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Actual Conditions of EIA Review Committees in Japan

— questionnaire panel survey in 2006-2012 —

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In Japan, EIA Law was revised based on the re-examination of a decade EIA Law implementing. This EIA Law amendment was intended a number of improvements in the EIA practice of the national government, including scoping meeting, internet publication and SEA implementation. This amendment potentially improves the EIA practices of local governments, after EIA ordinances affected by the law revision. However, although all local governments have set up their EIA review committee to secure the quality of their EIAs, the Law amendment didn't deal the EIA review committee because of lack of review committee system in national EIA process. On this background, we conducted a questionnaire survey of all local governments which established EIA review committee and the committee members. From the results, we analyzed the actual conditions of the EIA review committees in terms of the timing of review in the EIA process, the fairness of the member selection, the reflection of the committee report to the EIA documents and other critical factors. We compared the results of our survey with the results of a similar survey conducted by Nishikizawa and Fujii in 2006. As the result, our conclusion suggests that some important improvements on the review committees, including the adoption of socio/economic experts corresponding to SEA review, are needed.

Keyword: review committee, EIA ordinances, Local governments in Japan

1. Introduction

EIA system has been conducted based on national EIA Law and more than 60 local EIA ordinances in Japan. In this decade (2002-2012), EIAs conducted by the local ordinances account for 87% (=606 EIAs) of the all 696 EIAs in Japan. In this mean, local EIA ordinances are very important for the Japanese EIA systems and the all local governments have their own EIA review committee to ensure the quality of their EIA. However, the ways of management of the review committees are left to the independent judgment of the local governments, and no such study which focusing on the review committee has yet been conducted with the exception that Nishikizawa and Fujii (2006).

This paper focuses on the EIA review committees of major local governments which implement EIA ordinances in Japan. In order to clarify the actual conditions and the current trends of the review committees in Japanese local EIA practices, we conducted the questionnaire panel survey in 2012 and compared the results with Nishikizawa and Fujii (2006).

2. Overview of questionnaire survey

2.1 Survey object

In order to deal with the review committees throughout the country, we conducted surveys of all 47 prefectural local governments and all 15 major cities

Table 1. Questionnaire for environmental bureau of local governments

	2006 survey by Nishikizawa and Fujii	2012 survey by Shibata and Irie
Survey object	47 prefectures and 9 major cities	47 prefectures and 15 major cities
Distribute / collect	postal mail and e-mail	
Timing	December 2012	May 2012
Collection rate	100%	100%

Note: "major cities" means national government decreed cities. The number of major city which has EIA ordinance increased after 2006.

nationwide which regulate EIA ordinances. And we collected responses from all survey participants (collection rate 100%). This survey was basiced on the model of previous survey which conducted by Nishikizawa and Fijii in 2006. However, the results showed that 5 local governments conducted no EIA in these 5 years. Because of that, in the survey results and comparative analysis as following section, we partially excluded the 5 response from the analysis data (**Table 1**).

Table 2. Contents of Questionnaire

Category	Question
Bureau and practice	Number of EIA bureau staff
	Number of EIAs in this 5 years
	Number of discussion in the committee in this 5 years
	Time needed for EIA review
Review process	Articles in the ordinances
	Steps which proponent make an explanation
	Frequency of attendance of proponent
	Field survey by committee member
	Subcommittee meeting
	Additional participants
	Decision making in the committee
Judgments of Committee	Number of " major revision"
	Number of " call off"
	Number of "negative view"
Information disclosure	Materials for the audience
	Meeting minutes
	Name of speaker in meeting minutes
	Public announcement of review committee
Composition of review committee	Local expert
	Current composition
	Ideal composition
	Residential member

2.2 Question items

The questionnaire, in order to measure changes of EIA practices in these 5 years, was designed based on the model of previous questionnaire survey conducted in 2006. We added some question items regarding the new trend especially in strategic environmental assessment (SEA). Our questionnaire consists 5 categories and more than 30 question items including EIA bureau in the local government and the situation of practices, review process, judgments of committee, information disclosure of the committee and composition of committee member (**Table 2**).

3. Key Results and findings

3.1 Number of staff and EIA practices

To clarify the basic condition of the EIA practice, we asked the number of EIA bureau staff in each local government (Table 3). From this data, though large city of over one million people such as Tokyo, Osaka, Nagoya, has more than 5 staff, more than half of all responded local governments have only 1 or 2 staff for management EIA practice.

