sediment;*
- *Ensure that all developments planned for wetlands are subject to an Environmental Impact Assessment (EIA);*
- *Ensure that traditional uses of wetlands are maintained.”⁵*

Given this clear policy, the proponents should not be allowed to pursue the current route for the Montego Bay Perimeter Road through the mangroves, as the proposed road alignment is far too damaging to this vital ecosystem.

The biological evidence presented in the EIA describes mature mangrove forests, with an associated, thriving ecosystem and sequestration of valuable blue carbon. Newly planted mangroves in a wetland that has been cut in half to make way for the roadway (see Figure 5-4 from page 374 of the EIA included below) will not contribute the ecosystem services of the mature mangroves which will be removed; including their ability to slow and reduce flooding and filter runoff. The existing mangroves are exceptionally more valuable than any new ones which might be planted, particularly in a flood prone area such as Montego Bay. A 2018 study suggests that coastal vegetation—specifically in delta areas where flooding is common—substantially reduces the speed and amount of flooding, as well as contamination, into nearshore habitats;⁶ which further underscores the mangroves’ importance.

⁴ EIA, p. 226

⁵ EIA, p. 333

⁶ Dykstra, S. L. and B. Dzwonkowski. 2020. The propagation of fluvial flood waves through a backwater-estuarine environment. Water Resources Research 56. e2019WR025743. <https://doi.org/10.1029/2019WR025743>

