



The attractive concept of simplicity in environmental impact assessment: Perceptions of outcomes in southeastern Brazil



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ARTICLE INFO

Keywords:

Environmental impact assessment (EIA)
Environmental licensing
Simplification
Streamline
Environmental policy
Brazil

ABSTRACT

Pressures are mounting for the simplification of environmental impact assessment (EIA). This phenomenon is drawing increasing scholarly attention, but studies have not gone far beyond speculating what could happen as a result of recently implemented or proposed regulatory changes. This paper takes a more longitudinal look at simplified EIAs. The main objective was to analyze the perceived outcomes of a number of simplified EIA processes, using Brazil as the empirical context. More specifically, this paper aimed at understanding: 1) how simplified EIAs have been conceptualized and implemented in southeastern Brazil; and 2) how developers and civil servants in that region perceive the outcomes of simplified EIAs. This study adopted a sequential mixed method research approach. Data was collected through literature reviews, 261 telephone-based interviews and 10 face-to-face interviews. Degrees of EIA simplification can vary significantly within and across jurisdictions. In any case, simplification is often framed as a win-win solution to EIA ineffectiveness, through which regulatory and procedural changes are made to ease the process, while, at the same time, maintaining or providing better environmental protection. This approach is more frequently applied to potentially low-impact processes. Chi-square tests of the data collected through telephone interviews in the Brazilian state of Minas Gerais indicated that developers tend to perceive EIA processes as difficult and slow regardless of how simplified it is. Most civil servants, who were directly involved in the implementation of simplified EIAs in state environmental agencies, argued that simplified EIAs are driven mostly by environmental agencies, as these institutions have long been unable to cope with an ever-increasing load of license applications. Policy outcomes of simplified EIAs in the territory are not sufficiently monitored by state agencies. Civil servants revealed concerns about the potential long term effects of EIA simplification on the ground, as they have had limited resources for audits and inspections.

1. Introduction

While the concept of simplicity has been studied in research fields such as cognitive sciences (Chater and Vitányi, 2003), it rests marginally explored in the field environmental impact assessment (EIA). However, recent regulatory changes in EIA policies are highlighting the importance of better comprehending the nature and effects of simplicity.

Much has evolved since 1969, when EIA was first regulated in the United States. EIA is now present in virtually every country on Earth (Morgan, 2012). Regulations have become more complicated; stakeholders and institutions, more diverse. And, despite decades of practical experiences and scholarly research, the benefits of EIA are not always clear (Morrison-Saunders et al., 2015). Not surprisingly, the perceived shortcomings of EIA are often framed as a matter of excessive

bureaucracy, cumbersome regulations, and unnecessary administrative burden. In reaction, policy-makers have begun to simplify EIA policies and procedures (e.g. Gibson, 2012; Middle et al., 2013; Sandham et al., 2013).

The revision of European Union EIA Directive (2014/52/EU) epitomizes this trend. During the review of the directive, the Commission concluded that it had the potential “for a future simplification exercise, the aim being to identify overlaps, gaps and potential for reducing regulatory and administrative burdens, in particular regarding transboundary projects” (CEC, 2009). As a result, the 2014 amended directive mandated Member States to simplify their various environmental assessment procedures, introduce shorter timeframes for different stages of the EIA process, and much more (European Commission, 2014). Similar simplification-driven EIA review processes have taken place, for example, in Canada (Gibson, 2012), Australia (Middle et al.,

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2013), South Africa (Sandham et al., 2013) and Brazil (Oliveira et al., 2016). In the latter, simplification has been underpinning changes in EIA regulations since at least the late 1990s. The quest for simplification is likely to continue. Simplicity is a very attractive concept. As Gibson points out, “in a world that is complex, difficult, ambiguous and uncertain, simplicity offers a soothing never-never land of uncomplicated truth and easy fixes” (Gibson, 2010, p. 40).

The simplification phenomenon is drawing increasing scholarly attention. For example, Morrison-Saunders et al. (2014) and Retief et al. (2014) have recently acknowledged that EIA may have become over-complicated and that efforts are needed to better focus and integrate both research and practice. However, few studies have gone far beyond speculating what could happen as a result of recently implemented or proposed regulatory changes. For example, Fonseca et al. (2017) and Bragagnolo et al. (2017) raised numerous concerns about recently proposed simplification measures in Brazil. Bond et al. (2014), in their review of EIA streamlining in Australia, acknowledged that “(...) no conclusion can be reached on whether such streamlining can be seen as cost effective or not”, and thus called researchers to revisit the effects of streamlining in the future. This paper takes a more longitudinal look at the nature and effects of simplified EIAs. The main objective was to analyze the perceived outcomes of a number of simplified EIA processes, using Brazil as the empirical context. More specifically, this paper aimed at understanding: 1) how simplified EIAs have been conceptualized and implemented in southeastern Brazil; and 2) how developers and civil servants in that region perceive the outcomes of simplified EIAs. In Brazil, as Oliveira et al. (2016) showed, simplified EIAs can take various forms; many of which are mirrored in international contexts. By shedding some light on the outcomes of such experiences, this study hopes to add more content to an increasingly relevant debate in the global environmental policy research community. Moreover, findings from this study are likely to appeal to practitioners and policy-makers interested in EIA policy change.

