



## **GYLA and Green Alternative positively assess declaring the “Kheledula 3 HPP” scoping report as invalid**

On June 17th, 2020, the Minister of Environmental Protection and Agriculture has declared his order as invalid on approval of the scoping report of the changes to the Kheledula-3 HPP construction project for Lentekhi. The reason for declaring the decision of 2018 as invalid was the unacceptability of the environmental decision by the entity carrying out the activities within 2 years period after the approval of the scoping report.

The population affected by the project, whose interests are represented by GYLA in court, has been demanding the annulment of the invalid order for 2 years.

GYLA presented to the court the expert opinions of the Green Alternative and an independent environmental assessment expert, which confirmed that the scoping report was issued in gross violation of the requirements of the Environmental

Assessment Code and that the Ministry of Environmental Protection and Agriculture of Georgia had full grounds to refuse to Kheledula Energy Ltd to exercise the right to operate. The scoping report did not examine/study and present such important issues as:

- Hydrological study report;
- Engineering-Geological Survey report carried out in the designed corridor. All the more so when the river Kheledula Valley is characterized by a wide range of geodynamic processes, especially mudflow processes;
- No field studies of aquatic biodiversity have been conducted;
- It has not been studied what effect the diversion tunnel could have on groundwater and therefore whether it would affect the potable water supply of the affected villages in the project.

It is noteworthy that the group of experts of the Ministry itself also has been indicating to the dangers of project implementation. Although the expert opinion concluded that the nature and extent of the impact on the environment were unacceptable, it was impossible to prevent the risk of environmental impact as well as mitigating the environmental impact the Ministry issued a scoping report in 2018 and did not refuse Kheledula Energy on implementation activity. Also, despite the grounded lawsuit, the Tbilisi City Court did not satisfy the claim of the locals.

GYLA and Green Alternative positively assess the decision made by the Ministry to declare the conclusion of the Kheledula 3 HPP scoping report as invalid and calls on the Ministry of Environmental and Agriculture of Georgia to ensure equal consideration of the environmental, social and economic interests of the state and society in the implementation of the similar projects in the future and to introduce the best international practice in the implementation of the environmental assessment procedure.