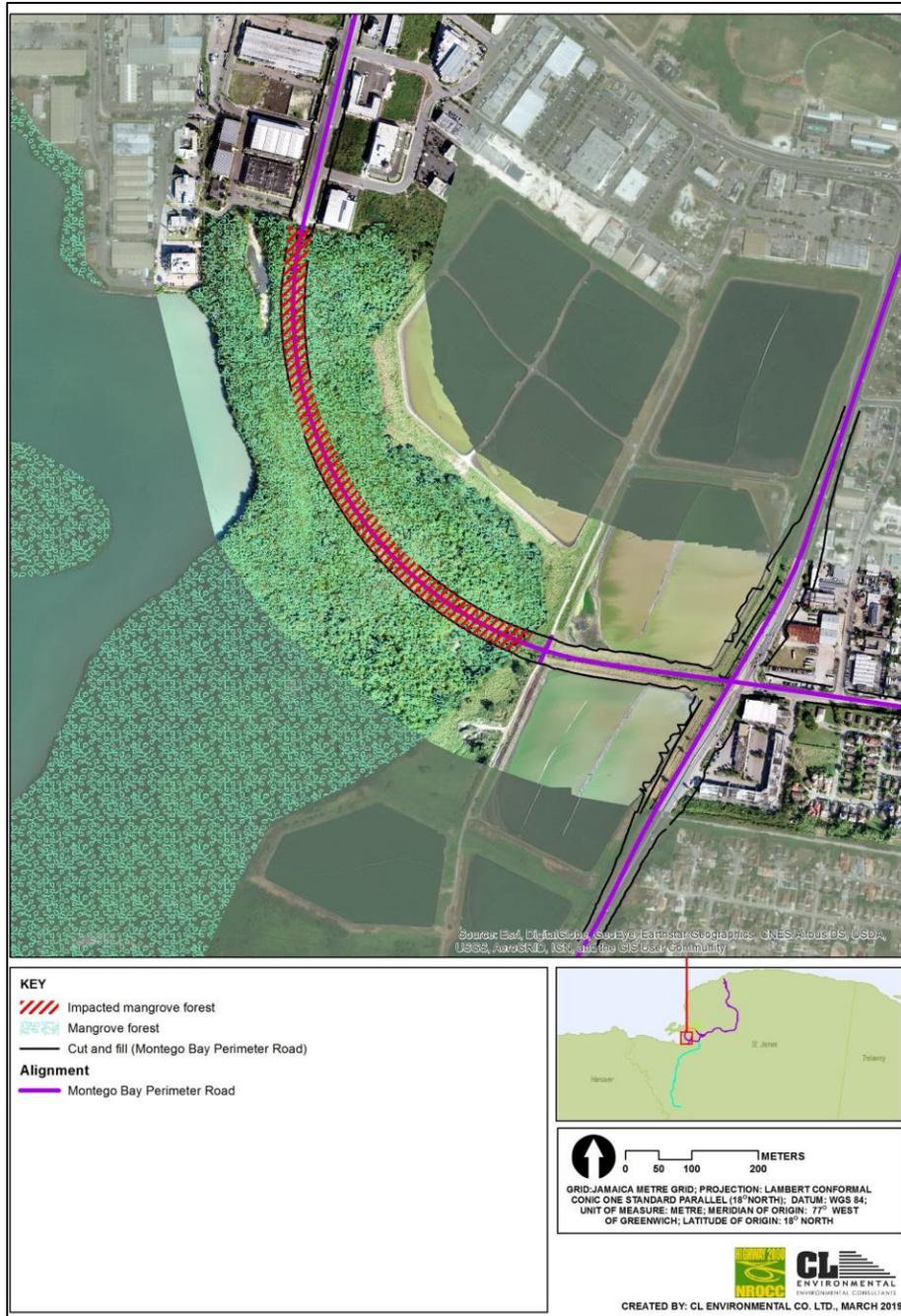


Figure 5-4 from page 374 of the EIA - Map showing potentially impacted mangrove forest

The EIA quantifies the loss and lists the ecosystem services attributed to the mangroves in the study:

“5.2.2.4.1 Mangrove Loss

Over 30,000m² of the mangrove forest were surveyed. Based on the density of trees recorded in each zone, tree density was recorded for each sector. The mean tree density derived from all areas was 0.180625 mangrove trees per square meter. The proposed Montego Bay bypass route through the mangrove forest at Bogue/Freeport will impact an area of 27,090.02 m² mangrove (2.71 hectares) and thus potentially displace 4,893 mangrove trees and seedlings (impacted area x mean tree density) (Figure 5-4).

Based on field trip observations and historical data, the mangrove forest may provide the following ecosystem services which may be negatively impacted:

- *Providing a floodplain and freshwater retention area for 3 large outflows/storm drains from the city of Montego Bay.*
- *Filtration of solid waste associated with these storm drains*
- *Filtration of nutrient/sewage waste associated with the storm drains and neighbouring sewage treatment ponds.*
- *Provides a buffer for Bogue lagoons, for improperly treated/disposed sewage effluent from the NWC Sewage treatment plant*
- *Nutrient uptake within the forest, preventing chronic eutrophication in the Bogue Lagoon and coral reefs north of this area (West of Secrets hotel). This reef is a primary snorkelling and glass-bottom boat tour attraction used by many hotels and operators.*
- *Provision of bird, crab, snail and insect habitat and feeding grounds.*
- *Provision on a nursery for juvenile fish.*
- *Provide recreational uses (mangrove tours, bird watching) offered by the Montego Bay Marine Park.*
- *Buffer for storms and severe weather events, protecting the Freeport and Bogue areas from high waves and winds.*
- *Improvement of property values at Bogue area, providing an aesthetically pleasing view overlooking the mangrove forest.”⁷*

For the EIA to say that “the mangrove forest *may* provide the following ecosystem services” is a gross understatement of the value and function of this ecosystem. Additionally, the EIA fails to include the important role mangroves play in providing a nursery for a significant number of marine species or consider how the degradation of mangroves will have long term implications for Montego Bay’s resilience to climate change.

It is it is unclear how the project proponents can justify removing mangroves, especially when the mitigation sites themselves appear to need protection:

“NROCC has identified lands in Falmouth which are being proposed as a mitigation site (mangrove replanting) for mangroves lost as a result of the proposed project. Please see proposed mitigation site in Figure 5-5 below.”⁸

[...]

5.2.2.4.4 Existing Mangrove Rehabilitation Sites

Adjacent (north) of the alignment exists a mangrove rehabilitation site, which is currently being monitored by a team from the University of the West Indies. The rehabilitation site is likely to be negatively impacted by construction works, in the form of accidental destruction from heavy equipment.”

RECOMMENDED MITIGATION

- i. Rehabilitations site areas should be properly marked/cordoned off and monitored by personnel to prevent/reduce accidental destruction.”⁹*

⁷ EIA, p. 373.

⁸ EIA, p. 375.

⁹ EIA, p. 377.

The loss of mature mangrove forest is of enough concern to warrant rejection of the proposed alignment of the Montego Bay Perimeter Road.