Table 4 classifies the local governments in terms of the number of EIA implementations in each government as of 2007-2011. We also compared this result with the results of previous survey in 2006. From these results, half of all responded local governments have

Table 3. Number of EIA bureau staff

Number of staff	Number of governments (compare to 2006)	Example
More than 7	4 (−1)	Kanagawa, Kawasaki, Tokyo, Okinawa
6 – 4	10 (−2)	Nagoya, Osaka, etc.
3 or 2	27 (+4)	Fukushima, Saitama, Kyoto, etc.
1	20 (+4)	Aomori, Gunma, etc.

Table 4. Number of EIAs in these 5 years (n=61) and the changes from 2006 (n=55)

Number of EIAs	Number of governments	Example
More than 10	8	Tokyo, Fukushima, Mie, Yokohama, etc.
9 – 5	17	Kanagawa, Gifu, Shiga, Sendai, Osaka, etc.
4 – 1	31	Iwate, Chiba, Saitama, etc.
0	5	Fukui, Niigata, etc.
Increase and decrease	**Number of governments**	**Example**
More than double	8	Saitama, Gunma, Yamanashi, Yamanashi, etc.
2.0 ~ 1.0	15	Tokyo, Hiroshima, Iwate, etc.
1.0 ~ 0.5	21	Kumamoto, Yokohama, etc.
Less than half	11	Aichi, Fukuoka, Kobe, Okayama, etc.

(Increase and decrease) = (number of EIAs in 2007-2011) / (number of EIAs in 2005-2001)

less than one EIA implementation in a year on average. From the data, while 23 respondents answered higher number than previous survey, 32 respondents (58%) answered smaller than previous survey. This shows the number of EIA practices as a whole tented to be decreasing in these years.

Table 5 shows national averages on longest/shortest EIA process time, which means a time required from the scoping report publishing to the adoption of the Final EIS (environmental impact statement). On average, longest EIA took 45.3 month (more than three and a half years), and shortest EIA took 23.7 months (almost two years). From the comparison with the data of 2006, both longest/shortest EIA process time was increasing gradually.

Table 5. Comparison of EIA process time on average, longest EIA /shortest EIA

	2006	2012	Rate of change
Longest	37.8 months	45.3 months	+1.2
Shortest	17.8 months	23.7 months	+1.3

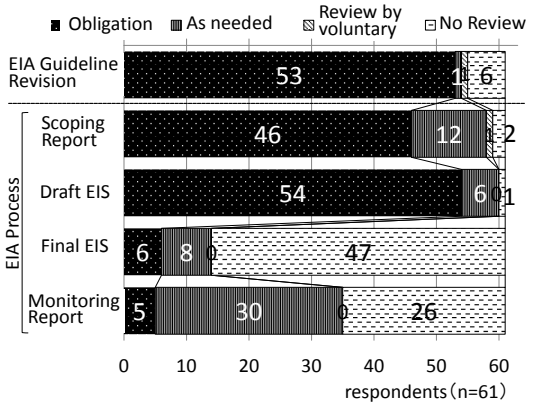
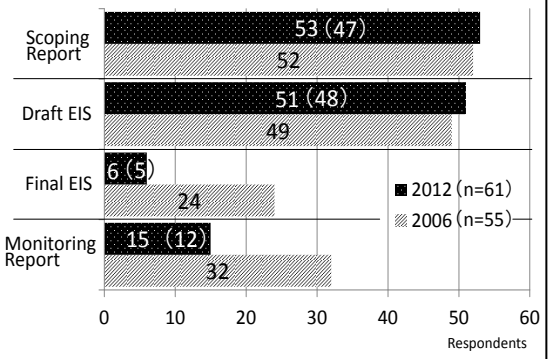


Fig 1. Whether review committee need to be held or not.

3.2 Review process

We surveyed whether the review committee need to be convened or not at important judgments such as EIA guideline revision, Scoping report, Draft EIS, Final EIS, Monitoring Report (Fig. 1). As the results show, while 59 (in 46 local EIA ordinances scoping report must to be reviewed by the review committee, in 12 local ordinances stating scoping report have to be reviewed as needed, one respondents answered that unregulated but reviewed by voluntary) respondents (=97%) answered that review committee is convened when scoping report is submitted and 60 respondents (=98%) answered it is convened when Draft EIS is submitted, only 14



NOTE: ( ) number on the 2012 bar shows the number of respondents in the same study population as that of 2006 survey.

Fig 2. Explanation by project proponent at review committee in each EIA step.

