

REDESIGNING THE ENVIRONMENTAL ASSESSMENT SYSTEM OF KOREA

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■ **Environmental Assessment (EA) System in Korea**

- Environmental Impact Assessment(EIA)
- Preliminary Environmental Review System(PERS)

■ **Environmental Impact Assessment(EIA)**

- Historical Background
- EIA Law
- EIA Process
- Constraints on EIA System

■ **Preliminary Environmental Review System(PERS)**

- Historical Background
- PERS Law
- PERS Process
- Problems in PERS System

■ **Redesigning of the EA System in Korea**

- Regulatory Basis of EA System
- Subjects for EA
- Role Assignment of PERS and EIA
- Application of PERS and EIA

■ Environmental Assessment (EA) System in Korea

● Environmental Impact Assessment(EIA)

- Adopted in 1977 with the Environment Preservation Act
- Applied to the development projects

● Preliminary Environmental Review System(PERS)

- Adopted in 1994 with directive of the Prime Minister
- Applied to the administrative plans as well as development projects in the environmentally sensitive area

■ Environmental Impact Assessment(EIA)

● Historical Background of EIA

- Environment Preservation Act (1977)

- Established the basis for enforcement of EIA - 3 types of projects
- Amendment of Environment Preservation Act(1979) - 6 types of projects
- However, EIA had not been executed until 1981, due to insufficient enforcement decree

- Framework Act on Environment Policy (1990)

- Types of projects subject to the EIA extended to 47
- Introduction of public participation

- Environmental Impact Assessment Act

- Introduction of scoping concept

- Amendment of Environmental Impact Assessment(1997)

- Types of projects subject to the EIA extended to 63
- Establishment of Korea Environment Institute(KEI) for professional review of EIS as well as carrying out researches for EIA

- Impact Assessment Act on Environment, Transportation and Natural Disaster(1999)

- Integration of 3 different types of impact assessment(Environment, Transportation, Natural Disaster)

● **Environmental Impact Assessment Law**

(Impact Assessment Act on Environment, Transportation and Natural Disaster)

- **Purpose of Law**

- To assure that projects are carried out in full consideration for the environmental preservation by specifying the procedure of the Environmental Impact Assessment
- To reflect the results of Environmental Impact Assessment on decision making process

- **Projects to be Assessed**

- Activities requiring EIA consist of 63 project types in 17 fields that include urban planning, industrial complex development, public road construction, public or private sector development projects

■ Environmental Impact Assessment (EIA)

● EIA Process



■ Environmental Impact Assessment(EIA)

● Major Constraints on EIA System in Korea

Timing of EIA execution

- Most of EIA's are performed when the projects are already on the stage of basic plan after related administrative plan has been determined.
- Therefore, it is hard to cancel or change the project fundamentally even though environmentally big problems are found.

Comparison of alternatives

- EIS must contain a comparison of alternatives.
- Generally insignificant factors are considered when comparing alternatives.
- Fundamental alternatives including ' NO ACTION' are not considered in EIS, because the Korean EIA is mainly focused on the reduction of impacts.

No Screening and Weak Scoping

- Scoping has not been adopted effectively.
- Too many EIA projects!

■ Preliminary Environmental Review System(PERS)