3. Proper flooding assessments have not been conducted

Despite the fact that alleviating flooding is a central rationale of the project, no studies to assess the severity of current flooding conditions were carried out. Instead, flooding information was derived from citizen interviews. The EIA explained:

“3.1.11.4 Flooding

The parish of St. James has experienced several instances of localized flooding in previous years; intense rainfall has caused severe flooding in areas both within and outside of the Montego Bay Town Centre. Three areas were identified as particularly vulnerable to instances of severe flooding: Ironshore, Green Pond and sections of the Montego Bay Town Centre (Figure 3-78). In order to assess the vulnerability of these areas to flooding, residents of the areas identified were interviewed.”¹⁰

Further, the analyses needed to assess the potential of flooding from the proposed roadworks have not been conducted. This means that scenarios which could help planners and stakeholders understand the risk of flooding going forward were not modelled quantitatively. Nevertheless, the EIA suggests that the risk of flooding exists in at least two of the sections of the bypass, and that the analyses should be undertaken. The EIA lays out the situation as follows:

“8.3.2.2.2 Preliminary Hydrological and Flood Risk Report for the Montego Bay Bypass Alignment

“The establishment of the Montego Bay bypass can have a positive or negative impact on the communities along its corridor on Water Resources or Flooding. Though this may see the movement of goods, services and people going faster from one point to another, it may also see communities suffering from it.

“The proposed Montego Bay bypass is located in the Great River Watershed and Hydrologic basin for this report the study area is divided into three (3) sections.

“SECTION 1

“This section of the proposed highway begins at Ironshore near the Blue Diamond shopping centre in a South Easterly direction towards Green Pond. The road follows the Salt spring gut channel from 50m to some 200m contour at Green Pond.

[...]

*“Several recommendations were made by the WRA but **most notable is a hydrologic and hydraulic assessments, the highway may exacerbate flooding associated with intense rain fall resulting from increased runoff.***

“SECTION 2

“This section of the proposed highway begins just below Green Pond at Porto Bello going in a south westerly direction towards Fairfield, Bogue and the free Port area. There is also the section south of the proposed highway from Bellfield, through Salt spring Mountain and to Anchovy.

[...]

*“The WRA operates a Stream gauging station (Montego River @ Montego Bay) on the Montego River located at West gate, this station was established in 1965, the proposed realignment of the River channel near Fairfield is not expected to impact data collection or the rating curves. **It must be noted that the highway will result in increased runoff toward the river at a lower elevation,***

¹⁰ EIA, p. 180.

the chances of flooding within communities situated along the northern section of that corridor should be investigated.

[...]

“The section of Salt Spring Mountain, Wales Pond and Comfort Hill communities are known to have flooding issues. There is a proliferation of natural depressions in these communities and during intense rainfall, the depressions becomes overwhelm and overflows flooding roadway, houses and running to the lower sections. This ultimately sees Anchovy and surrounding communities being impacted with streams of water from runoff flowing along the roadways towards Long Hill.

“The proposed highway with paved surfaces may increase runoff resulting in the flooding incidents being exacerbated. This section has an underlying geology which is Montpelier Limestone and is classified as Limestone Aquiclude. The limestone aquiclude in its intrinsic properties has a very low primary permeability. This property allows the formation to pond water. However, faulting has served to generate zones of increased permeability. This formation may yield water to wells and springs, but generally in association with these zones of increased permeability. From the geological mapping this formation may extend up to 457.2metres (1500feet) in thickness in some areas. It is recommended that hydrologic and hydraulic assessments should be carried out.”¹¹

As discussed further in points 6 and 7 of this review, the cost associated with this project is significant, and any construction will require the displacement and severe disruption of the lives of many people. It is only appropriate therefore, that **critical hydrological assessments should have been carried out and used to inform the EIA. The assessments should be presented alongside the EIA so that decisionmakers and stakeholders can effectively evaluate the merits and disadvantages of the project.**

4. The realignment of the Montego River will likely have greater impacts than have been presented

Section 5.3.1.2.2 of the EIA describes the expected impacts of the Realignment of the Montego River:

The increase in velocity is expected to have minimal impacts on the river network as the increase is generally insignificant in the areas highlighted upstream and downstream of the realignment area. However, it must be considered that as the velocity increases along the river alignment, the more susceptible the bed of the channel is to scour as the materials are more easily dislodged by the higher energy currents. The banks of the channel can also be affected by varying degrees of erosion. With increased erosion and scour, substantial or not, sediment and debris movement downstream is inevitable and often translates to material being deposited downstream.¹²

The realignment of the Montego River is likely to have a significantly greater impact than has been presented. A 2018 study¹³ suggests that changes to the channel dimensions and materials, alongside changes to flow velocity or channel capacity of a river, can lead to a consistent set of problems including unstable banks, increased erosion, diversion of flow into a new tributary, and lowering of water tables. Secondary and tertiary issues, such as heightened erosion or deposition, hanging tributaries, vegetation loss, water quality issues, and associated ecological impacts can also result.

