



Netherlands Commission for
Environmental Assessment

Feedback on 'Guía/Herramienta Ambiental de Evaluación Ambiental para proyectos de moderado/bajo impacto'

COSTA RICA

10 de julio de 2008
Ref: 2008-014



Memoria del Secretariado de la NCEA

Para : IUCN Costa Rica (Sra Marta Perez de Madrid, Sra. Melany Slattery)
De : NCEA (Sra. Ineke Steinhauer)
Discado directo: + 31 30 234 76 54
Fecha: 10 July 2008
Asunto: Feedback on 'Guía/Herramienta Ambiental de Evaluación Ambiental para proyectos de moderado/bajo impacto'
Nuestra referencia: 2008- 014

1. Introduction

IUCN Mesoamerica asked NCEA expertise feedback on the following aspects in the "Guía/Herramienta Ambiental de Evaluación Ambiental para proyectos de moderado/bajo impacto" (Environmental Guide on projects with moderate/low impact), to come up with a higher quality product.

1. General

Accuracy / applicability / as an (simple, easy, but scientific) environmental assessment tool for medium impact projects/activities to be used by developers, authorities and civil society.

2. Follow up

How to include environmental follow up, control, monitoring in the specific tables (fichas) to be useful for developers, authorities and c. society. What would be the best indicators to achieve environmental management objectives?

4. Impacts

Impact significance/value. Is the significance of the impacts assessment reflected graphically (colours) after the assessment and is this visualized in the tables?

5. Climate change impacts:

- How could we assess climate change impacts?
- How could they be managed on the tables?

Should it be one specific management table or different measures in each table? What examples of management measures exists?

- Should we assess the effects of the project on Climate Change?
- It is necessary to include effects of climate change in the project (adaptation measures)?
- Are there any examples at this level?

6. The same questions for gender impacts (within social impacts).

7. In the tables, and regarding that is an environmental assessment process, should the mitigation measures just respond to Law requirements or go further in the recommendations? Ej. Use the best technology available.

8. For these kind of projects (moderate impact), is it recommended to include a closing phase with environmental management?

2. Answers to the questions

ad 1) Based on Redding the 'Guia Ambiental Agrícola' and browsing through the others: agroindustrial, turismo and desarrollo de infraestructura, NCEA has the following general comments:

- The structure of the various guías is not exactly the same, which makes it difficult to compare them and make general comments. Some are more like a kind of reference documents, whereas others have the shape of the application of the fichas. Some have the matrices included, others not. In case they finally all should like the infrastructure guide which is already there, at least they should have a comparable set-up and lay-out

- The target groups are producers, environmental authorities and civil society. However, not all information in the guías is equally relevant to all these target groups. For instance an individual producer will not have to know which kinds of international, national laws and regulations exist and whether or not the country has signed or ratified e.g. the Kyoto protocol. In general, I a list of all applicable laws, regulations, decrees, etc. to the sector is useless, if no translation is made in terms of what that implies concretely for the specific sector. The 'acciones a desarrollar' or the 'tecnicas o tecnologías utilizada' in the fichas should in fact be an interpretation of all these laws etc. This would exactly be the added value of such a Guía: the expert who wrote the guide, should be perfectly able to do this interpretation into concrete criteria. This would then imply that if you apply all 'acciones' or 'tecnicas', then you are automatically complying with norms/standards, regulations etc. Therefore NCEA suggests: take out all general overviews in relation to Marco jurídico and/or put it in an Annex

- It is still not very clear when the Guía is applicable: in some documents it is stated 'for activities with low impact', in others 'for activities with low and moderate impact'. In the Guía ambiental Agrícola it is even stated that 'los proyectos incluidos en la lista taxativa cuyo desarrollo no afecte los criterios de protección ambiental podrán consultar.... si pueden acogerse a la Guía de Buenas Prácticas Ambientales' . This is not a good idea; if you want to simplify the system and reduce workload, only apply it in cases where necessary. If there is no expected environmental impact, you could of course still use the Guía to improve the agriculture practice maybe, but considering that resources are limited, NCEA suggests to concentrate on where added value can be significant.

- Some Guías contain a section on 'Panorama del sector', which in some cases contains data on percentages, incomes etc. for certain years. If you want to use the Guías for at least a couple of years, the risk is that these parts of the Guías are relatively quickly outdated. Moreover, this section can be very extensive. The question would be: which information is really relevant to be able to use the Guía?

