

SUSTAINABLE DEVELOPMENT AND EIA IN ARGENTINA, TWO INTERRELATED KEY POINTS

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In 2016, the 2030 Agenda and the 17 Sustainable Development Goals (SDGs) came into force. As an intellectual project, sustainable development aims to understand the interactions between three complex systems: the world economy, global society and the Biophysical environment of the Earth (Sachs J., 2015).

These goals govern, over the next 15 years, efforts to end poverty, reduce inequality and mitigate climate change. In this context, Argentina has acceded to these commitments.

From a systemic perspective, the search for the fulfillment of these development objectives can only be achieved if the actions allow an environmental balance, that is, a balance between governance, social, biophysical and economic factors.

The 2021 Sustainable Development Report shows that in Latin America and the Caribbean, as in other parts of the world, greater efforts are needed to decouple economic growth from negative environmental impact, as emphasized by the region's poor performance on SDG 12–15. (responsible productions and terrestrial ecosystems). (Sachs et al., 2021)

At the global level, agricultural activities and their agro-industrial chains are indispensable, if responsibly developed, for eliminating hunger and poverty.

In Argentina, agricultural activities are fundamental pillars of the economy; the extensive territory and climatic variety help this type of development. Agriculture not only supplies the country, but the surplus goes to export.

Of a continental area of around 2.8 million square Km, 37.5 million hectares are earmarked for agriculture. The main crops that occupy this area are: soybeans, wheat, corn, sunflower, sorghum and barley (Agriculture in Argentina Panorama, 2022).

Regarding animal production, cattle stocks amount to 53.5 million head in 2020 with a production of 2.9 MM t RcH. The second production of animal protein in Argentina comes from the pig sector with a stock of 5.3 MM of heads in the same period, producing 0.65 MM t RcH (MAGyP, 2022).

The intensive fattening activity to cattle pen (feedlots) in Argentina houses for a period of 3 to 4 months 90% of the stock that is sent to slaughter. A total of 1,149 feedlot establishments are registered in the country, of which 71.6% are located in 3 (three) provinces (Buenos Aires, Córdoba and Santa Fe). Of that 71.6%, 27% are located in a single province, province of Buenos Aires with 29% of the total number of animals (SENASA, 2021).

In Argentina, 1 (one) out of every 4 (four) pesos are generated by agro-industrial chains, this is equivalent to 24% of GDP, which translates into 77,235 million dollars (FADA, 2021).

Argentina is a country with fertile soils, forests and diversity of plant and animal species, but they are rapidly wearing out (Ministry of Justice and Human Rights.ODS, 2022).

The areas of deterioration and degradation of the country's ecosystem comprise 75% of the national territory. These fragile habitats are affected by livestock, inappropriate agricultural practices, inadequate management of natural resources, loss of biodiversity of forests and soil, fall in productivity, with the consequent impoverishment of living conditions. The population affected by these processes is approximately 30% of the national total, comprising about 9 million inhabitants (MAyDS 2016a).

The greatest environmental impacts are observed as a result of agricultural, livestock and mining activities, due to air, water pollution and alterations of the soil factor, including degradation processes such as erosion, desertification, deforestation and others (Under secretariat of Territorial Planning and Public Investment, 2015).

The environmental situation has become the trigger for various and serious problems in society. Major environmental issues such as climate change and biodiversity loss show that the design of conventional regulatory frameworks and the implementation of sectoral policies quickly become part of the problem (Espejel, 2019) and Argentina is no exception to the rule.

With regard to environmental legislation, the agricultural production sector is covered by regulatory frameworks at different jurisdictional levels.

At the national level, the National Constitution and the general environmental law (Law No. 25,675) set the tone for any activity.

In Argentina, the General Environmental Law establishes the minimum requirements for adequate environmental management, the preservation and protection of biological diversity and the implementation of sustainable development. One of the instruments of environmental policy and management provided for in this law is the Environmental Impact Assessment (EIA). Being a federal country, Provinces can adhere to the aspects provided for in the national regulations, even improve or expand them, but never fail to comply with them.

