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

4th 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

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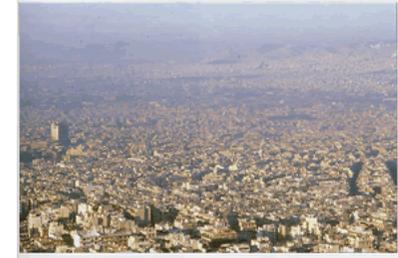   - bringing theory and practice together

1. Context

- 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

○ *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

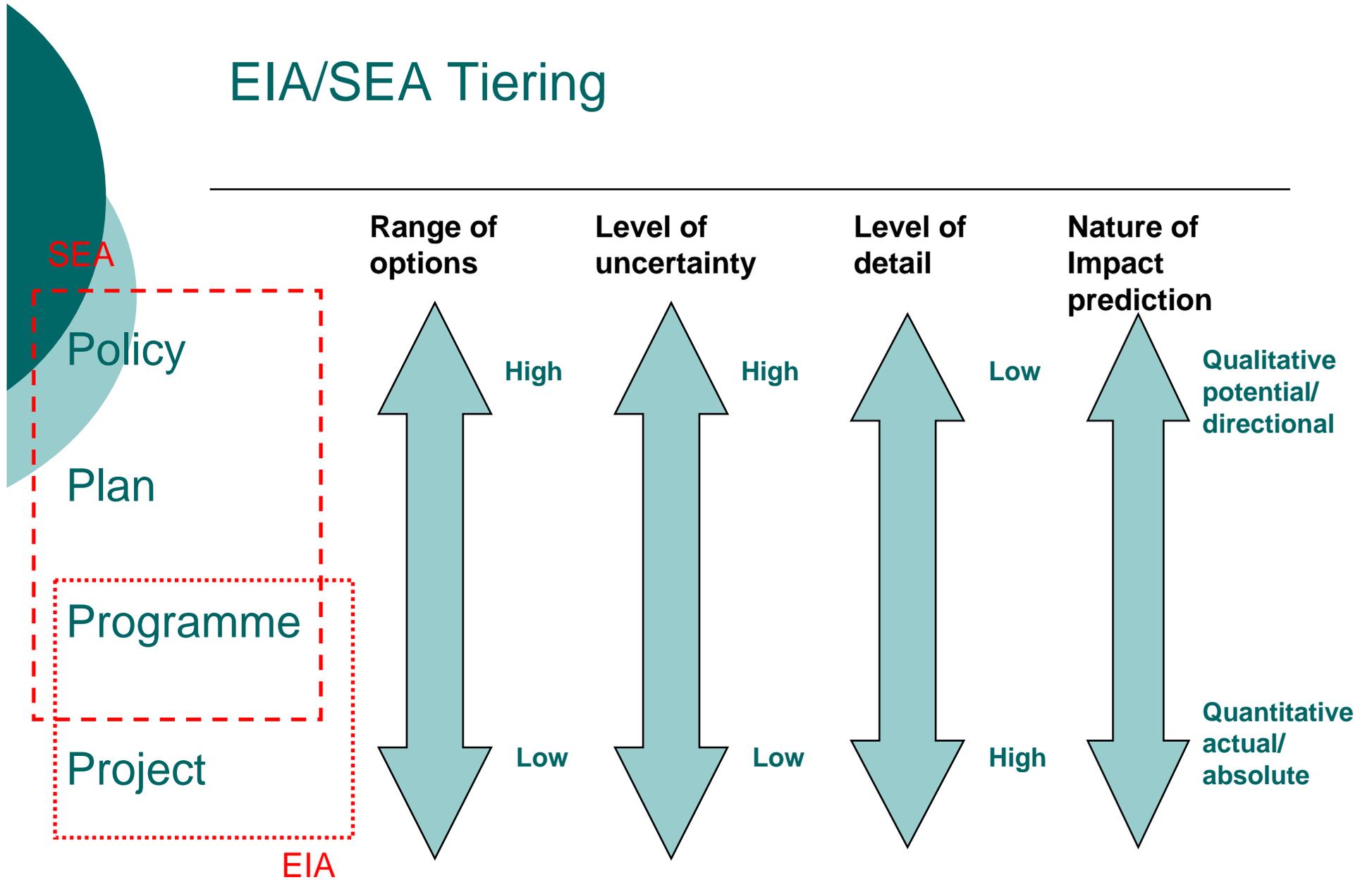# 2a. Theoretical links

- 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
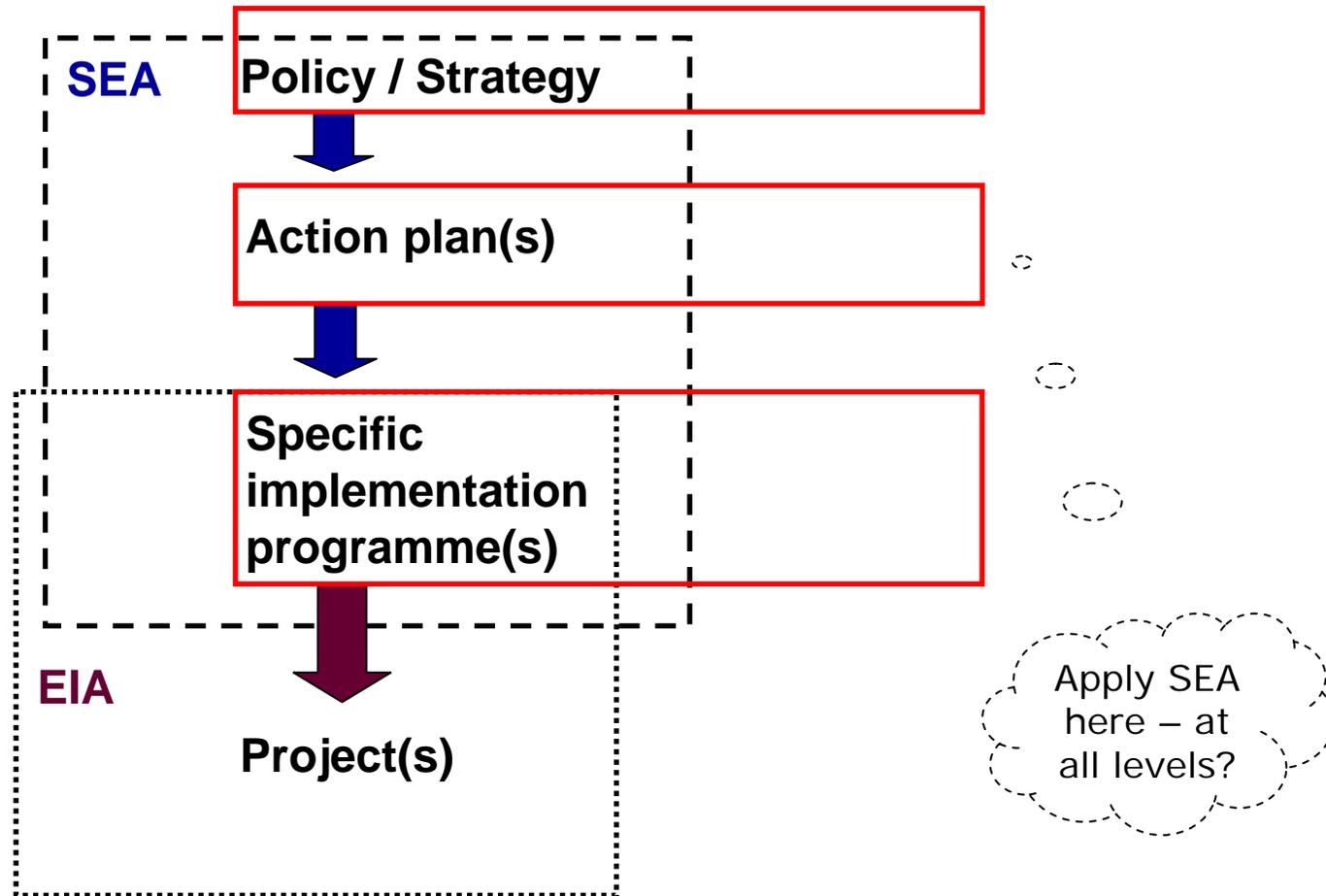
EIA/SEA Tiering

