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## FOREIGN TRIP REPORT

ORNL/FTR-3656

DATE: June 29, 1990

SUBJECT: Report of Foreign Travel of Lorene L. Sigal, Group Leader, Environmental Sciences Division

TO: Alvin W. Trivelpiece

FROM: Lorene L. Sigal

To participate in the first meeting of an international task force to study the application of the principles of environmental impact assessment (EIA) to policy, plans, and programs.

6/16-20/90

Geneva, Switzerland

Wiek Schrage

Environmental and Human  
Settlements, Division of the  
UN Economic Commission for  
Europe

A proposal to study the application of the principles of EIA to policy, plans, and programs was submitted by the U.S. Environmental Protection Agency (US EPA) to the Senior Advisors on Environmental and Water Problems of the United Nations Economic Commission. Upon approval, US EPA asked Oak Ridge National Laboratory (ORNL) to support its efforts as lead country on an international task force. Representatives from Austria, Canada, Finland, Norway, Poland, Sweden, and the United Kingdom attended the first meeting; additional countries are expected to participate at the next meeting. The administrative/legal setting for EIA in each country was reviewed. The objectives of the task force were defined, and issues related to the application of EIA at the policy level were discussed. The investigation will focus on a review and summary of case studies to determine applicable methods and approaches from which conclusions can be drawn and recommendations can be made. ORNL is responsible for overall project management, including development of the report.

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**TASK FORCE ON THE APPLICATION OF THE PRINCIPLES OF  
ENVIRONMENTAL IMPACT ASSESSMENT TO POLICIES, PLANS, AND PROGRAMS—  
SYNOPSIS OF THE FIRST MEETING, JUNE 18-19, 1990**

At their February 1990 session, the Senior Advisors on Environmental and Water Problems of the United Nations Economic Commission for Europe approved a proposal for a task force to study the application of the principles of environmental impact assessment (EIA) to policies, plans, and programs. This is the third task force to undertake projects related to EIA. The first, led by the Netherlands, studied the application of EIA at the project level [Application of Environmental Impact Assessment: Highways and Dams (United Nations publication, Sales No. E.87.II.E.14)]. The second, led by Canada, evaluated the benefits of post-project analysis for rendering EIA more effective [Post-Project Analysis in Environmental Impact Assessment (United Nations publication, Sales No. E.90.II.E.6)]. This third project will be carried out by a task force with the United States as lead country. The United States Environmental Protection Agency is providing primary support. Oak Ridge National Laboratory is responsible for overall management of the project as well as production of the report. The first meeting of the task force was held in Geneva at the Palais des Nations on June 18-19, 1990. Representatives were present from Austria, Canada, Finland, Norway, Poland, Sweden, United Kingdom, and the United States (see Attachment 1). Other countries are expected to participate at future meetings.

At this first meeting, the task force defined its objective as the development of a framework for including environmental considerations during policy development. Aspects of the application of EIA principles to broad governmental actions (i.e., policy, plans, and programs) were discussed at length. It was generally accepted that the EIA process has a variety of activities aimed at ensuring consideration of the environment in project planning (e.g., scoping, outside review, public participation, and monitoring). It was recognized that at the policy level, however, these activities acquire new meaning and that the issues, consequences, and interactions are much more complicated than at the project level. Issues identified for consideration and future discussion include

- application of EIA at the policy/program level
  - screening mechanism
  - responsibility for the EIA (a central agency?)
  - independent review
  - criteria for evaluating success of policy/program EIA
  
- integrated assessment of environmental, economic, and social factors
  - how to bound alternatives
  - value of environmental factors
  - assessment methodology (data bases, models)
  - uncertainty
  - relationship of impacts
  - lack of guidelines

- agency interaction and coordination
  - agency constraints to alternatives
  - lack of understanding of EIA
  - lack of commitment to EIA
  - accountability
- scope of the analysis
  - effect of policy objectives on consideration of environmental factors
  - methods to scope relevant issues
  - level of analysis (primary, secondary effects, i.e., direct, indirect)
  - cumulative effects
  - global, national consequences (e.g., climate change, genetic diversity, water and air quality)
- mitigation
  - avoidance/reduction of impacts
  - monitoring
- public involvement
  - government secrecy
  - vested interests
  - public hearings
  - other (e.g., public commissions, round tables, green papers)
- decision making
  - how to incorporate the results of a policy/program EIA into the decision-making process

It was agreed that the task force would base its analysis on case studies, concentrating on administrative methods (i.e., process) and content rather than on scientific methodology. Identification, selection, and summary of case studies will be done by members of the task force for presentation and review at a meeting in October 1990. Criteria for the selection of case studies were discussed, and it was decided that, to the degree possible, case studies should address the following questions:

- What was the action? What kind of environmental review was undertaken? Was the review a result of a national EIA program or some other requirement or consideration (e.g., a research effort)? When was the review undertaken? Were alternatives considered, and if so, what were they? What approaches were taken to determine the potential impacts of the activity and its alternatives? Was the review qualitative or quantitative in nature?
- Was there a scoping process? If so, how was it undertaken? What methods were used to generate public participation, and who was the "audience"?

