

What's the use of environmental impact assessments (EIA) ?

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Ressources, territoires et habitats
Énergie et climat
Prévention des risques
Développement durable
Infrastructures, transports et mer

Présent
pour
l'avenir



European Court of Auditors
November 24th 2017

conseil général de l'Environnement,
du Développement durable

EIA & SEA

EIA is a legal requirement for any project « likely to have significant effects on the environment before it receives consent »

Similar for plans and programs (strategic environmental assessment)

2 european directives :

Projects : 2011/92/EU modified (since 1985)

Plans & programs : 2001/42/EC



Quality control

Quality control by « *authorities likely to be concerned by the project by reason of their specific environmental responsibilities are given an opportunity to express their opinion on the information supplied* »

« *The public shall be informed [...] early in the environmental decision-making procedures [...] as soon as information can reasonably be provided* »

+ Aarhus Convention



Organisation in France

« Environmental authorities »
or “environmental guarantor”
or “environmental expertise by a third party”

Independence of the competent authority vis-à-vis the developers and the authorities in charge of preparing or adopting the project, the plan or the program.

Wide range of projects, plans, programs submitted

Opinions : technical and legal analysis, non mandatory recommendations, immediate publication, provided for the public consultation

⇒ Everybody can criticize and use it



Main effects

Direct effects

- Files modified / completed for the public consultation \Rightarrow improves public information
- Sometimes, project modified from slight modifications (quite often) to withdrawal (seldom), leading either to the giving up of the project or to a second presentation with significant modifications

In any case, choice and risks by the developer



Main effects

Indirect effects : probably the most significant and the most unknown

Wide range

Research on course in France

Examples :

- Continuous improvement process : feedbacks (for each developer, and more widely), formalised guidelines, focus in annual reports... General enhancement of the quality of EIA
- Threat of law case
- Greater awareness of all authorities : once it is said publicly, no one can ignore – or pretend to ignore

Welcome in « soft law universe »

Main obstacles

The earlier a continuous improvement process begins, the better

How to include « quality » in the decision process ?

- economics
- environment
- social stakes

(3 pillars of sustainable development)

A fortiori in public policies ?