Thus, Law No. 25,675 establishes the minimum requirements that the sectoral, provincial or municipal regime must contain.

Argentina is divided into 24 jurisdictions: 23 provinces and a federal district (Autonomous City of Buenos Aires). Most of these have socio-environmental regulations and have adhered to the principles established by the general environmental law (MAgyP, 2019). More specifically, with respect to the EIA instrument, it is regulated in the 24 jurisdictions, of which 20 have specific regulations for the procedure (including laws, decrees and resolutions) (Diagnóstico Evaluación Ambiental, 2018).

Analyzing the agricultural sector, it is observed that activities such as extensive agricultural activities are still not subject to EIA requirements and, at present, due to the environmental consequences of this lack of regulation, communities begin to demand regulations that allow the care of the environment and its resources (Pirillo, 2019).

In the case of intensive activities, specifically bovine production, having knowledge of the environmental impacts that these cause in the environment, they require their control and management (Pilatti, H. 2017).

Given that only some jurisdictions in the country have laws that regulate the EIA for this type of intensive animal production, a specific case is provided here to exemplify: the one of province of Buenos Aires. Although this province has a Law of Regulation for establishments destined to the Intensive Fattening of Cattle / Bubalinos to Corral (Nro. 14867), it is not regulated at present. Given this, the National Service of food Health and Quality (SENASA, Argentina), the organism that establishes the qualification requirements for these productions, through Resolution No. 329/17 that for registration in the registry, it is needed a valid "Certificate of Environmental Aptitude" or an "equivalent certificate" issued by the Competent Authority must be presented and, as established by the corresponding jurisdiction, failing that, it is also feasible to submit an Environmental Impact Study, with provisional status, until the final certificate is obtained.

As a result, being the EIA a tool that allows predicting impacts preventing their occurrence, we can ask ourselves the following questions, is it feasible to request this document as a requirement for the authorization if the activity is already in operation? considering what has been said, it is clear that the requirements should be different for projects and for activities in operation.

Therefore, if different requirements arise, with the aim of making it feasible to submit the documents for obtaining a license, a simple procedure should be generated to identify, first who is the enforcement authority for obtaining this license in that jurisdiction for this activity, what type of environmental documentation should be presented and finally, their respective contents or scope.

This is just one example of a specific case; we are beginning the analysis of these types of situations for the different agricultural activities in their respective jurisdictions in order to recognize shortcomings and recommend better solutions. Our goal is to make the process for obtaining environmental licenses more efficient and effective, giving recommendations for improvement to the existing legal framework and proposals for its effective implementation, which will contribute to the care of the environment and consequently to the sustainable development of the country.

The need to improve the legal framework for its effective implementation has already been observed by researchers, such is the case of a study developed by FAUBA, which envisions the need for joint work between the different sectors, where academic institutions and specialists (Universities, INTA) can collaborate effectively participating in the adaptation of the legislation on management and the specific environmental requirements for these activities and in the evaluations of rollover permits issued by the Enforcement Authority (García, A.2016).

Deepening this approach, we believe that the approach should also incorporate the collaboration of the private sector to guarantee its viability, articulating all the actors involved in the adaptation of environmental legislation and its effective application. In this way, by including all the parties involved, efforts would be devoted to the sustainable development of this activity.

It is also worth mentioning that Argentina does not currently have a national Environmental Impact Assessment Law. Therefore, it requires standardizing regulations between provinces and establishing minimum budgets, to evaluate projects in general and to be able to establish clear guidelines for the analysis of specific projects, such is the case of those included within the agricultural field. In addition to this, on many occasions it is necessary to evaluate activities that are already in operation. To this end, clear guidelines must be provided in order to make these studies effective without losing sight of the final objective, which is to identify the impacts that are occurring and recommend management plans according to each sector, which incorporate good agricultural and environmental practices.

This will lead to preventive and / or corrective, effective and efficient environmental management for the development of a responsible activity that promotes sustainable agriculture and that allows producing food that manages to supply current and future generations.

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