

CHAPTER 2: TERMS OF REFERENCE

2.1 OVERVIEW OF APPROVED TERMS OF REFERENCE

The Terms of Reference (TOR) for this proposed Project was prepared by GESB in accordance to Guidance Document for Preparing Terms of Reference under Environmental Impact Assessment (EIA) Guidelines and submitted to DOE on 7th February 2020. The TOR has been approved by DOE HQ via letter Ref No. JAS. 600-2/1/1 Jilid 3(5) dated 30th November 2020 as attached in **Appendix 2-1**, and the approval was extended to 30th May 2022. The letter extension Ref No. JAS. 600-2/1/1Jilid4(4) dated 3rd February 2022 is attached in **Appendix 2-2**.

2.2 TOR CHECKLIST

In preparing this S2EIA report, the following additional information in **Table 2-1** have been incorporated and tabulated to comply with item no. 2 of the approved TOR by DOE. In total, 13 departments including DOE has submit their feedback which are as follows:

- i. Department of Environmental, Johor;
- ii. Johore State Forestry Department;
- iii. Department of Irrigation and Drainage, Johor;
- iv. Local Authority Mersing District;
- v. Department of Environmental, Putrajaya;
- vi. Department of Wildlife and National Parks (DWNP) Peninsular Malaysia;
- vii. Department of Orang Asli Development;
- viii. Department of Minerals and Geosciences;
- ix. Badan Kawal Selia Negeri Johor;
- x. PLAN Malaysia Negeri Johor;
- xi. Department of Irrigation and Drainage, Kuala Lumpur;
- xii. Pejabat Tanah dan Daerah Mersing; and
- xiii. Department of Forestry Peninsular Malaysia.

Table 2-1: Item to be Included in the EIA Study

No.	Items in the "Revised TOR"	Reference in The EIA Report
1.	Kesemua keperluan daripada agensi-agensi dan Individu Yang Dilantik (<i>Appointed Individuals, AIs</i>) yang dikemukakan kepada pihak tuan termasuk ulasan sama ada secara bertulis dan yang dibincangkan semasa mesyuarat hendaklah diberikan perhatian yang sewajarnya dalam Laporan EIA. Format maklumbalas kepada ulasan bertulis yang akan diterima kelak adalah seperti di LAMPIRAN 1 .	All requirements from the agencies and Appointed Individuals (AI's) were considered in this EIA report.
2.	Pihak pemaju dan jururunding juga perlu memastikan perkara- perkara berkaitan tanah seperti isu dasar dan polisi berkaitan status pengambilan tanah, syarat nyata atau syarat kegunaan dan sebagainya hendaklah diselesaikan terlebih dahulu <u>sebelum Laporan EIA dikemukakan</u> kepada Jabatan ini;	The proposed project is inline RSNJ 2030 dan Rancangan Tempatan Daerah Mersing 2030 (Penggantian) and Johor Structure Plan 2030. The land title is attached in Appendix 5-1.
3.	Laporan <i>Land Disturbing Prevention and Mitigation Measures</i> (LD-P2M2) hendaklah disediakan mengikut <i>Guidance Document for the Preparation of the Document on Land Disturbing Pollution Prevention and Mitigation Measures</i> (LD-P2M2);	Laporan <i>Land Disturbing Prevention and Mitigation Measures</i> (LD-P2M2) yang telah disediakan untuk laporan EIA ini adalah berdasarkan <i>Guidance Document for the Preparation of the Document on Land Disturbing Pollution Prevention and Mitigation Measures</i> (LD-P2M2).
4.	Kajian EIA bagi cadangan projek ini hendaklah memberikan penekanan kepada 3 komponen utama kajian iaitu air, udara dan pengurusan sisa dan dijalankan secara kuantitatif, komprehensif serta langkah-langkah kawalan pencemaran yang dicadangkan juga perlu dijelaskan dengan spesifik dan	The three (3) main components of study which is water, ambient air and waste management has been discussed in this EIA report.