The paper proceeds in five sections, besides this introduction. The following explains the methodology. The third section presents a review of the various ways through which EIA has been conceptualized and implemented in Brazil. The fourth section presents the results of structured telephone-based interviews with developers of the state of Minas Gerais, a region which has been implementing radical approaches to EIA simplification since, at least, 2004. The fifth section presents the results of face-to-face interviews with civil servants who were directly involved in the implementation of EIA simplification policies in Brazil's southeastern environmental agencies. Section six finally draws concluding remarks and suggests avenues of research.

2. Methodology

This study adopted a sequential mixed method research approach, which, according to Creswell (2009, p. 14), is an approach “in which the researcher seeks to elaborate or expand on the findings of one method with another method”. Data were collected and analyzed in three stages: 1) literature reviews; 2) quantitative analysis of structured telephone-based interviews with developers; and 3) qualitative analysis of face-to-face interviews with civil servants.

The literature review included both academic and grey sources. The main objective was to understand how simplified EIAs were being described both in scholarly research and in practice. Given the multitude of jurisdictions and contexts in which EIA takes place, this study limited its analysis to the procedures and policies that existed in southeastern Brazil, a region that is larger than the territories of Germany, United Kingdom, Netherlands and Portugal combined. Southeastern Brazil includes four industrialized states (São Paulo, Rio de Janeiro, Minas Gerais and Espírito Santo) that houses > 80 million people. The various approaches to simplifying EIAs were compared and synthesized in a diagram.

Findings from the literature reviews revealed that the state of Minas

Table 1
Interviewed developers across types of simplified EIA processes.

Levels of EIA simplification that the companies went through	Number of interviewees
Self-declaratory permit (most simplified)	56
Class 3 or 4 license (intermediate simplification)	98
Class 5 or 6 license (most comprehensive EIA)	81
Multiple licenses	26
Total	261

Gerais (a state with 21 million people, almost as large as the French territory) has been implementing several degrees of EIA simplification since 2004, including a very radical one. To further comprehend the effects of such policies, the study conducted targeted telephone-based interviews with developers from Minas Gerais whose companies and/or projects had already obtained environmental licenses. The main objective was to understand their perception about several types of simplified and comprehensive EIAs. Contacts of developers were obtained in the database of the Minas Gerais State Industry Federation (whose acronym in Portuguese is FIEMG). From the > 16 thousand companies in the database, 1612 had some sort of environmental license obtained as of 2013. This study tried to reach by telephone a representative of each of those companies who deemed her or himself knowledgeable in the licensing and EIA process of their company. After six months of telephone calls, a total of 261 interviews were completed, as shown in Table 1. This sample included developers' representatives from companies located in 123 different cities. This study did not attempt to achieve a statistically representative sample. The purpose was merely to interview as many developers as possible from different companies who had experienced different levels of EIA simplification.

The interviews were based on a questionnaire with 9 closed-ended questions (including dichotomous, multiple choices and Likert scale questions) and one open-ended question. Descriptive and inferential statistics was carried out on the software SPSS 21. One of the shortcomings of the telephone-based interviews is that they explored perceptions around terms (such as “difficulty”, “speed”, etc.) that may have different meanings to different people. In Brazil, and arguably elsewhere, what constitutes an “agile” or “difficult” EIA process is not clear. Therefore, findings need to be carefully considered.

It is important to point out that the interviews related to the companies that had obtained multiple types of licenses (26 interviews, see Table 1) were not included in some of the statistical analysis, as the “combination” of licenses were not homogeneous. For example, some companies had gone through two simplified processes, while others had gone through a simplified and a comprehensive process; other companies had gone through a further complicated mix of both simplified and comprehensive process.

While such companies would be in a better position to comment on the outcomes of different levels of simplification, in this study, the questions were worded to capture an overall perception of the process, through a standardized questionnaire. Future studies, however, could further explore those companies through different methodological approaches.

In addition to the targeted interviews with developers of a particular state, this study also conducted face-to-face interviews, between 2014 and 2016, in the premises of the four state environmental agencies of southeastern Brazil, as follows: CETESB (state of São Paulo); INEA (state of Rio de Janeiro); IEMA (state of Espírito Santo); SEMAD (state of Minas Gerais). The main purpose of the interviews, which lasted from 30 min to 2 h, was to understand how the agency's civil servants perceived the evolution and outcomes of their agencies' EIA simplification efforts. Table 2 below presents the codes and profiles of those 10 interviewees. One of the co-authors of this study conducted 8 additional short interviews with environmental analysts from those agencies to confirm specific information found on the academic and grey

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