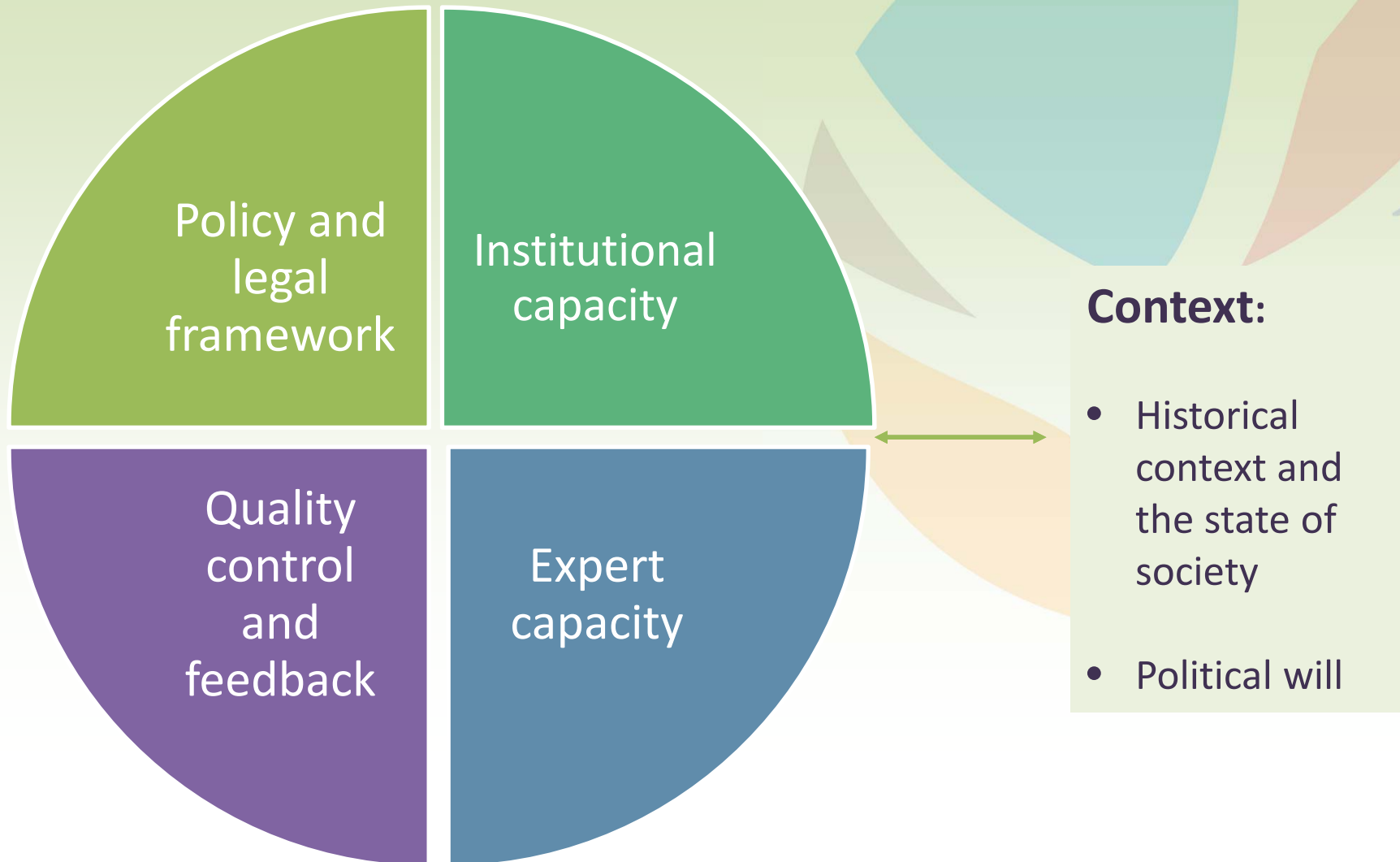# Main elements of a well-developed SEA and EIA system: What is important for efficient practice?

