

# EIA and SEA: their inter-relationship and role as instruments for sustainable development



4<sup>th</sup> Meeting of the Parties to the UNECE Convention on EIA in a Transboundary Context (Espoo, 1991), Bucharest, 20 May 2008

*“The Convention ten years after its entry into force: future directions”*

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# Summary

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1. Context
2. Links between EIA and SEA
  - Theoretical
  - Practical
3. Remaining challenges
4. Conclusions
  - bringing theory and practice together



# 1. Context

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- Under the convention EIA and SEA treated separately
  - Though connected
- Historically, parts of the same spectrum
  - Same principles apply, but different techniques appropriate
  - Have developed under different and evolving paradigms
    - EIA in era when integrating environment predominated (1970s)
    - SEA when 'sustainable development' ascendant (1990s).

# SEA Protocol and convention

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- *Recognising that strategic environmental assessment should have an important role in the preparation and adoption of plans and programmes, **and, to the extent appropriate, policies and legislation**, and that the wider application of the principles of environmental impact assessment to plans, programmes, policies and legislation will further strengthen the systematic analysis of their significant environmental effects.* Preamble Rec.4, Protocol
- ***Integrating** by those means **environmental**, including health, **concerns** into measures and instruments designed **to further sustainable development**.* Article 1 (e), Protocol

