Evaluating and improving the Impact Assessment System in Western Mexico

A students' work

IAIA15: Impact Assessment in the Digital Era

ITESO
Universidad Jesuita de Guadalajara

Impact Assessment in Jalisco

EIA State legislation and regulation were introduced in the early 90s and haven't been modified since.

The current State environmental administration has the will to evaluate and **improve the IA system** and requested advice to incorporate best IA practices, articulated with Information and Communication Tecnologies (ICTs).

This work is the result of a joint project between the State Environmental Agency, a researcher and a group of **undergraduate students** from ITESO, the Jesuit University of Guadalajara. This is the first time issues of the local IA system effectiveness are systematically addressed.

Mexico

2nd largest economy of Latin America (according to the World Bank and the United Nations Economic Commission for Latin America and the Caribbean).

Amongst the largest economies of the **OECD.**

Jalisco

4th largest state economy.
4th most populated state.

Guadalajara (its capital):
2nd largest Metropolitan Area in Mexico (population of 4.5 millions).

Impact Assessment in Mexico

Mexican Impact Assessment (IA) system **only considers project Environmental Impact Assessment (EIA)**. Federal EIA regulations date from 1988, updated in 2001. No substantial changes to federal IA system and regulations have been made since 2007.

Mexican EIA is **ineffective**: it doesn't achieve its objectives (mainly supporting decision making and planning) nor is performed according to best practice principles.

The system hasn't been subject to a **sound, systematic and documented revision** from an international practice perspective.

Even though there's a **political will** to improve IA regulations in the federal system, which isn't system-oriented, there's little research, discussions and capacity building related to improving effectiveness of the federal IA system. IAIA best practices and documents were found to be cited mostly by Mexican scholars researching overseas.

Questions driving the project

- Which are the current IA practices in Jalisco?
- Which are the main shortcomings and limitations of the IA system?
- Are the system components transparent, participatory and accountable?
- Which are the key opportunities of improvement in regulations and best practices that would address the substantial shortcomings and limitations of the current IA system?

For the past year we have been:

Reviewing literature of IA best practices and IA system evaluation.

Analysing Mexico's and Jalisco's legal and administrative framework.

Reviewing papers; interviewing IA practitioners and some of the environmental agency's decision makers; checking the social media and consulting the online resources of the environmental agency.

Our main findings

By 2015, the local stakeholders' general conception of the EIA process = large report submittance and review/approval = bureaucratic procedure, which is the main constraint for improving IA system and capacity building on best practices.

a. Outdated screening.

b. Discretionary scoping. Regulations don't specifically address the use of Scoping. Decision makers and stakeholders ignore scoping best practices, which is a key process to the effectiveness of the IA process.

c. Significance of impacts is determined by subjective or non technical assumptions. Practitioners venture into simplistic conclusions not grounded on rigorous analyses.

d. Gaps and inconsistencies in regulations allow proponents and consultants to:
- i. Frequently tier projects and focus on first-order effects, which leads to simplifications and unrealistic mitigations.
- ii. Determine the significance of impacts by subjective or non technical assumptions.

e. Adaptive management and contingency planning are not considered. Follow-up and monitoring were identified as major weaknesses.

f. Very poor public involvement practice.

g. Strategic Environmental Assessment (SEA) for sector planning isn't incorporated into the IA system. Sustainability Assessment is not even conceived of.

h. Research on IA systems is just emerging. Only few higher education programs offer basic IA courses, but they teach current practices. Best practices are discussed only in few campi and professional training courses.

Outdated and limited conception of environment

No social, cultural or health impacts assessed. The definition of environment provided in federal law (which also applies to the State's IA) focuses only on biophysical components ➡ IA practice is reduced to identification of biotic impacts.

Key challenges and opportunities

As **future young professionals,** we have identified these key opportunities and challenges for improving the local IA system through capacity building:

a. Effectively communicate about best IA practices and IA system effectiveness.

b. There is an urgent need to build capacities of decision makers, academics, practitioners, NGOs members and other stakeholders to implement an effective IA system.

c. Design programs to systematically build capacities among priority stakeholders on key issues such as:
- i. IA system approach,
- ii. Tools not yet recognized in Mexico such as CEA, SEA, HIA, SIA, etc.
- iii. Best practices for project environmental impact assessment
- iv. IAIA FasTips.

d. There is an urgent need to develop capacities of decision makers and stakeholders in scoping, which is a key process to the effectiveness of the IA process.

e. Work with IAIA to develop online educational resources in Spanish for capacity building taking advantage of the digital era.

f. Improved IA system must be transparent, participatory and accountable.

g. Introduce an independent auditing organism to monitor and ensure the quality of the EIA process and the transparency in the decision making.

h. Regulate CEA, an IA tool that is only mentioned in the federal regulation and performed poorly in exceptional cases.

i. Incorporate SEA for key sector planning, HIA and SIA.

j. Provide efficient mechanisms for public involvement and incorporate participatory scoping.

k. Incorporate adaptive management based on effective monitoring and follow up.

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