

## **TA 3588-PRC: TRANSJURISDICTION ENVIRONMENT MANAGEMENT (CLUSTER) STATUS OF IMPLEMENTATION**

1. ADB approved the cluster technical assistant (TA) for \$2.1 million on 11 December 2000 for improved transjurisdiction environment management in PRC. The TA aims to assist the Government in operationalizing transjurisdictional provisions of the Water Pollution Prevention and Control Act (WPPCA) using the Yellow River Basin as a case study. The other objectives are to help the Government (i) strengthen environmental management of the Yellow River Basin by developing transjurisdictional administration, environmental standards and regulations, and environmental monitoring and enforcement mechanisms; (ii) develop local legislation and regulations for implementing the transjurisdictional provisions of the WPPCA; (iii) examine the need for a national law to integrate various dimensions of river basin environmental management; and (iv) disseminate the findings and recommendations for potential application in other river basins.

2. The cluster TA consists of four components, namely, (A) Legislative to Support Transjurisdictional Water Pollution Prevention and Control; (B) Procedure and Methodology for Transjurisdictional Water Pollution Management; (C) Capacity Building for Transjurisdictional Water Pollution Monitoring and Information Management; and (D) Dissemination of the TA Findings and Recommendation. The State Environmental Protection Agency (SEPA) is the Executing Agency (EA) for the TA cluster, and each component has its own implementing agency (IA). Resources Conservation Committee of the National People's Congress (NPC) is the IA for the first component, and SEPA is the EA for the second component. The Yellow River Basin Water Resources Protection Bureau (YRBWRPB) and China Council for International Cooperation in Environment and Development (CCICED) are the respective IAs for the third and fourth components. Implementation of Component A commenced in April 2002. The entire cluster will be completed by the end of 2004.

3. **Component A.** Component A aims to assist the Government to develop legislative models to support transjurisdictional water quality management. The contract amount of the component is \$604,000. RMIT of Australia was recruited by ADB to carry out Component A of the cluster TA. The consultant started fieldwork in April 2002 and it is expected that the consultant would complete their assignment in June 2003.

4. The following tasks have been completed under Component A: (i) documents review on transjurisdictional pollution status and trend of Yellow River; (ii) a case study in Fen River Basin (a tributary of Yellow River) to develop a legislative model for transjurisdictional water quality management; and (iii) an interim report, which is submitted on 6 November 2002. A training seminar for legislative drafting will be held on 25-29 November 2002 to be attended by key staff from the implementing agencies and representatives from the nine provinces located in Yellow River Basin. The seminar would include two sessions: (i) lecture on international perspective, and (ii) a model legislative example reflecting the case study as a basis for discussion. A second seminar emphasizing the need and expected content of national legislation based on the key issues identified during implementation of Component A will be held in May 2003.

5. **Component B.** A mission to study feasibility of Component B was fielded in August 2002. Implementation of Component B with its scope and intended outputs, cost estimates, implementation arrangements and terms of reference for consultants was approved by DG, ECAE, on 30 September 2002. The main objectives of Component B as part of the cluster is to provide support for the establishment of environmental management mechanisms especially procedure and methodology necessary for transjurisdictional water pollution management in

Yellow River Basin. The main outputs include (i) a report on comprehensive review and analysis of key issues related to procedure and methodology for transjurisdictional water quality management in Yellow River Basin and in other countries; (ii) a draft regulation addressing administrative procedure, and responsibility/functions of local authorities with focuses on identification of potential conflicts, removal of causes of potential conflicts, resolution of conflicts, and emergency response to trans-jurisdictional pollution accidents in Yellow River Basin; (iii) operational guidelines on technical supports for the implementation of the Regulation; and (vi) a report recommending legislation needs at national and local levels for implementing the regulation and standards in addition to those identified under Component A.

6. The total cost for Component B is estimated at \$685,000. ADB consultant shortlist is scheduled in the second week of December 2002. Field work for Component B is expected to commence in February 2003 with expected completion in April 2004.

7. **Linkage Among the Components.** The main findings from Component A on legislation needs and review results of the regulatory and administrative functions of the institutions for environmental management in the Yellow River Basin will form important inputs to Component B for the development of methodology and procedure for transjurisdictional water quality management, especially for the recommended regulations and water quality standards. The five-month overlap between Component A and B will allow information exchanges and cooperation between the two components. In addition, the methodology and procedures identified/recommended through Component B will be important considerations when Component C is designed for capacity building on transjurisdictional water pollution monitoring and information management. Component D will systematically disseminate findings from Component A, B, and C to key stakeholders so as to help raise polluters' awareness of transjurisdictional water pollution issues and of the Government's expectations.

8. A mission to study the feasibility of Components C and D will be fielded in mid-2003. The entire cluster TA will be completed by the end of 2004.