No.	Items in the "Revised TOR"	Reference in The EIA Report
	<p>terperinci bagi isu-isu kritikal yang dikenalpasti;</p>	<p><u>Ambient Air Quality</u>: Chapter 6 subchapter 6.7.1, page 6-40 to 6-43.</p> <p>Water including <u>river water quality</u> and <u>ground water quality</u>: Chapter 6 subchapter 6.7.3, page 6-48 to 6-67 and subchapter 6.7.4, page 6-67 to 6-86.</p> <p><u>Waste management</u>: Chapter 9 subchapter 9.3.1, page 9-9.</p> <p>The pollution prevention and control measures were discussed in Chapter 7 and Chapter 8 respectively.</p>
5.	<p>Standard rujukan yang akan digunakan untuk perbandingan perlu menggunakan standard terkini;</p>	<p>The standard reference was referred to the latest revision.</p>
6.	<p>Kajian impak dan langkah-langkah kawalan yang merangkumi perkara-perkara berikut:</p> <ul style="list-style-type: none"> a) Mengambil kira keadaan semasa (<i>current</i>) dan keadaan akan datang dengan pertambahan bagi fasa-fasa akan datang; b) Menyatakan impak dalam keadaan <i>worst case scenario</i> apabila langkah kawalan pencemaran gagal berfungsi; c) Mencadangkan langkah kawalan pencemaran dan langkah kawalan pencemaran yang bersesuaian untuk mengurangkan impak 	<p>The pollution prevention and control measures were discussed in Chapter 7 and Chapter 8 respectively.</p>

No.	Items in the "Revised TOR"	Reference in The EIA Report
	<p>berdasarkan kepada ramadan rawatan impak (<i>modelling</i>) dalam keadaan <i>worst case scenario</i>,</p> <p>d) Zon penampan dengan kawasan penerima sensitif seperti kediaman berpenduduk, badan air, hutan dan lain-lain hendaklah dikenalpasti dan diberi perhatian utama semasa kerja-kerja perancangan dan pembinaan projek bagi memelihara keadaan yang lestari dan pelaksanaan langkah- langkah kawalan pencemaran yang berkesan.</p>	
7.	<p>Kajian garisdasar hendaklah berdasarkan keadaan semasa di tapak yang merupakan penerima sensitif sedia wujud dan dari data-data sediada (<i>process develop from the primary and secondary data</i>). Jangkaan impak perlu mengambilkira <i>worst case scenario (no control</i> dan keadaan cuaca terburuk;</p>	<p>Baseline study was based on current situation and survey done on site covering landuse (zone of study), sampling for ambient air quality, noise level, groundwater quality and flora and fauna survey as stated in Chapter 6.</p> <p>Secondary data includes the Social Impact Assessment as highlighted in Chapter 6 supported with the said documents in the related appendices attached in this EIA report.</p> <p>The impact was discussed as included in Chapter 7 of this EIA report.</p>
8.	<p>Maklumat dan data yang digunakan di dalam kajian EIA perlulah terkini (<i>current data</i>) dan mengambilkira keperluan penggunaan data- data sepanjang tahun kebelakangan sebagai perbandingan;</p>	<p>Noted. All data used in this assessment were based on current data as presented in Chapter 6 and Chapter 7 (modelling and LD-P2M2) of this EIA report.</p>

No.	Items in the "Revised TOR"	Reference in The EIA Report
		Information on the existing site condition was based on site visit and onsite sampling including site observation carried out by the consultant.
9.	Memastikan ketepatan maklumat dan data dalam Laporan EIA termasuk guna tanah di persekitaran;	Noted.
10.	Setiap penemuan dari kajian impak alam sekitar yang dijalankan hendaklah mempunyai cadangan/pelan langkah kawalan dan kaedah langkah kawalan tersebut dilaksanakan untuk memastikan tiada impak alam sekitar terhadap garisdasar dan keadaan sediaada; dan	The control measures based on this study findings were elaborated according to the environmental components in Chapter 7 and Chapter 8, respectively.
11.	<p>Mengadakan libat urus (<i>engagement</i>) dengan agensi-agensi berkaitan seperti:</p> <ul style="list-style-type: none"> a) Majlis Daerah Mersing (MDM) dari semasa ke semasa untuk mendapatkan status terkini Draf RTD Mersing (Penggantian) 2030 dan memastikan cadangan projek ini selaras dengan ulasannya melalui surat rujukan rujukan MD.MG.A.156 BHN VIII (17) bertarikh 4 Oktober 2020; b) Jabatan Perhutanan Negeri Johor untuk memastikan segala maklumat berkaitan rekod warta keluar tapak cadangan projek dan diberi tanah milik diperjelaskan secara terperinci dalam laporan EIA; c) Jabatan PERHILITAN bagi memastikan keperluan kajian ekologi dan 	<p>During the EIA report preparation the following agencies has been approached to get the relevant information:</p> <ul style="list-style-type: none"> - Majlis Daerah Mersing (Appendix 1-1) - Jabatan Perhilitan (Appendix 2-3) - Jabatan Pengairan dan Saliran Negeri Johor (Appendix 2-3) - Jabatan Pertanian (Appendix 2-3) - <i>Malaysia Palm Oil Board</i> (MPOB)(Appendix 2-3) - Jabatan Kemajuan Orang Asli (Appendix 2-3)

