

Formalizing revised EIA follow-up best practice principles

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Tuesday 30 April | 14:30-16:00 | P5

Workshop

Chair(s): Angus Morrison-Saunders, Jos Arts

A revised set of IAIA best practice principles for EIA follow-up are currently in preparation by Angus Morrison-Saunders, Jos Arts, and Ross Marshall. This builds on the process that commenced at IAIA18. Come along to this workshop to contribute to their development and finalization. All contributions are welcome.



EVOLUTION

OR *Revolution:*

Where next for impact assessment?



39th Annual Conference of the

International Association for Impact Assessment

29 April - 2 May 2019

Brisbane Convention & Exhibition Centre | Brisbane, Australia

Welcome!

This workshop is intended to be
participative and collaborative

The aim is to update EIA follow-up best
practice principles for project (or plan)
level applications only

*First, we will provide some background
and context...*

[illegible]

The 2007 best practice principles were informed by a series of IAIA conf workshops and international researcher contributions (2000 – 2005)

Impact Assessment and Project Appraisal, volume 19, number 3, September 2001, pages 175–185, Beech Tree Publishing, 10 Watford Close, Guildford, Surrey GU1 2EP, UK

EIA follow-up

**Environmental impact assessment follow-up:
good practice and future directions — findings
from a workshop at the IAIA 2000 conference**

Jos Arts, Paula Caldwell and Angus Morrison-Saunders

IAPA 2001

ASSESSING IMPACT

*Handbook of
EIA and SEA Follow-up*

2004

Edited by Angus Morrison-Saunders and Jos Arts

IAPA special issue 2005

Impact Assessment and Project Appraisal, volume 23, number 3, September 2005, pages 170–174, Beech Tree Publishing, 10 Watford Close, Guildford, Surrey GU1 2EP, UK

Editorial

**Learning from experience: emerging trends in
environmental impact assessment follow-up**

Angus Morrison-Saunders and Jos Arts

Impact Assessment and Project Appraisal, volume 23, number 3, September 2005, pages 175–181, Beech Tree Publishing, 10 Watford Close, Guildford, Surrey GU1 2EP, UK

Principles for EIA follow-up

**International principles for best practice EIA
follow-up**

Ross Marshall, Jos Arts and Angus Morrison-Saunders

Since 2007, the EIA follow-up literature
has expanded

The IAIA best practice principles have
been cited in many of these studies – we
are not aware of any attempt to modify or
update them...

i.e. ***our task today!*** 😊

Recent development of criteria for follow-up based on the 2007 best-practice principles does prompt some considerations for amendment... (Pinto et al, in press)

Journal of Environmental Assessment Policy and Management Distilling and applying criteria for best practice EIA follow-up

JEAPM-D-18-00041R2
Distilling and applying criteria for best practice EIA follow-up
Research Paper
Innovative Decision Support Tools and Techniques for Impact Assessment
EIA follow-up; best practice; monitoring; evaluation; management; communication; environmental performance; governance.
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Elise Pinto
Angus Morrison-Saunders
Alan Bond
Jenny Pope
Francois Retief

Follow-up is an essential component of Environmental Impact Assessment (EIA) if the success of EIA in improving the sustainability of a project once implemented is to be determined. This paper aims to establish universally-applicable criteria for EIA follow-up to evaluate project performance once assessed and underway. A suite of 24 criteria is derived from EIA follow-up best practice principles published by the International Association for Impact Assessment. The criteria are categorized according to the five dimensions of EIA follow-up: monitoring, evaluation, management, communication and governance. Posed as questions, the criteria support qualitative assessments of EIA follow-up performance for a project. Through application of the criteria to a case study

Pinto et al process (17 Principles >> 5 categories/24 Criteria):

- analysed each original Principle in IAIA 2007
- allocated whole or part into 5 components of follow-up
- created Criteria for each component.