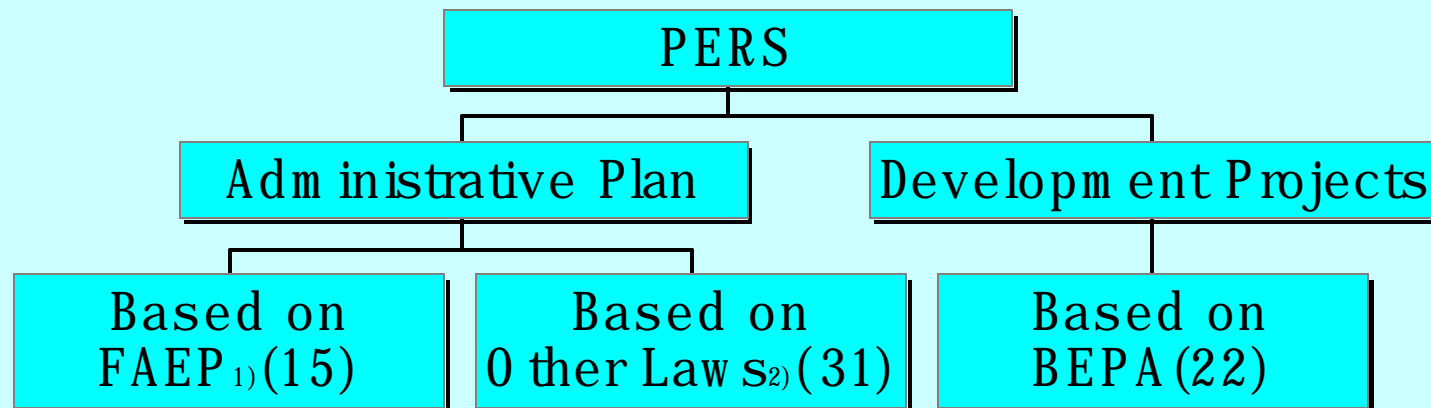
(Advanced Consultation about Examination of Environmental Impact (ACEEI))

● Historical Background of PERS

- Directive of the Prime Minister(1994)
- Establish the regulatory basis for enforcement of PERS
- Stipulated consultation with the Minister of Environment(MOE) in determination of administrative plans and development projects affecting the environment
- Framework Act on Environment Policy(FAEP) (1999, 2003)
- Stated types of administrative plans and development projects requiring PERS
- Prescribed the methods to prepare documents necessary for examining environmental impacts
- Prescribed the legal formalities for consultations
- Extended types of administrative plans and projects subjects to PERS(2003)

■ Preliminary Environmental Review System(PERS)