Table 6. Frequency of field survey by committee member in each EIA step

	Every time	Often	Fifty-fifty	Rarely	Never
Scoping report	31	18	3	3	4
Draft EIS	18	15	5	9	9
Final EIS	1	1	2	7	38
Construction	0	1	1	8	38
After imple-mentation	1	1	1	11	34

(Respondents, n=61)

respondents (=23%) answered that review committee is c when Final EIS is submitted.

Fig 2 shows how many respondents require the project proponent to make an explanation on review committee in each EIA step. More than four out of five respondents require the project proponents to make explanation at least once in the step of scoping report (58 respondents =87%) and Draft EIS (51 respondents =84%). On the other hand, less than a quarter of respondents require the project proponents to make explanation in the step of Final EIS (6 respondents =10%) and Monitoring Report (15 respondents =24%). These numbers are dropped to less than half since 2006 survey.

Table 6 shows the frequency of field survey conducted by review committee member in each EIA step. These activities are seemed to contribute to assure the quality of their review. While more than half of respondents answered that the committee conducts field survey every time / often in the step of scoping report (every time =51% / often =30%) and Draft EIS (every time =30% / often =25%), few respondent is found in the step of Final EIS, construction, after implementation. In these steps, more than half of respondents answered "never".

3.3 Judgments of the review committee

We surveyed about the experience of critical judgments of review committee. As table 7 shows, while only two respondents had experience that their review committees requested major revision on the submitted EIS and passbacked the procedure one tine each, all respondents have no experience that their review committee judge "call off " nor "negative message". In light of a fact that many large scale project cause environmental dispute, we have to turn skeptic eyes on the work of EIA review committee.

3.4 Information Disclosure

In order to evaluate the information disclosure of review committee, we surveyed about meeting minutes (Table 8). Although most review committees disclosure their meeting minutes, a half of respondents do not

Table 7. Judgments of the review committee

Judgment	Never	Experienced
Call off the project	61	0
Request of major revision and passback the procedure	59	2
Negative message	61	0

(Respondents, n=61)

Table 8. Meeting minutes of review committee

	Verbatim record (with speaker name)	Condense minutes
In 2006 (n=57)	39（28）	17
In 2012 (n=58)	44（30）	13

(Respondents, n=61)

Table 9. Composition of review committee members (n=61)

Field of expertise	Impact assessment	Ecological Science	Climate change	Waste management	Risk communication
Number of respondents	23 / 31	59 / 48	28 / 40	38 / 41	3 / 11
Field of expertise	**Economics**	**Sociology**	**Cultural heritage**	**Consensus building**	**Residents participation**
Number of respondents	7 / 11	15 / 17	21 / 27	4 / 11	2 / 3

(respondents answered "currently hire" / respondents answered "need")

disclosure their verbatim record with the speaker name.

3.5 Composition of the review committee members

We surveyed the composition of the review committee members with respect to each field of expertise. 59 respondents answered that currently hire the ecological scientist as a member of the committee and 38 for waste management, 28 for climate change. On the other hand, a quarter of respondents currently hire the sociologist as the member and only 7 respondents (11%) currently hire the Economist as the member. Moreover, the number of respondents answered that they need to hire sociologist and economist as a committee member is less than a third of all respondents. From these results, we can say that the importance of socio-economic aspects in impact assessment has not been recognized enough among the Japanese local governments.

4. Conclusion

From our questionnaire survey and paneled comparison with previous survey in 2006, we clarify the actual condition of EIA review committee in Japan. And we also found some challenges of the committee.

Only 14 respondents (=23%) answered that review committee is convened when Final EIS is submitted. And, more than half respondents answered that the committee conducts field survey every time/often in the step of scoping report, Draft EIS, but, a few respondent is found in the step of Final EIS, construction, after implementation. The comparison 2006-2012 shows that information disclosure of meeting minutes is improved slightly but, there is still a room for improvement. From the data of composition of the review committee members, importance of socio-economic aspects in impact assessment has not been recognized enough among the local governments.

For enhancing the function of review committee, quality of review

- at later steps of EIA such as Final EIS and monitoring report,
- in aspects of socio-economic

and effort of information disclosure need to be improved in the future. In order to improve these qualities, we should start to discuss and sharer the information about EIA review system.

Reference

Shigeo NISHIKIZAWA and Yasuhiro FUJII (2006) “Practice of EIA Inquiry Committee in Japanese Local Governments” IAIA 27th Annual Conference Seoul, KOREA