Table 1 Alignment of EIA follow-up principles and dimensions

Group	Headline EIA Follow-up Principle (Morrison-Saunders et al., 2007)	Relevance of different follow-up dimensions to Criteria Development (drawn from explanatory text in Morrison-Saunders et al., 2007)
Why?	1. Follow-up is essential to determine EIA (or SEA) outcomes.	Governance – application of our criteria means that follow-up is taking place. Management – the emphasis of follow-up should be ‘action taken’ to ‘minimize the negative consequences of development and maximise the positive’.
	2. Transparency and openness in EIA follow-up is important.	Communication – ‘all stakeholders have a right to feedback on the EIA process’ and ‘active engagement of stakeholders in follow-up processes is preferable with genuine opportunities for involvement’.
	3. EIA should include a commitment to follow-up.	Governance – ‘a clear commitment to undertake EIA follow-up is needed’ (i.e. similar to Principle 1) and ‘all parties should be accountable for their actions’.
What?	4. Follow-up should be appropriate for the EIA culture and societal context.	Governance – ‘EIA follow-up... should be custom-made for the legislative and administrative, socio-economic and cultural circumstances; and dovetail with existing planning, decision-making and project management activities’. To allow comparability across jurisdictions, international best practice should be the benchmark, notwithstanding that legal compliance locally may be less or more stringent than this.
	5. EIA follow-up should consider cumulative effects and sustainability.	Monitoring – ‘Application of EIA follow-up at the individual project level is intrinsically limited in terms of dealing with cumulative effects of multiple developments and sustainability issues. This may necessitate application beyond the individual project level; for example, strategic level or area-oriented approaches’. We have assigned this principle to Monitoring, notwithstanding that the measuring function of monitoring is fundamental to action being taken in the other dimensions.
	6. EIA follow-up should be timely, adaptive and action oriented.	Monitoring – ‘monitoring data collection and evaluation activities should be sufficiently frequent that the information generated is useful’. To avoid repetition, we did not also assign this to the Evaluation element. Management – the Principle embodies the notion of adaptive management in the headline. ‘Actions must be efficacious to meet the defined goals of EIA follow-up programs’.
Who?	7. The proponent of change must accept accountability for implementing EIA follow-up.	Governance – ‘As the polluter, proponents must pay careful consideration to the consequences of their actions and the necessity of EIA follow-up’.
	8. Regulators should ensure that EIA is followed up.	Governance – ‘Regulators should determine the need for EIA follow-up and ensure that it is implemented well’.
	9. The community should be involved in EIA follow-up.	Communication – ‘At the very least, the community should be informed of EIA follow-up outcomes, but direct community participation in follow-up program design and implementation is desirable’. We note that there is a close relationship with Principle 2 here.
	10. All parties should seek to co-operate openly and without prejudice in EIA follow-up.	Governance – ‘EIA follow-up will be successful when a shared sense of purpose to avoid, reduce or remedy adverse impacts is acknowledged’.
	11. EIA follow-up should promote continuous learning from experience to improve future practice.	Communication – ‘EIA follow-up ...should always strive to maximise learning from experience through active feedback. Thus, good EIA follow-up requires good communication’.

[criteria are shared later on...]

How?	12. EIA follow-up should have a clear division of roles, tasks and responsibilities.	Governance – ‘The roles in EIA follow-up should be identified in pre-decision EIA documentation and subsequent EIA approvals and management systems. This should be set down as a series of clearly defined steps outlining tasks and responsibilities...’.
	13. EIA follow-up should be objective-led and goal oriented.	Management – ‘EIA follow-up should seek to achieve defined objectives or goals, which may include: (i) Controlling of projects and their environmental impacts (ii) Maintaining decision-making flexibility and promoting an adaptive management approach to EIA and project management (iii) Improving scientific and technical knowledge (iv) Improving community awareness and acceptance of projects (v) Integrating with other information (e.g., state of the environment reports or EMS)’. We assigned this principle to Management as the best fit, notwithstanding relevance also to the other follow-up dimensions.
	14. EIA follow-up should be "fit-for-purpose."	Monitoring – ‘EIA follow-up must be commensurate with the anticipated environmental effect’. Governance – ‘EIA follow-up programs [must] be tailored to the proposed activity, its stages and dynamic context’, be ‘practicable and feasible—to focus on the “art of the possible.”’.
	15. EIA follow-up should include the setting of clear performance criteria.	Evaluation – ‘Performance criteria used in EIA follow-up actions or programs should be rigorous and reflect best practice. This should be enacted through well-defined methodologies or approaches to monitoring, evaluation, management and communication. Such actions should produce useful information and outcomes which can be easily measured, and unambiguously appraised against clear criteria’. The (repeated) emphasis on performance criteria in the headline principle and explanatory text alike was our key reason for assigning it to the Evaluation element, notwithstanding explicit mention of the other dimensions of follow-up.
	16. EIA follow-up should be sustained over the entire life of the activity.	Governance – ‘EIA follow-up actions or programs should cover not only the design and construction of a development, but also the operation and where relevant the decommissioning phase’. Management – ‘EIA follow-up must also be responsive to long-term and short-term environmental changes’. We note that there is close relationship with Principles 6 and 13 regarding adaptive management here.
	17. Adequate resources should be provided for EIA follow-up.	Governance – ‘EIA follow-up must be cost-effective, efficient and pragmatic’. The linkage with being fit for purpose in Principle 14 is noted. Management – ‘EIA follow-up should be done to best practice standards and should ensure that real actions are taken adequately when needed’. There is apparent linkage with Principles 6, 13 and 16 regarding adaptive management here.