SEA

Policy

Plan

Programme

Project

EIA

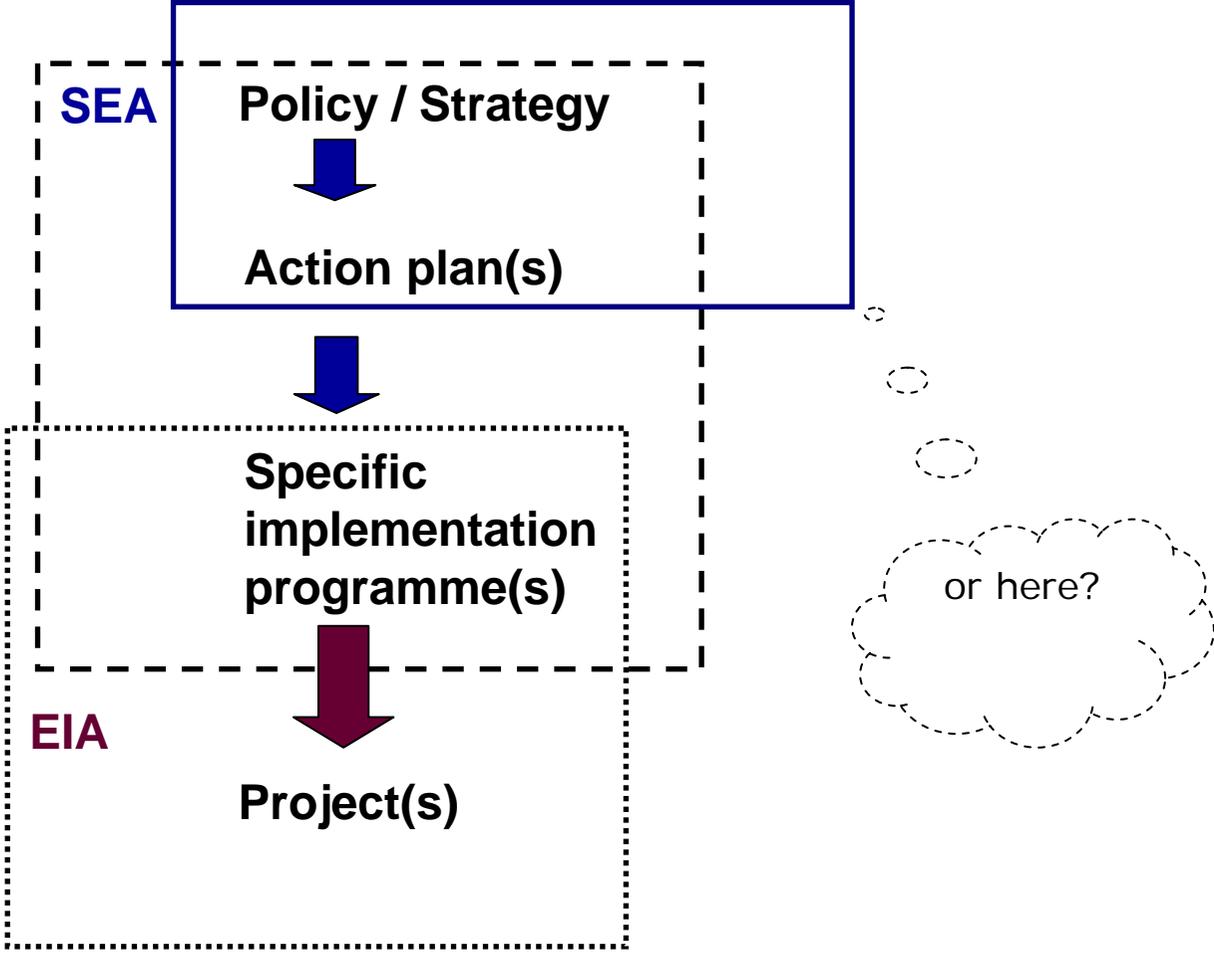| Range of options	Level of uncertainty	Level of detail	Nature of Impact prediction
High	High	Low	Qualitative potential/ directional
Low	Low	High	Quantitative actual/ absolute

