



Developers in Thailand often regard EIA as a necessary evil but this does not do the process justice as it also makes sound economic sense

BY STEVE PEARMAIN

# Why EIA makes sense

Environmental Impact Assessment (EIA) refers to the formal process used to predict the environmental consequences of a proposed project such as a new condominium or resort development. The primary objective of an EIA is to ensure that the potential impacts, both positive and negative, of a project on the natural environment and local communities are assessed at the planning and decision making stage, thus ensuring that appropriate measures can be put in place to maximize the positive impacts of a scheme, and prevent, limit or manage the negative impacts in accordance with the principles of sustainable development.

EIA is utilised as a decision supporting tool in many countries around the world and often forms an integral component of Planning and Building Control legislation, and Thailand is no exception in this regard. The first mandatory provision for EIA for certain types of projects in Thailand actually dates back to 1975 although the process in its current form is largely as prescribed under Section 46-47 of the National Environmental Quality Act (NEQA 1992). The Environmental Impact Evaluation Bureau (EIEB) under the Office of Natural Resources and Environmental Policy and Planning (ONEP) is responsible for specifying the types of projects that require EIA, undertaking the preliminary review of submitted EIAs and making recommendations to the Expert Review Committee who will make the final judgement. The EIEB are also responsible for monitoring the environmental performance of projects after the EIA has been approved.

EIAs are currently required for 22 types of proposed projects or activities in Thailand which range from oil refineries to medium sized hotels and condominiums. New hotels or condominium projects with more than 79 rooms are required to submit an EIA prior to construction works commencing although some less scrupulous developers have historically used Clause 39 of the Building Control Act as a loophole to enable them to commence works before EIA approval is received. This loophole has recently been effectively closed however, as ONEP will not now consider EIAs submitted after construction works have commenced. Indeed more than 100 projects were suspended at the end of 2007 for using Clause 39 and ONEP is currently working its way through the backlog of resultant EIAs. It is not uncommon for



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the entire process to take in excess of one year and project developers need to factor this into their forward planning exercises.

As no two projects are the same it follows that EIA is a tiered process that aims to focus the efforts of the work where they are most needed through a stage of incremental steps. If a project requires an EIA the first stage is the Scoping Study which seeks to identify the significant environmental aspects associated with the construction, operational and decommissioning phases of a particular project or activity, this is so that unnecessary requirements can be discounted at an early stage to avoid unnecessary work.

Public Consultation also constitutes a critical part of the process and the views of local residents and other stakeholders should be canvassed via surveys and public meetings so that their concerns can be addressed in the EIA. The importance of this aspect should not be overlooked as recent experience has shown that fervent public opposition to a project can lead to significant programme delays, bad press or even abandonment. Non-governmental organizations (NGOs) and other relevant agencies should also be consulted and their views taken into account.

The topics that are covered in a typical EIA include: wastewater treatment, energy efficiency, solid waste management, traffic, air quality, soil and groundwater pollution, noise pollution, nature conservation, landscape, public health, visual aspects and socio-economic factors. This usually involves the collection and collation of robust site-

specific field data to establish a baseline against which the potential impacts can be measured. The environmental consultant will evaluate the scheme with regard to the above criteria and draft a report which clearly identifies the direct and indirect, short and long term, environmental impacts associated with the project under assessment. The EIA report will then make recommendations on how any identified adverse effects of the scheme can be prevented, reduced or managed. For projects with a significant negative environmental impact it is incumbent on the environmental consultant to consider alternative ways of delivering the project, more often than not these include design modifications to mitigate the negative impacts, but in extreme cases can also include a recommendation to abandon the project and locate it elsewhere.

The EIA report will also include a monitoring plan which details the measures that will be taken to validate the efficacy of the environmental control and management commitments that are made in the EIA report for both the construction and operational phases of the project. For example this could include a list of water quality parameters that will be measured in the effluent of the projects waste water treatment plant, including the method and frequency of the monitoring and associated reporting.

Many developers consider EIA to be a necessary evil that they have to implement in order to obtain their Construction Permit. This is a blinkered attitude and does not do the process justice because producing a robust EIA actually makes sound economic sense. Focusing on energy efficiency and waste minimisation does not only benefit the environment, it also makes the accountants happy. Recent history has also demonstrated that a lack of public participation and stakeholder engagement during the early stages of a project can result in costly programme delays. The more astute developers have learnt that it makes perfect economic and marketing sense to commit wholeheartedly to the EIA process and the principles of sustainable development in general.

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