Objectives of follow-up for individual projects (or plans)

Follow-up is essential for determining the outcomes of EIA in terms of project performance. By incorporating feedback into the EIA process, follow-up enables learning from experience to occur.

A key question to address is:

Were the project and the impacted environment managed in an acceptable way?

Components of follow-up

The 2007 best practice principles defined EIA follow-up with respect to 4 components:

*EIA follow-up can be simply defined as the **monitoring** and **evaluation** of the impacts of a project or plan (that has been subject to EIA) for **management** of, and **communication** about, the environmental performance of that project or plan*

Pinto et al. (in press) propose a 5th component of ***governance***

[definitions for each follow]

Monitoring definition

Original (2007):

the collection of activity and environmental data both before (baseline monitoring) and after activity implementation (compliance and impact monitoring).

Proposed:

the systematic collection and organisation of activity and environmental data both before (baseline monitoring) and after activity implementation (compliance and impact monitoring).

[ref for addition:

Carley, M (1986) Monitoring as an extension of the impact assessment process for large projects, *Project Appraisal*, 1:2, 88–95]

Evaluation definition

Original (2007):

the appraisal of the conformance with standards, predictions or expectations as well as the environmental performance of the activity.

Proposed:

the appraisal of indicators to determine conformance with standards, predictions or expectations as well as the environmental performance of the activity to identify management actions to be carried out to maintain or recover specific environmental conditions to acceptable limit levels

[refs for additions:

Lee, J. and Gardner A. (2014) A peek around Kevin's corner: adapting away substantive limits? *Environmental Planning and Law Journal*, **31**, 247–250.

Masera, M. & Colombo, A.G. (1992) Contents and phases of an EIA study, in: Colombo, A.G. (ed), *Environmental Impact Assessment*, Dordrecht: Kluwer Academic, pp 53–71.

Pinto et al. (in press)]

Management definition

Original (2007):

making decisions and taking appropriate action in response to issues arising from monitoring and evaluation activities

Proposed:

making decisions after monitoring and evaluation of environmental impacts (if any), and taking appropriate action in a timely fashion to address negative consequences and to maximise positive outcomes

[ref for additions:
Pinto et al. (in press) – note: a combination of Principles 1 & 17 from IAIA 2007 best practice]

Communication definition

Original (2007): Communication

informing the stakeholders about the results of EIA follow-up in order to provide feedback on project/plan implementation as well as feedback on EIA processes

Proposed: Communication and engagement

informing and engaging (as appropriate) the stakeholders about the results of EIA follow-up in order to provide feedback and learning relevant to ongoing project management and other future EIAs*

(*recognising that levels of stakeholder engagement varies for different jurisdictions)

Governance definition [new]

Proposed:

ensuring there is a commitment to implement the four key tasks of follow-up: monitoring, evaluation, management and communication, and that processes and structures to do so are in place and functioning

[base on Pinto et al. (in press) who distilled the Governance component from aspects of Principles 1, 4, 7, 8, 12, 14, 16 & 17 in IAIA 2007 best practice]

A revised definition of follow-up

Original (2007):