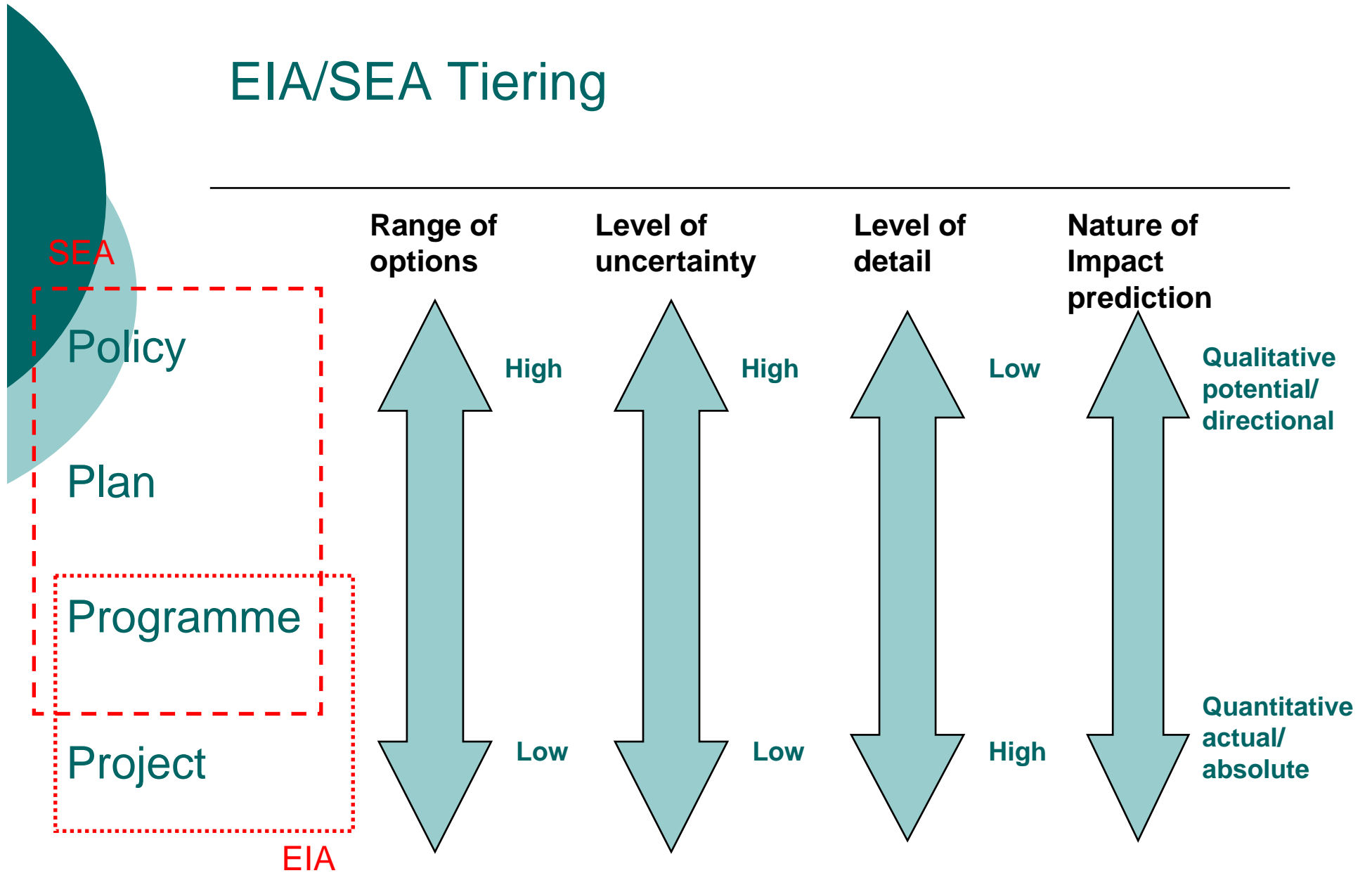
## 2a. Theoretical links

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- Tiering
- Alternatives/options
  - Evaluation of options/alternatives
    - to enable the most sustainable/least environmentally damaging option(s) to be chosen
  - More alternatives available at more strategic levels
  - Participation at most relevant levels
- SEA and EIA therefore central to informed and transparent decision-making about sustainable development