● Regulatory Basis of PERS

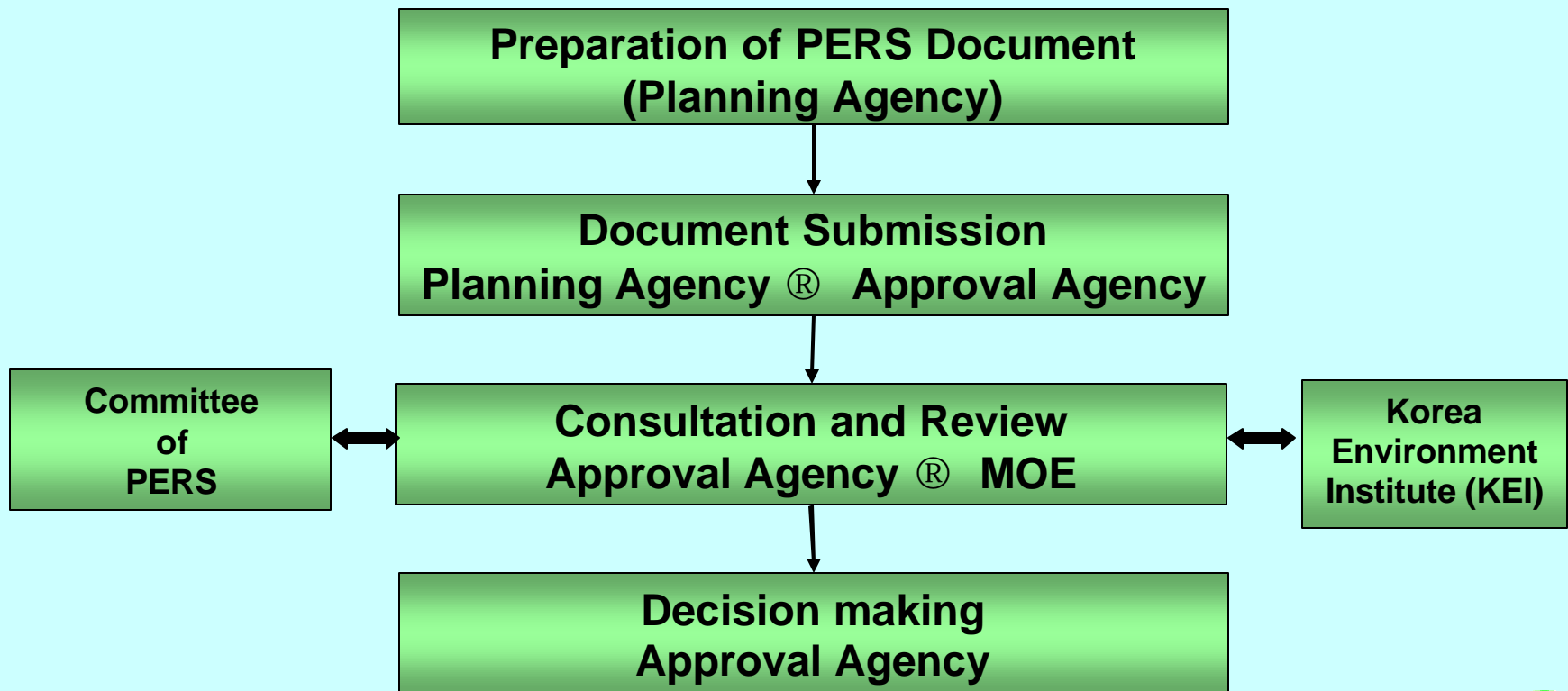


1) FAEP : Framework Act on Environment Policy

2) Individual law stipulating each administrative plan

■ Preliminary Environmental Review System(PERS)

● PERS Process



■ Preliminary Environmental Review System(PERS)

● Problems in PERS system

- PERS is carried out after the framework for various plans(e.g., site route)was already decided: difficult to choose the best among several alternatives
- Overlap with EIA at the time of execution
- Lots of Administrative plans are excluded from PERS
- Both EIA and PERS are carried out just before approval.
e.g., Dam construction, hot spring development, state park construction, etc.
- Ambiguity in roles of PERS and EIA: similar process, review system, and weak technical guideline
- Low flexibility: a relatively limited range

■ Preliminary Environmental Review System(PERS)

● Example 1(Urban Development)

Level	Subjects	Regulatory Basis(present)	Regulatory Basis(modification)
Policy	Comprehensive National Territorial Plan ↓	Other Law (Framework Act on the National Territory)	Environment Assessment Act
Plan	City—wide Regional Plan ↓ Urban(City) Master Plan ↓	Other Law(Act on Planning and Utilization on the National Territory)	Environment Assessment Act
Program	District Plan ↓ Sectorial Development Plan ↓	Framework Act on Environment Policy	Environment Assessment Act
Project	Housing Project	Impact Assessment Act on Environment. Transportation and Nature Disaster	Environment Assessment Act