¹¹ EIA, pp. 520-521 (emphasis added).

¹² EIA, pp. 414-415

¹³ Flatley, A.; Rutherford, I.D.; Hardie, R. River Channel Relocation: Problems and Prospects. Water 2018, 10, 1360. <https://www.mdpi.com/2073-4441/10/10/1360>

Realigned channels can also suffer engineering failure, such as overtopping or complete channel collapse during floods. Additionally, the more intense rainfall events predicted with climate change make this course of action even more risky. Most of these potential impacts have not been presented by the EIA.

The EIA recommends that once the designs are finalized, a full hydrological study of the river alignment should be conducted to present “a clearer picture of the necessary measures for the river realignment exercise.”¹⁴ **This is yet another example of a critical hydrological assessment which should have already been carried out and used to inform the EIA. As stated in point 3, such assessments should be presented alongside the EIA so that decisionmakers and stakeholders can effectively evaluate the merits and disadvantages of the project.**

5. The reasoning and evidence provided in the EIA are insufficient to justify advancing the project in its current form

Chapter 1 of the EIA contains the following context for the project:

“Montego Bay, Jamaica’s second largest City, is located in the parish of St. James along Jamaica’s north coast. It is Jamaica’s premier tourist destination with possibly the largest concentration of tourist attractions on the island. It is also the home of Jamaica’s busiest airport and welcomes cruise ships to its port two days per week. Montego Bay is also the only city in the western region of Jamaica, and therefore provides major governmental services to neighbouring parishes. The commercial centre with all its amenities lies at the heart of the city with its main thoroughfare along the coast. The city of Montego Bay is a very important contributor to Jamaica’s economic growth and development.

“Traffic congestion in the city has been a longstanding issue as there is essentially one main thoroughfare connecting the east to the west of the city. There have been many calls over the years for a perimeter road to be constructed or other creative solutions to ease the traffic congestion in Montego Bay. Over the years there has been attempts to address the problems of traffic and the road network that significantly impacts traffic in the city. Past efforts to improve the traffic congestion included improvement to the existing road infrastructure such as the Bogue Road Improvement Project, the dualization of the Howard Cooke Boulevard, and extensive traffic signal installations through the town centre. Notwithstanding these improvements, traffic congestion continues to be a major issue and in the opinion of many, is stifling growth and development of the City.

“Apart from the typical morning and evening peak hour traffic, the city also often becomes gridlocked during times of heavy rainfall due to flooding, and on cruise ship days or other major activities or incidents, and productivity is lost because of the lengthy delays caused by traffic related to flooding. The problem of flooding was addressed with the expansion of the North and South gullies and the installation of trash racks to prevent garbage from being washed into the sea and beach areas. While the trash racks protect the beach from being polluted with garbage, the most recent flooding in November 2017 (Plate 1-1) shows that unless proper garbage disposal practices are adopted by the surrounding communities, garbage disposed in the gullies can clog the trash rack and cause flooding in the city and on the streets. These infrastructure developments therefore

¹⁴ EIA, p. 415

have not adequately addressed the flooding and flooding-related traffic problem in the city, hence, the continued calls for a perimeter road to be constructed.”¹⁵

In short, the project proponents are arguing that event and cruise traffic as well as solid waste management are the issues at hand, and that they are causing two separate, although related, problems - traffic congestion and flooding.

Given this framing, it is important to assess whether traffic or flooding caused by garbage is the primary issue. While acknowledging that both issues are legitimate and deserve immediate attention from authorities, this proposed project only has the potential to alleviate traffic.