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Yerevan, 22 December 2017

Pillars of Effective EIA and SEA systems

Policy, legal and procedural framework

- Legislative policy and regulations that provide for the key procedural elements of EA practice and are based on international principles of good practice:

  – screening, scoping, baseline study, consideration of alternatives, impact assessment and significance evaluation, mitigation, monitoring and auditing, consultations and public participation

- Practical guidelines to assist interactions between key players in the EIA / SEA process

Institutional capacity

- Clearly defined roles for administrators and practitioners

- Effective coordination between government agencies

- Appropriate resourcing of responsible, developing and affected government institutions

- Transparent and accountable institutions

- Commitment to learning

Case examples

- MoE and National Environmental Agency (when delegated by the Ministry) deal with national PPs,
- Regional Environmental Agencies conduct the SEA procedure for most of the PPs developed in their regions,
- Local Environmental Agencies -> local PPs (e.g., urban plans).

- At national level, the EIA-SEA Technical Commission provides technical & scientific supports to the MoELS
- Superior Institute for Environmental Protection and Research is an autonomous state agency which supports the MoE and the national EIA-SEA Technical Commission in several stages of SEA procedures

Case examples

- MoEW is considered the SEA responsible authority, issuing screening decisions and setting requirements for the scope of the Environmental Report.

- SEA is developed by the planning authority

- Environmental State Bureau is the specifically designated institution, under the MoEP&RD, competent on EA.

 - It takes a screening decision,, consults the SEA responsible authority on the scope of the Environmental Report, provides an opinion on the Environmental Report, determines the time periods when the responsible authority must submit a report on monitoring of the environmental effects of the PP implementation

Expert / human capacity

- EA administrators have skills and expertise
- Qualified EA practitioners
- Commitment to EA work
- Commitment to learning

What can be required to build capacities?

- *the development of basic skills*
- *advanced professional development*
- *certification.*

Case examples

New EIA Directive 2014/52/EU:

*(33) Experts involved in the preparation of environmental impact assessment reports should be **qualified and competent. Sufficient expertise**, in the relevant field of the project concerned, is required for the purpose of its examination by the **competent authorities** in order to ensure that the information , provided by the developer is complete and of a high level of quality."*

Options administered by Government:
- Accreditation of consultants.
- Accreditation of training.
- Selection of consultants by independent panel.

Market mechanisms: e.g. England and Wales
- Professional recognition – the Chartered Environmentalist (2004).
- Quality mark for consultancy companies.

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Quality control and feedback

- A strong system of quality control

- Commitment to quality assurance among practitioners

- A range of quality control measures are typically required to achieve effective and efficient practices: e.g.

  - Measures to ensure procedures are followed,

  - Analyses are robust,

  - **Consultations are efficiently organized**

  - commitments (e.g. proposed monitoring or mitigation) are implemented, etc.

Case examples

Quality Control Mechanisms:

- Fundamental provisions in EU legislation:
  - Access to judiciary (UNECE Aarhus Convention).
  - Publicly accountable statements: e.g. on how the EA influenced decision-making.

- Varying models used in practice: e.g., Denmark:
  - Competent authority undertakes EA (not the proponent)
  - No quality review (only consultations) = > strong reliance on the public inputs

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Case examples

Quality Control Mechanisms:

- Comprehensive governmental provisions in the Netherlands:
  - Scoping: for 'comprehensive projects' and SEAs, NCEA forms specific expert panels comprised of the most relevant disciplines to advise on scope.
  - EIS Report: NCEA is responsible for undertaking a quality review of the EIS.
  - Competent Authority makes a final decision on the SEA.

Historical context, state of the society & political will

- Acceptance and apprehension of SEA and EIA
- Support, from the top down, for achieving the purposes of EA (sustainable development/growth).
- Fundamental to how system operates in practice:
  - e.g. is it effectively resourced?
  - Is there an ongoing commitment to training?
  - Do decision-makers take the findings seriously/ integrate them into planning?

Summing up*

In a well-developed SEA/EIA system:

- The legislative framework is in line with international expectations.

- SEA/EIA is recognized as a standard practice.

- Adequate institutional capacity for coordination, effective administration and for conducting SEAs and EIAs.

- Quality is high and the results are accepted by relevant stakeholders/decision-makers.

- The system operates transparently and decision makers are accountable.

- There is strong political support for the system.

Courtesy of Matthew Cashmore, 2017

Questions or comments?

Thank you for your attention!