# EIA/SEA Tiering





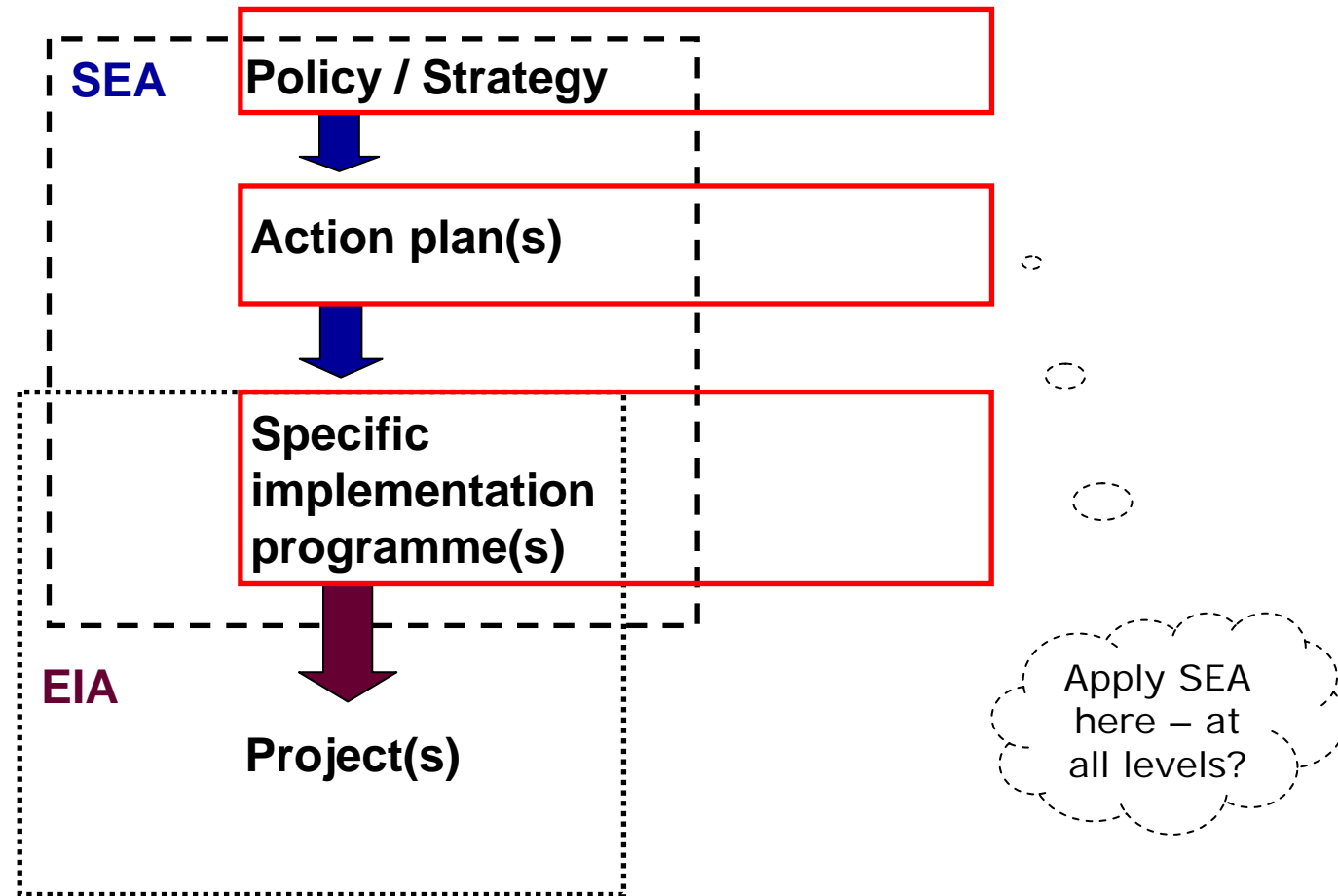
## 2b. Practical links

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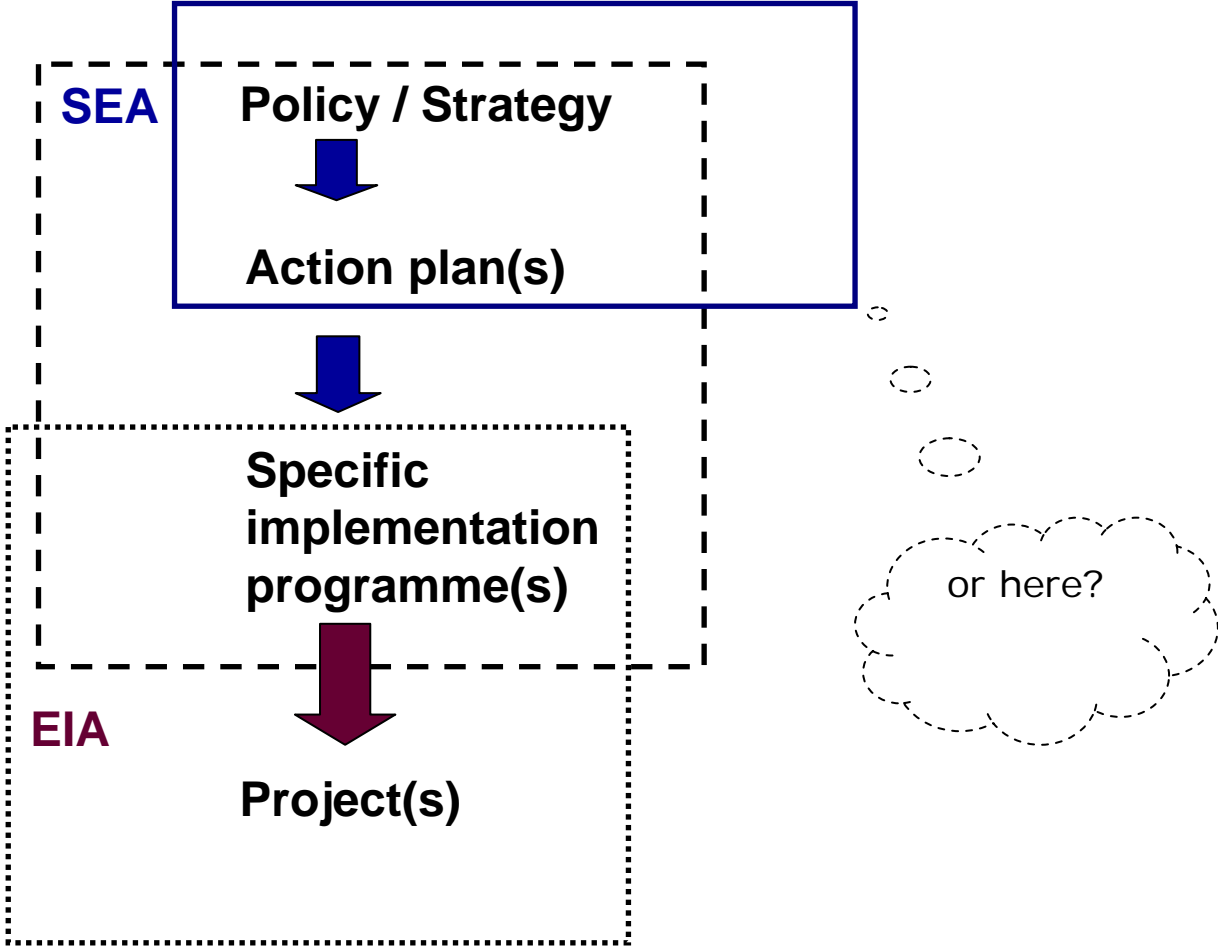


- SEA setting framework for EIA of subsequent projects - tiering
  - But may be indirect, less linear than understood theoretically
  - At what level should SEA and EIA apply – not always straightforward
  - What alternatives are available and when? (e.g. transport/roads)
- What if both SEA and EIA should be applied?
  - E.g. local level plans, because the criteria for both EIA and SEA are met