No.	Items in the "Revised TOR"	Reference in The EIA Report
	<p>penyediaan <i>Wildlife Management Plan</i> diambilkira dalam Laporan EIA;</p> <p>d) Jabatan Kemajuan Orang Asli Negeri Johor bagi mendapatkan maklumat dan memastikan semua isu berkaitan komuniti Kg. Orang Asli Labong diambilkira dalam kajian sosioekonomi;</p> <p>e) Jabatan Pengairan dan Saliran Negeri Johor bagi mendapatkan pengesahan berkaitan aliran hidrologi kawasan projek dengan Sg. Endau dan Empangan/Tasik Labong;</p> <p>f) Jabatan Pertanian bagi memastikan keperluan berkaitan dalam pengurusan amalan pertanian dipenuhi dan dilaporkan dalam Laporan EIA;</p> <p>g) <i>Malaysia Palm Oil Board</i> (MPOB) bagi memastikan keperluan dalam pensijilan <i>Malaysian Sustainable Palm Oil</i> (MSPO) khususnya berkaitan pengurusan alam sekitar dikenalpasti dan diperincikan dalam laporan EIA.</p>	
12.	Kaedah pengiraan sampel dan kumpulan sasaran bagi libat urus dan kajian selidik perlu dinyatakan;	Refer Appendix 6-8, Section 3.5.1.1 Sample Size (page 27)
13.	Berdasarkan arahan terkini, pelaksanaan projek ini hendaklah mengambilkira semua keperluan dan kehendak agensi-agensi yang berkaitan, dan perkara tersebut hendaklah dinyatakan di dalam Laporan EIA dan dikemaskini di dalam dokumen EMP.	All the needs and requirements of relevant agencies has been gathered in this report. Some actions or decisions will be updated in the EMP stage later.

2.3 SUMMARY OF TOR

As a summary from the TOR, the proposed Project of Lot PTD 4882, PTD 4085, PTD 4963, PTD 4118, PTD 4177 and PTD 4121 is located at a plantation area and far from public road and any residential areas.

The selection of the proposed Project area in Mukim Padang Endau was mainly based on the economic need for converting an unproductive land to a land use with economic value by planting palm oil trees and coconut palm which can generate revenue to the state.

2.4 STUDY BOUNDARIES AND POTENTIAL IMPACTS

The study boundaries for this Project which has been investigated and identified during TOR are summarised in **Table 2-2** below.

Table 2-2: Summary of Study Boundaries

No.	List of Studies	Study Boundary
1	Topography	Within the Project site up to 5 km from the project boundary
2	Land Use	Within the Project site up to 5 km radius from the project boundary
3	Soil Suitability	Within the Project site
4	Ecology (Flora and fauna)	Within the Project site up to 5 km radius from the project boundary
5	Air Quality	5 km from the Project boundary
6	Noise Level	5 km from the Project boundary
7	Water Quality	Sg. Tarsap, Sg. Endau, Sg. Dedap and Sg. Labong
8	Geology and Geomorphology	Within the Project site up to 3 km radius from the project boundary
9	Hydrology	Within the Project site up to 3 km radius from the project boundary
10	Meteorology/Climate	Nearest meteorological station exist nearby the Project boundary
11	Socio economic	Nearby proposed Project area within Mersing District
12	Transportation/Traffic	Logistic based on transportation route and traffic.

The impact assessment to be undertaken in this study will generally be in terms of Project activities during pre-planning, logging, land clearing, plantation, operation, replanting and abandonment phase. Its impacts against the environmental components will be assessed to determine the level of effect.

The significant environmental impacts and activities to be studied for this Project are listed below as mentioned in the TOR and will be briefed in detail in this S2EIA report:

- Soil erosion due to removal of the protective vegetation cover;
- Increase surface runoff from eroded soil particles;
- Ecological impacts from destruction of habitats for flora and fauna;
- Dust generation from vehicle movement at unpaved access road;
- Increase in traffic flow on the existing road;
- Generation of sewage, sullage and garbage from a worker's camp or working area; and
- Enhancement of employment and commercial opportunity

Detail scope of studies and environmental components in the approved TOR will be elaborated in the following chapters of this S2EIA report.