2b. Practical links

- 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?
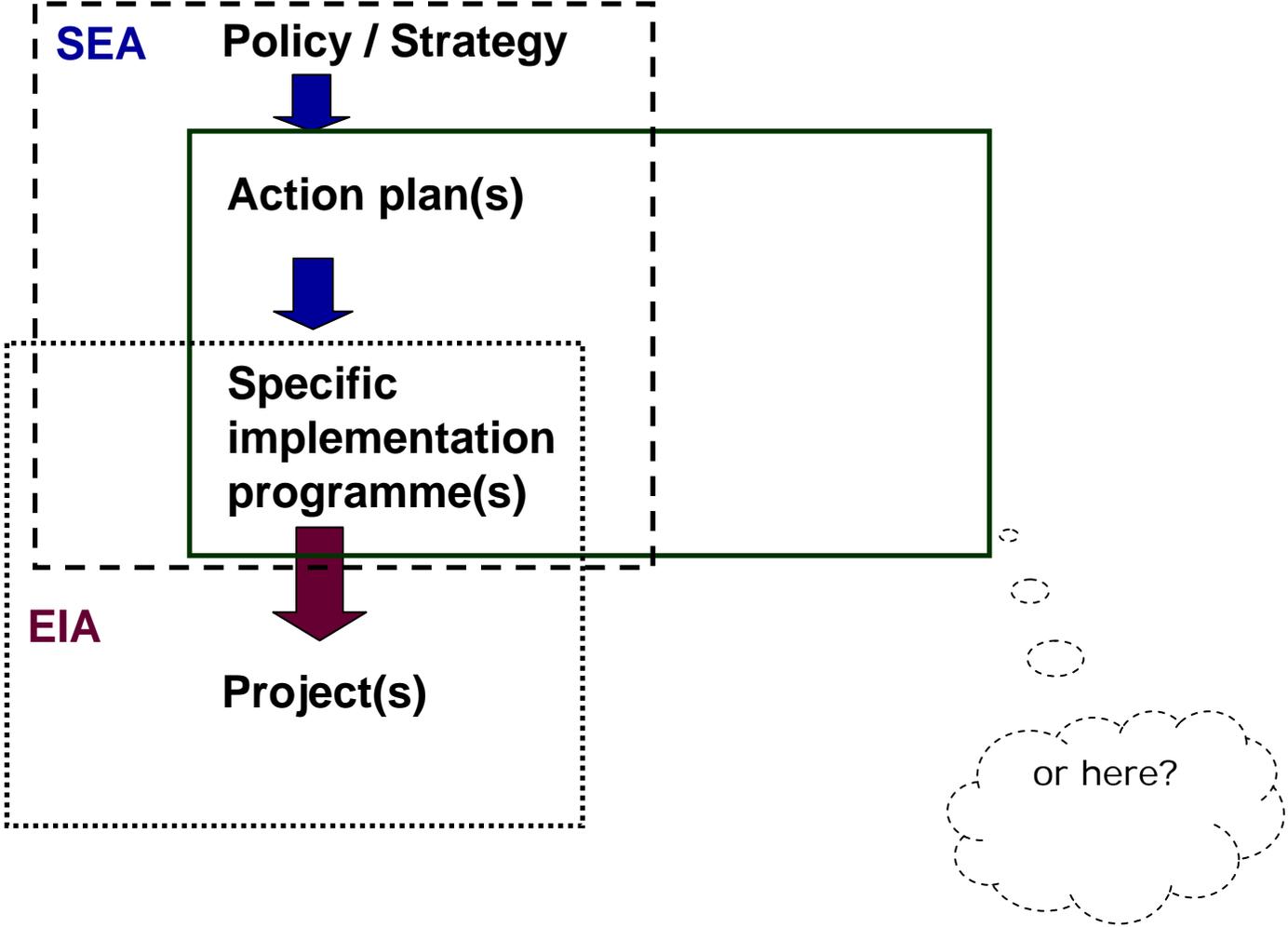   - E.g. local level plans, because the criteria for both EIA and SEA are met