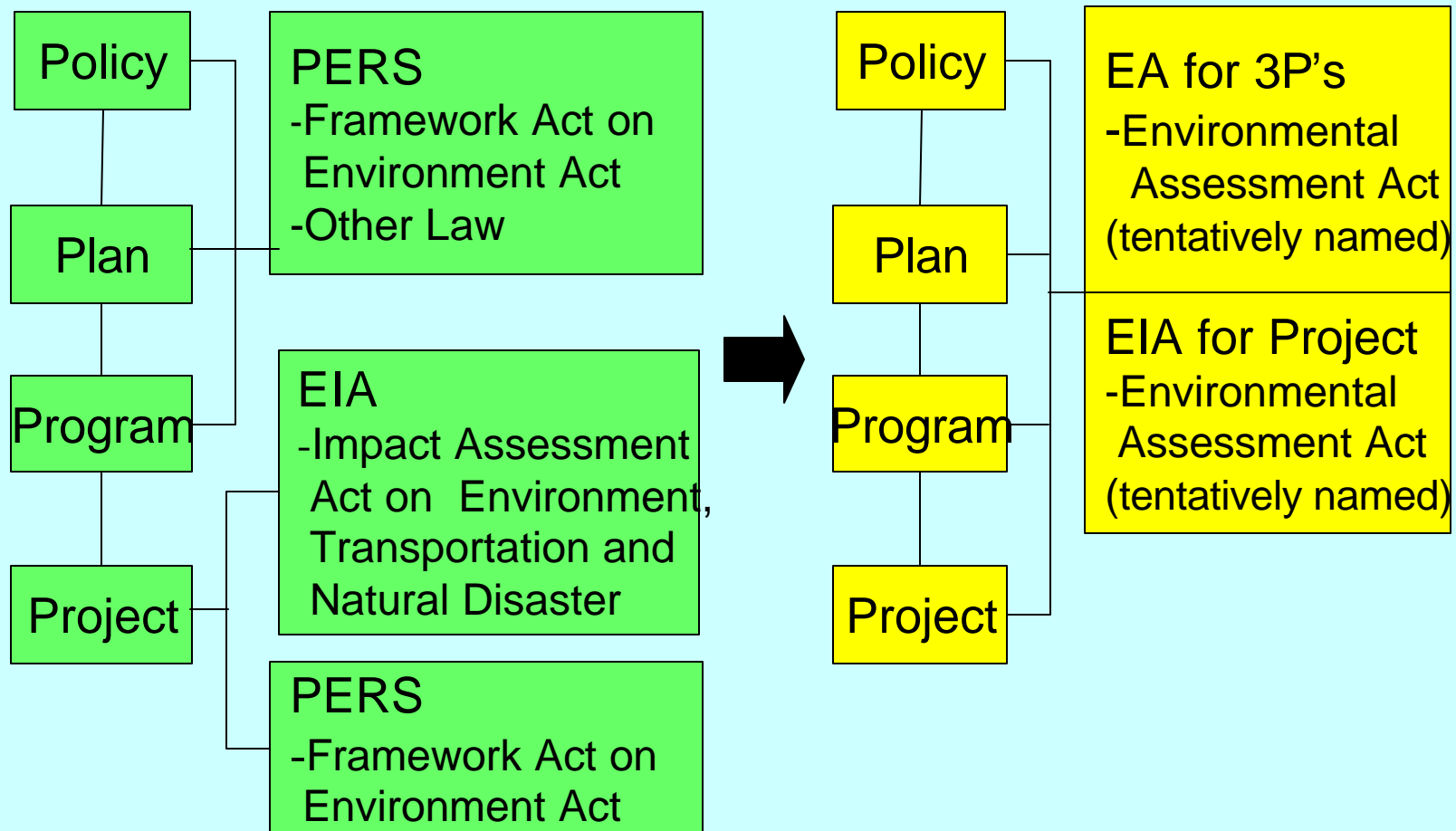
■ Preliminary Environmental Review System(PERS)

● Example 2(Dam Construction)

Level	Subjects	Regulatory Basis(present)	Regulatory Basis(modification)
Policy	Longtime Master Plans for Water Resources ↓	Other Law (River Act)	Environment Assessment Act
Plan	Long-Term Plans for Dam Construction ↓	Other Law(Act on Construction of Dam and Assistance etc. to other Environs)	Environment Assessment Act
Program	Designation of Areas Intended for Dam Construction ↓ Basic Plans for Dam Construction ↓	Other Law(Act on Construction of Dam and Assistance etc. to other Environs)	Environment Assessment Act
		Impact Assessment Act on Environment. Transportation and Nature Disaster	Environment Assessment Act
Project	Implementation Plans for Dam Construction	No	Environment Assessment Act

■ Redesigning of the EA System in Korea

● Regulation Basis of EA System



■ Redesigning of the EA System in Korea

● Subjects of EA (PERS and EIA)

- 130 Administrative plans(programs)affecting development or environment project have been reviewed.
- 106 plans out of 130 were selected as subjects for EA
- Selected subjects are classified into three groups

Subjects	Group1	- Administrative plans present governmental (central/ local) policies	11(1)*
	Group2	- Sectoral plans affecting development project indirectly	27(4)
	Group3	- Administrative plans affecting development project directly	68(39)
EIA	Group4	- Development projects	62(62)

(): No. of plans(programs) subject to the PERS at present



■ Redesigning of the EA System in Korea

● Role Assignment of PERS and EIA(Tiering)

	PERS	EIA
Subjects	-Administrative plans(Group1~ Group3)	-Development projects
Assessments	-Global Sustainability -Correspondence with National Environmental Policy -Sustainability of the plan objectives	-Compliance of Environmental Criteria -Mitigation Methods for Environmental Effects -Monitoring Methods

■ Redesigning of the EA System in Korea

● Application of PERS and EIA