- The instructions for use are still not very clear:

First of all, it only explains how producers can use the guide. There are no instructions for env. authorities or civil society

Secondly. e.g. in the Agricultura guide it says: 'el productor debe conocer cada una de las guías (is this correct or should it be 'fichas') para aplicarlas en cada caso que se requiere', luego 'a lo largo del proceso productivo se deben consultar las fichas para tomar decisiones de manejo' y ' anualmente el productor llena unas fichas de control.... etc.' This needs further explanation, e.g. in steps:

1) the producer should look at which of the 16 fichas are applicable for his production activity; this can be all, or a selection only

2) then each ficha contains an objective: should the producer himself decide to which extent he wants to comply with the objective? ('para tomar decisiones de manejo'). Or is he automatically bound to application of all acciones y tecnicas? In other words, are the acciones a minimum requirement or does it work like 'the more you apply, the better your performance???'

- How is the use of the Guía agreed; does the producer have to sign a document or something else in which he states to use the guide? If not, provoca sanciones?? (which kind?)

- Try not to use sentences like 'usar metodo de siembra adecuado' or 'mantener equilibrio ecológico', because without further explanation, this give no specific guidance: **what** is adequate, **how to** maintain the ecological balance?

- The matriz de impactos; the sequence of activities in the left column is not the same as the preceding text. Moreover, it is not clear who has put the crosses: if this is expert judgement, this should be explained somewhere. 'Falta de normas de seguridad' is not an activity. The componente social, contains some columns like cumplimiento legal and desarrollo territorial, which are 'other category' impacts.

- In relation to the fichas: some of the acciones a desarrollar are so obvious (e.g. la época de siembra se debe seleccionar los mercados potenciales de mismo), any farmer will always do that. The fichas should be used to better guarantee that environmental (and social) variables in agriculture are not forgotten, so try to limit the fichas to these variables.

- Ficha no. 10 (and also 11) are out of proportion in terms of amount of text

- Try to prevent observations like 'se puede usar cualquier tecnología que contribuya a lograr el objetivo de la presente ficha' (14). This is non-information.

- Capítulo V. This is like a kind of explanation how EIA works in Panama. At least here the relation between EIA and the use of the Guías should be far better explained.

In summary: answering your first question: The guías are sufficiently accurate, scientific and the language is easily understandable. However, they are still far away from simple and easy. If you really want to have a simple and easy guide, NCEA suggests to skip all the bulky information (on marco jurídico, etc.) and make the fichas with clear instructions the heart of the document. Also better explain how the guías relate to EIA and what was the reason for starting to elaborate these guías.

Question 2: The indicators depend on what you want to monitor. Do you want to monitor which proposed **activities** have been executed in reality, do you want to know results of the activity (**output**, e.g. a report on ways to protect fuentes de agua), do you want to know **outcome** (e.g. improved agricultural practices in the short and medium term) or do you want to monitor **impact** (e.g. sustainable development, reduced poverty, equitable distribution etc. in the long term). NCEA can only advise to take a very limited number of indicators (e.g. only on the expected high significance impacts, the red coloured fichas)

Question 4: The way you did it now at least gives some information on impact significance: even more when you kind of multiply the number of coloured little blocks in the right upper part of the fichas with the type of Impact (verde, azul, amarillo, rojo). A combination of more little blocks and a 'red' significance status should in fact be your most important fichas to monitor.

Question 5: in relation to climate change. A difficult question, but NCEA would recommend to keep it relatively simple by just putting two questions in the climate change column of the matrix: does the activity cause emissions that contribute to climate change and does climate change cause potential risks to the activity.

Examples of management issues: NCEA suggests you have a look at the OECD/DAC SEA and climate change paper: on p. 9 section 2.3

Question 6: Gender, see also box 3 in the SEA and climate change paper

In general on questions 5 and 6: These are very relevant for the agricultural Guía. However, these issues are less relevant for the Urban Infrastructure Guía.

Question 7: NCEA would recommend to include best available technologies also for those producers who are ambitious in terms of trying to achieve a sustainable way of production. May be you could divide the mitigation measures in two sections: the ones necessary to comply with law requirements and the extra ones to really improve. This all has to do with the objectives you have established for the Guias: just mitigation measures or also identifying opportunities? Just avoiding negative impacts or also promoting positive impacts?

Question 8: This could be relevant for the tourism or urban infrastructure ones, but not so much for the agricultural ones.