Flooding

Flooding caused by garbage pile-up must be dealt with by municipal planners focused on solid waste management and is outside the scope of this EIA. **In the context of flooding caused by solid waste, any new road construction stands to exacerbate flooding rather than alleviate it.**

According to the EIA:

“unless proper garbage disposal practices are adopted by the surrounding communities, garbage disposed in the gullies can clog the trash rack and cause flooding in the city and on the streets.”¹⁶

JET’s 2016 study ‘Garbage and the Gully: Investigating attitudes to solid waste management along the South Gully, Montego Bay’ found that not only is Montego Bay’s longstanding flooding problem attributable to an accumulation of solid waste in gullies, the design of Montego Bay’s gully network also presents a challenge. The South Gully for example is fed by several narrow ‘channelized’ tributaries, which tend to overflow their banks.¹⁷

The large investment of resources required to construct a perimeter road will divert resources needed to address these root causes of flooding in the city of Montego Bay.

Traffic

The EIA strongly relies on the *Greater Montego Bay Metropolitan Transportation System Traffic Report* (Stanley Consultants Inc., 2017) for its traffic projections. These projections are largely not included in the EIA and the 2017 report does not appear to be publicly available for verification; however, Jamaica’s Transport Sector Plan (2009-2030)¹⁸, which is also referred to in the EIA, is publicly available. Although the EIA omits the details, the 2009 – 2030 Plan includes a section on developing and expanding the public transportation system to meet sustainable transport needs in the Montego Bay Metropolitan Transport Region and environs. The Plan includes a proposal for a “public bus system to meet sustainable transport needs”¹⁹ and a “railway system that supports a major logistics hub and movement of passengers and cargo on critical corridors.”²⁰ These potential solutions have not been explored as alternatives in the EIA; instead, the sole focus is on building more roads. **A strong argument that the new roads can achieve the desired outcome is not clearly presented.**

¹⁵ EIA, p. 696 (emphasis added).

¹⁶ EIA, p. 1.

¹⁷ JET, 2016. Garbage and the Gully: Investigating attitudes to solid waste management along the South Gully, Montego Bay, p. 3

¹⁸ Transport Task Force, Government of Jamaica. 2009. Vision 2030 Jamaica: Transport Sector Plan 2009-2030 (Transport Sector Plan 2009-2030). 87 pp. <https://www.mtw.gov.jm/images/Bulletins/v2030transport.pdf>

¹⁹ Transport Sector Plan 2009-2030, p. 45.

²⁰ Transport Sector Plan 2009-2030, p. 61.

6. The EIA fails to include a detailed Resettlement Plan for displaced persons

As described in Section 6 of the EIA, constructing a perimeter road will require significant forced resettlement and relocation:

“6.3.3 Resettlement and Relocation Plan

“6.3.3.1 Introduction

“As a consequence of the construction of the highway it is inevitable that communities and individuals will be affected. However, where it will be necessary to relocate persons, NROCC will involve the affected persons in the process from the start so as to make the transition a comfortable and easier one. These impacted structures were previously described in Section 5.4. Appendix 11 also outlines some Relocation Criteria.

“6.3.3.2 Resettlement Criteria

*“All resettlement activities carried out by NROCC **will be** sustainable in nature by providing sufficient resources or alternatives to those who are displaced. **All persons affected will be consulted and given the opportunity to participate in the planning and implementation of their own resettlement.** Assistance will be provided in helping individuals to restore their standard of living or to raise it, but no individual’s standard of living should be lowered as a consequence of the project. The legal tenure of affected persons will determine the type of compensation and resettlement assistance to be received. Particular attention will be given to groups such as the elderly, unemployed, those living below the poverty line, women and children and those without land tenure.*

“Displaced persons, and owners of businesses and activities will be informed of their rights and be given options. There will be consultations with them and economically viable resettlement alternatives will be offered. Compensation will be prompt, effective and at full replacement cost for losses such as lands, structures, crops, trees, businesses and incomes lost, at present open market values.

[...]

*“Stakeholder meetings **will be** held with the owners of the businesses and dwellings to determine what will be required to ensure their livelihood is restored. These meetings will be advertised via public media and other methods (newspaper, letters, flyers, libraries, post office, fire/police stations, town crier etc.). In addressing any farmlands and recreational areas that will be affected by the highway, NROCC will compensate the farm owners for the portion of property affected along with crops being cultivated. This compensation will be at market values determined by a third party knowledgeable in land, structures, crops and plants/trees valuation. In the instance where recreational fields (football fields, cricket pitches, walking/running tracks) are affected, NROCC will seek to rebuild these recreational facilities in close proximity to the original facility.”²¹*

The use of the future tense (“*will be*”) through this section of the EIA indicates that none of the proposed ‘stakeholder meetings’ have taken place and no details of a resettlement plan have been prepared to date. This omission deprives affected communities of objecting to the details of their forced resettlement prior to government commitment to the project in the form of an approval of the EIA.