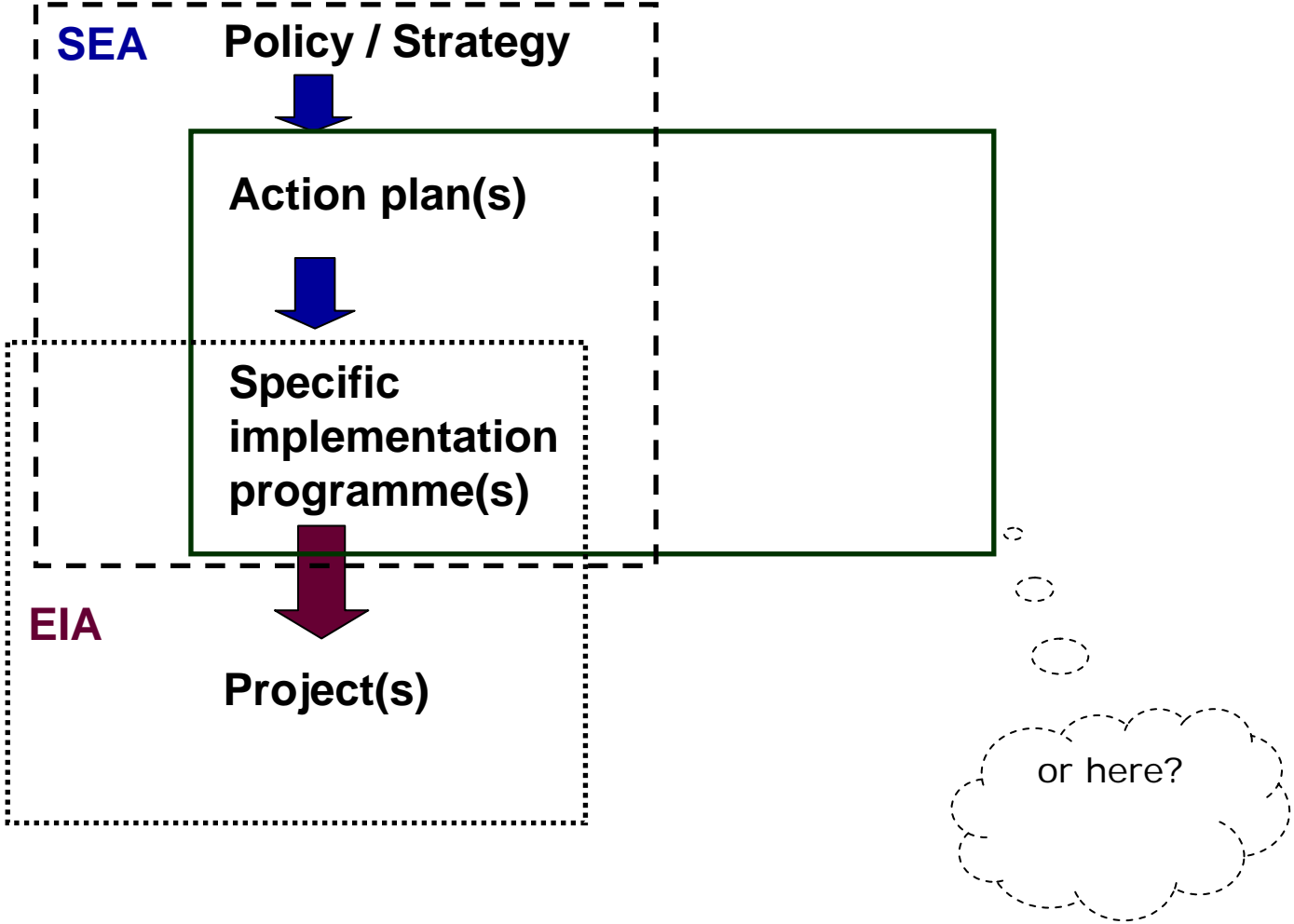
# Need to think strategically about SEA



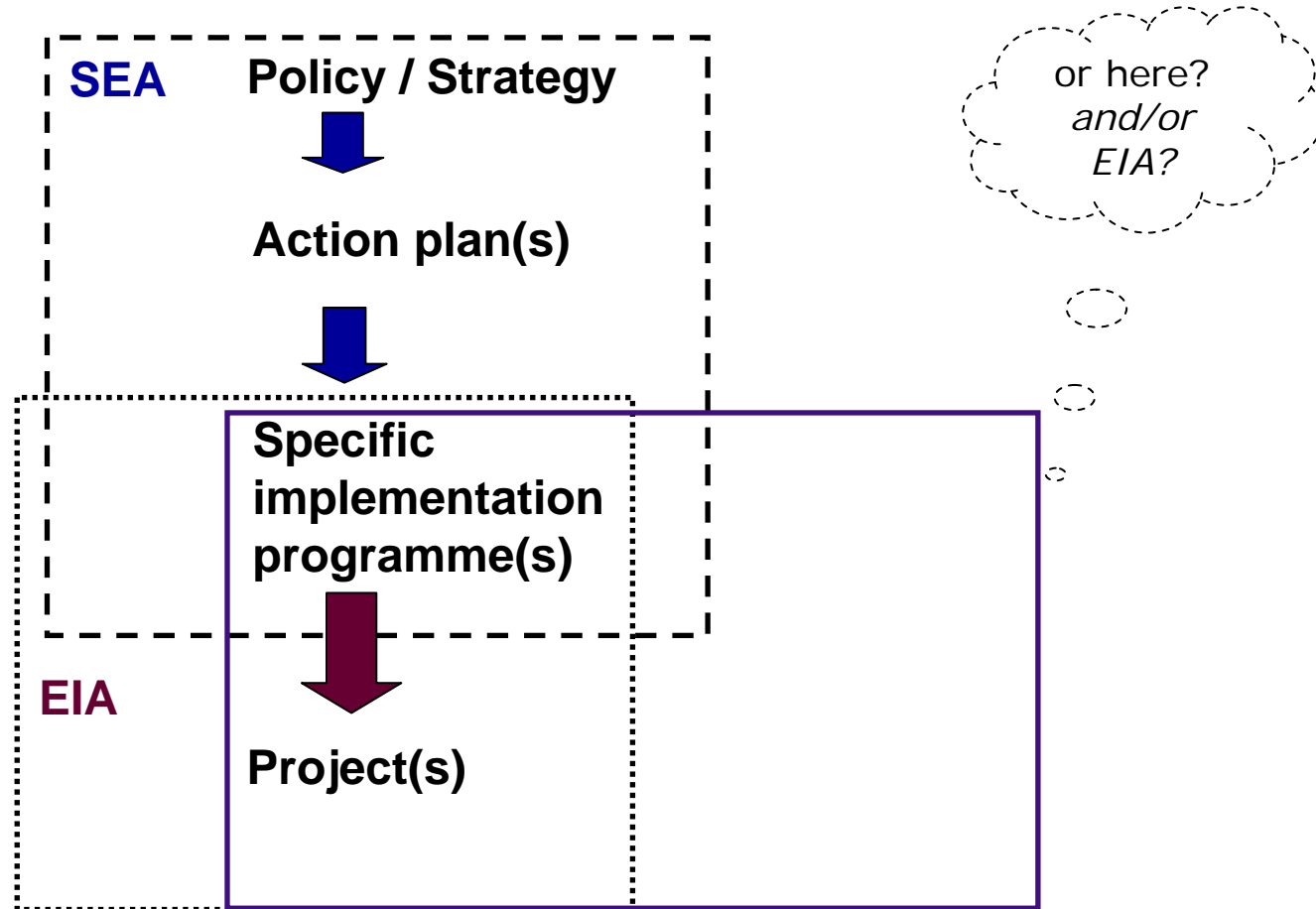
# At most strategic level?



# At plan and programme level only?



# Or some other combination?



# Maximising the practical benefits of links between SEA and EIA

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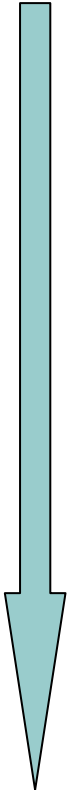
- Link programme SEA and project EIA (where tiered) explicitly
  - maybe programme/project **SEA** if project so large that meets SEA and EIA criteria
- Parallel procedures where both EIA and SEA necessary
  - due to local legal regime
  - reinforce tiering concept
- Joint procedures where EIA and SEA requirements can be met by one procedure
  - where timings and scale coincide



### 3. Remaining challenges

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- 'Fuzzy' projects
    - Multiple consent procedures
    - '*principal project/accessory*' test?
  - Disjunction between law and practice/expectations:
    - lack of statutory process, e.g. route corridors and modal alternatives
    - lack of participation opportunities
  - Policy gap – should SEA apply to policy?
    - Yes
  - Need ultimately for consolidation?
    - May help in looking at EIA and SEA strategically

## 4. Conclusions

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- Deliver aspirations of the Convention/Protocol
  - Re-make connections between EIA and SEA more explicitly, less ad hoc, and more transparently
- Institutionally, more strategic thinking about SEA/EIA: -
  - *At governmental level*
    - create statutory framework for effective assessment, e.g. filling gaps in policy and planning processes
  - *At authority level*
    - deciding how and where best to apply SEA most effectively and efficiently (*'strategic screening'*)
  - *At private sector level*
    - working within a national assessment framework so EIAs/SEAs well informed and tailored.