*EIA follow-up can be simply defined as the **monitoring** and **evaluation** of the impacts of a project or plan (that has been subject to EIA) for **management** of, and **communication** about, the environmental performance of that project or plan*

Proposed:

*EIA follow-up refers to the **monitoring** and **evaluation** of the impacts of a project or plan (that has been subject to EIA) for **management** of the environmental performance of that project or plan including **communication and engagement** with stakeholders, as well as to the **governance** arrangements and practices undertaken for implementing follow-up.*

Next steps – determine best practice principles for each of the 5 components of EIA follow-up

Option 1: small groups (world-café style) with each group focusing on **1 component each** – and if time permits, progressing to the other components

Option 2: whole-of-room discussion of the 5 components in turn

Sequence of considerations:



[*How? (includes Where? and When? considerations)]

Monitoring: the systematic collection and organisation of activity and environmental data both before (baseline monitoring) and after activity implementation (compliance and impact monitoring).

Pinto et al (in press) monitoring criteria [discussion prompts]:

1. Is monitoring conducted using appropriate and well-defined methods?
2. Are all impacts considered to be significant being monitored?
3. Is there a supplementary process to ensure that significant impacts that were not predicted are identified and subsequently addressed?
4. Subject to significance, are sustainability impacts being monitored?
5. Subject to significance, are cumulative effects being monitored through an appropriate mechanism?
6. Are the interrelationships between individual impacts and related monitoring activities explained?

What should be the new best practice principles for Monitoring?

What? Who? How?

Evaluation : the *appraisal of indicators* to determine conformance with standards, predictions or expectations as well as the environmental performance of the activity *to identify management actions to be carried out to maintain or recover specific environmental conditions to acceptable limit levels*

Pinto et al (in press) Evaluation criteria [discussion prompts]:

7. *Is evaluation undertaken in accordance with appropriate and well-defined methods?*
8. *Are clear, pre-defined and well-justified performance criteria provided for guiding evaluation outcomes?*

What should be the new best practice principles for Evaluation?

What? Who? How?

Management: *making decisions after monitoring and evaluation of environmental impacts (if any), and taking appropriate action in a timely fashion to address negative consequences and to maximise positive outcomes*

Pinto et al (in press) Management criteria [discussion prompts]:

9. *Is there evidence that management actions seek to minimize the negative consequences and maximise the positive?*
10. *Are the interrelationships between individual mitigation and management activities explained?*
11. *Are management actions implemented in a timely fashion?*
12. *Are responsibilities allocated for undertaking and signing off on management actions?*
13. *Are adaptive management measures (i.e. changes or alterations to former mitigation measures) explained?*

What should be the new best practice principles for Management?

What? Who? How?

Communication and engagement: informing and engaging (as appropriate*) the stakeholders about the results of EIA follow-up in order to provide feedback and learning relevant to ongoing project management and other future EIAs

(*recognising that levels of stakeholder engagement varies for different jurisdictions)

Pinto et al (in press) Communication & engagement criteria
[discussion prompts]:

- 14. Are interested and affected parties kept informed of EIA follow-up activities?
- 15. Are interested and affected parties appropriately engaged in EIA follow-up activities?
- 16. Is evidence provided of learning relevant to ongoing project management?
- 17. Is evidence provided of learning relevant to other future EIAs?
- 18. Is the EIA follow-up program perceived to be legitimate by stakeholders?

What should be the new best practice principles for Communication & engagement?

What? Who? How?

Governance: ensuring there is a commitment to implement the four key tasks of follow-up: monitoring, evaluation, management and communication, and that processes and structures to do so are in place and functioning

Pinto et al (in press) Governance criteria [discussion prompts]:

19. Are there plans in place to ensure that follow-up is maintained throughout the life of the development and tailored accordingly?

20. Does the proponent accept responsibility for the follow-up process and accountability for the environmental impacts of the development?

21. Does the regulator actively ensure that appropriate follow-up is taking place?

22. Are roles and responsibilities for follow-up clearly and appropriately defined?

23. Are there mechanisms to promote collaboration between stakeholders in follow-up?

24. Is the follow-up process pragmatic, fit-for-purpose and cost effective?

What should be the new best practice principles for Governance?

What? Who? How?

Next steps...