²¹ EIA, pp. 491-493 (emphasis added).

It is internationally accepted best practice to include a detailed Resettlement Plan as part of or alongside an EIA so that details of the plan can be subject to the same kind of rigorous scrutiny as other proposed mitigation measures.²²

7. The EIA lacks adequate justification for why constructing a perimeter road is preferable to the In-Town Alternative for road improvements

Section 7.3 of the EIA presents the following discussion of an In-Town Alternative of road improvements for reducing traffic congestion in the city of Montego Bay:

“Beyond the No-Build Alternative and Small Improvements, additional improvements can be done along the existing major arterials to improve the LOS in the future scenario (Stanley Consultants Inc., 2018). Based on the growth rate and all pending and approved developments, turning volumes at the major intersections along Bogue Road, Alice Eldemire and Howard Cooke are projected to be over 500 vehicles in the AM peak. To put this volume to capacity condition in context, a typical right-turn lane at a signalized intersection has a capacity of approximately 400 vehicles per hour. These volumes would therefore require double turn lanes, especially in cases where the conflicting through volumes are also high.

[...]

“For the In-town alternative, a practical solution was explored to compare an alternative through the town to a perimeter road around the town. This alternative assumed the 6-laning of Howard Cooke Boulevard, double right turn lanes at the intersections of Market Street, Barnett Street, and Lower Bevin Avenue and the extension of Howard Cooke Boulevard to Bogue Road, bypassing Alice Eldemire. Howard Cooke Boulevard would therefore be expanded from 4-lane road to 6-lane between Queens Drive and Alice Eldemire, with a 4-lane extension from Alice Eldemire to Bogue Road, making Howard Cooke Boulevard a total of 3.24 km. Additionally, grade separated interchanges are proposed at Howard Cooke Boulevard and Queens Drive, Howard Cooke Boulevard and Alice Eldemire Drive and Howard Cooke Extension and Bogue Road. Additionally, Queens Drive would be expanded from 2 to 4 lanes.

[...]

“In addition to the significant land impacts, utility poles along the entire length of the road would need to be relocated. The Queens Drive expansion would require the relocation of approximately

²² World Bank Operational Procedure 4.12 - Involuntary Resettlement (Revised 2013). Item 19: “Resettlement planning includes early screening, scoping of key issues, the choice of resettlement instrument, and the information required to prepare the resettlement component or subcomponent. The scope and level of detail of the resettlement instruments vary with the magnitude and complexity of resettlement. In preparing the resettlement component, the borrower draws on appropriate social, technical, and legal expertise and on relevant community-based organizations and NGOs. The borrower informs potentially displaced persons at an early stage about the resettlement aspects of the project and takes their views into account in project design.” Item 26: 25. A draft resettlement plan that conforms to this policy is a condition of appraisal (see Annex A, para. 2-21) for projects referred to in para. 17(a) above.²⁵ However, where impacts on the entire displaced population are minor, or fewer than 200 people are displaced, an abbreviated resettlement plan may be agreed with the borrower (see Annex A, para. 22). Inspection Panel. 2017. “Consultation, Participation and Disclosure of Information.” “OP/BP 4.12 Involuntary Resettlement. Meaningful consultations under the Bank Policy on Involuntary Resettlement create the opportunity for active stakeholder participation that influences design and implementation of the resettlement process. The consultation process begins early in the development of a resettlement program to provide the basis for the census and socioeconomic survey that inform its design. The Panel’s experience shows the importance of stakeholders’ awareness of the purpose of the surveys and how the results will be used in the resettlement program. The process provides affected people with an opportunity to be informed about their rights pertaining to resettlement and to be consulted on resettlement options, including forms of compensation, alternative livelihood strategies and resettlement locations. Well-designed resettlement programs consider this feedback from displaced persons and incorporate it into the design of project activities. The draft resettlement plans should be consulted on and clearly discuss the resettlement entitlements for each category of impact. Panel cases have shown that resettlement programs that are informed by the needs of affected peoples can minimize negative impacts during implementation and subsequently promote effective livelihood restoration practices.”