- How was the assessment documentation used? Was the assessment useful?
- Were subsequent actions subjected to an EIA process? Was the level or depth of review greater than, the same as, or less than that for the initial broad action? Did the "tiering" process result in duplication of effort, or did it streamline the overall approach?
- Who was responsible for preparing the environmental documentation? Who was the decision maker? What information did the decision maker receive about the assessment? How was the information presented? What was the decision?
- Was a post-project analysis included?

Participants agreed that the presentation of the case studies should follow the attached outline (Attachment 2). However, case studies need not fit the outline in all respects in order to be useful. It was recognized that there are few, if any, policy-level case studies available. Thus, planning- or program-level documents or regional or sub-regional studies may be used to provide useful lessons or interesting methodology that can be applied to the EIA process for broad activities.

Each participant also reviewed the legal/administrative setting for EIA in his/her country. Such information is found in the two reports previously published by the United Nations (see above) and will not be repeated here. However, it was agreed that to properly understand the case study material for this task, it will be necessary to document the participating countries' approach to policy/program EIA, as well as any recent developments or changes to their legal/administrative system for EIA. To that end, each participant will submit a revision to the information in the previous reports with an emphasis on policy/program requirements (if any).

Based on the review, most of the task force countries lack formal requirements and/or procedures for policy/programs EIA with two exceptions. In the United States, assessment of policy and program actions is required by the Council on Environmental Quality (CEQ) regulations, but there are no specific guidelines for these broad federal actions. Rather, the CEQ regulations contain the elements to be considered in applying the National Environmental Policy Act to any major federal action significantly affecting the quality of the human environment, including policies and programs. In Canada, legislation was just enacted (Canadian Environmental Assessment Act, June 19, 1990) that requires review of all new federal policy initiatives with environmental implications to culminate in a public statement on the implications. Advisory guidelines are being prepared to assist Canadian agencies in carrying out the analyses necessary for a credible assessment of a policy initiative.

Nevertheless, there is broad interest in the application of EIA principles to policy and programs as countries recognize the potential environmental impacts of their actions at the global as well as national levels. Attachment 3 outlines the proposed schedule for task force activities.

Participation on this task force will establish DOE and ORNL as forerunners, internationally, in the development of concepts and procedures for applying EIA to broad federal actions. This experience will be of direct benefit for our ongoing support to the DOE Office of NEPA Oversight (HA-01-04), for which the traveler is responsible.

## ATTACHMENT 1

## Task Force on the Application of EIA Principles to Policies, Plans, and Programs

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**ATTACHMENT 2**  
**OUTLINE FOR CASE STUDIES**

**Title**

The main elements of the study are summarized as follows:

Title:

Type of Action:

Action Characteristics:

Proponent:

Competent Authority:

Main environmental impacts involved:

Decision/Results

- I. General Information on the Action
- II. Planning Process (regulations, responsibility, screening, etc.)
- III. Initiation of the PEIA Process (history of the process)
- IV. Responsibility for Preparation of the PEIA
- V. Content of the PEIA (may be table of contents)
- VI. Description of the Proposed Action and Alternatives
- VII. Selection Process for Alternatives
- VIII. Description of the Existing Environment (what aspects were addressed)
- IX. Scoping
- X. Description of the Environmental Impacts of the Proposed Action, Alternatives, and Assessment (comparison)
  - (a) Impact identification
  - (b) Methods used for predicting impacts
  - (c) Methods used for comparing the environmental effects of the various alternatives
- XI. Review and Public Participation
- XII. Decision Making
- XIII. Monitoring
- XIV. Time/Costs

**ATTACHMENT 3**  
**Schedule for the Task Force on the Application of**  
**EIA Principles to Policies, Plans, and Programs**

1990

July 30 Task force members submit summaries of administrative/legal EIA systems (emphasis on policies/programs) to L. L. Sigal.

October 1-3 Second task force meeting in Geneva. Task force members submit case studies.

Day 1 a.m. Review of EIA systems for new participants.

p.m. Presentations of case study conclusions/lessons learned (15-20 minutes each).

Day 2 Case study presentations (continued).

Day 3 Discussion and conclusions; recommendations, if possible.

November-

December Develop rough draft of the report (L. L. Sigal and participants via telephone and FAX for clarification).

- EIA systems
- case study summaries
- conclusions
- recommendations

1991

January Submit draft report to task force members.

February or

March Third task force meeting. Review draft report and recommend revisions.

June Fourth task force meeting. Review report for final approval.

Mid-July Submit final report to task force members.

September Final report to the translators.

November Submit final report to the Experts on Environmental Impact Assessment (a group established by the senior advisor in 1981).

1992

March Submit final report to the Senior Advisors on Environmental and Water Problems of the United Nations Economic Commission for Europe.

? Publication.

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6/16/90	Travel from Knoxville to Geneva, Switzerland
6/17/90	Rest day
6/18-19/90	Task Force meeting
6/20/90	Travel from Geneva, Switzerland, to Knoxville



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