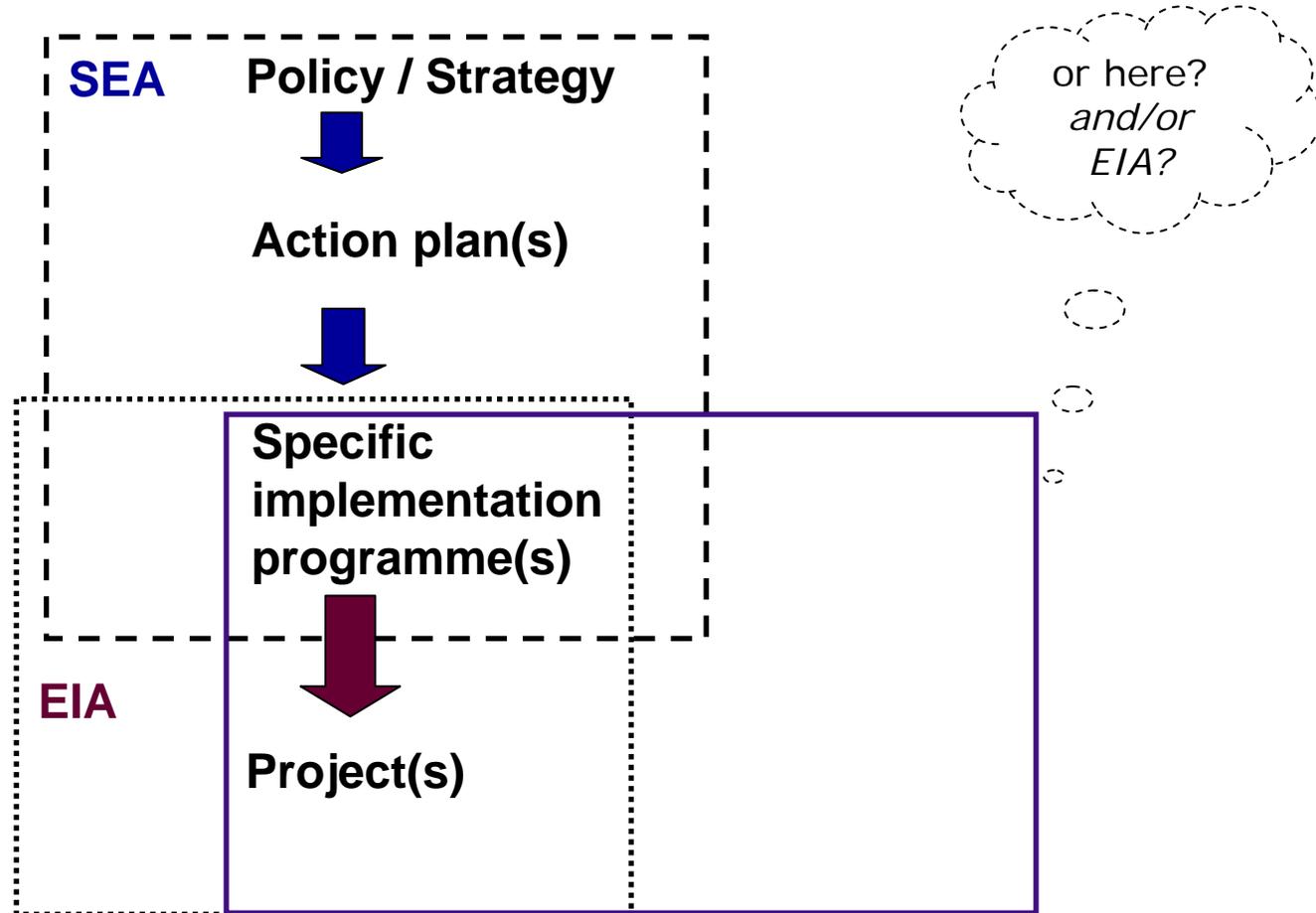# Need to think strategically about SEA

At most strategic level?

At plan and programme level only?

SEA **Policy / Strategy**

Action plan(s)

Specific implementation programme(s)

EIA

Project(s)

or here?

Or some other combination?

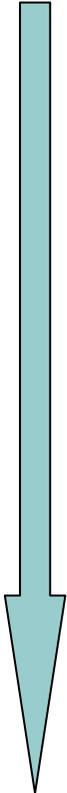# Maximising the practical benefits of links between SEA and EIA

- 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

- ○ '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

- 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.