70 utility poles. The Howard Cooke Boulevard expansion would require the relocation of at least 30 utility poles. Howard Cooke Boulevard and Queens Drive also have significant potable water and sewage lines that would need protection and/or relocation. Expansion works on Howard Cooke would cause immense traffic delays during construction since there are no viable alternate routes. Expansion works on Queens Drive, would cause an increase in traffic on Gloucester Avenue which would have additional impacts on the tourism products along that road. Construction would have to be staged to provide the existing 4-lane capacity on Howard Cooke Boulevard at minimum during the peak hours. Maintenance of traffic during construction would therefore pose considerable challenges.

“The total costs associated with the in-town alternative is \$30,259,551.84 JMD. This does not include land and structure acquisition, which is estimated as being significant. The conceptual cost of the preferred Montego Bay Bypass perimeter road alignment was estimated at \$118,306,194.88 (section 7.4). Based on the speed limit and capacity of the Montego Bay Bypass perimeter road, the travel time between Bogue and Ironshore is estimated at 15 minutes in the peak hour and includes the controlled delay at the signalized intersections at either end of the Perimeter road. Although the conceptual cost of the In-town alternative is lower (\$30,259,551.84 USD), it is projected to have a travel time of 22 minutes in the peak hour and this alternative would also have significant impacts on the land uses, utilities and traffic along the corridor.”²³

Many of the substantial environmental impacts (in the form of mangrove losses) and social impacts (in the form of forced resettlement) are avoided if the ***in-town alternative*** is chosen instead of the Montego Bay Bypass perimeter road alignment. Although the significant costs of land and structure acquisition are not specified in the EIA, the overall cost of the ***in-town alternative*** is presented as substantially less than the Montego Bay Bypass perimeter road alignment, approximately J\$30 million for the in-town alternative versus approximately J\$118 million for the perimeter road alternative. **If the travel time from Bogue and Ironshore in the peak hour is the key metric to compare the level of service provided by project alternatives, then it is questionable to choose the costlier and more destructive Montego Bay Bypass Perimeter Road alignment alternative that reduces the travel time between Bogue and Ironshore in the peak hour by only 7 minutes compared to the in-town alternative (22 minutes versus 15 minutes).**²⁴

8. Promotion of the Virtual Town Hall

JET is mindful of the challenges faced by the National Environment and Planning Agency (NEPA), the EIA consultants and project proponents in scheduling the public consultation for this EIA during the COVID-19 outbreak in Jamaica, and recognises the extenuating circumstances which required the meeting to be hosted online as a virtual town hall.

The virtual town hall broadcast on JNN and live streamed online on June 23, 2020, was well chaired and managed; however, JET does not believe it presented the environmental impacts of the project well. Details of the proposed mitigation of these impacts were also not sufficiently addressed by the presenters.

²³ EIA, pp. 501-502 (emphasis added).

²⁴ EIA, p. 503. NB. The same amount is listed both in USD and in JMD in the same paragraph, leading to some ambiguity that should be cleared up about the actual cost of the project. We assume JMD based on the fact that Table 7.1 values are listed in JMD but this detail is important for proponents to clarify.

We also found it too difficult to ask questions during the virtual town hall – while some people succeeded, others did not, including JET. JET submitted a question via both Zoom and WhatsApp and neither forum proved successful in having our concerns addressed. We recommend that if this format is to be used again for public consultations in the future, NEPA should play a greater role in ensuring that as many questions as possible are answered by the panel in the time allotted. JET would also like to see a list of all questions posed during the meeting by members of the public (whether read on air or not) published along with the verbatim minutes. The project’s proponents should also be required to address all questions received from the public during the meeting (whether read on air or not) before approval of the project is considered.

Additionally, given that a virtual town hall is a significant deviation from the standard public consultation format, JET is of the position that they should be subject to wider publicity, especially online (social media, websites). In fact, JET recommends that going forward notices of all EIA public consultations, whether virtual or otherwise, should be posted on the NEPA social media accounts at least three weeks in advance of the meeting date.

JET also proposes that an additional seven (7) days should be added to the notice period for virtual EIA public consultations, and under these circumstances members of the public should also be given an additional seven (7) days to submit written comments on the EIA to NEPA.

Jamaica Environment Trust
June 24, 2020