

(7) Good Practice

<Korea>

Good Practice 1: Follow-up Review of EIA Report

1. EIA step	(3) Environmental management planning, monitoring, and follow-up report
2. System/ Implementation	System
3. Country	Korea
4. Outline of good practice	Follow-up management of the environmental impact assessment (EIA) in Korea consists of the implementation management of consultation points and post-investigation of environmental impacts. In order to do the former, the consultation agency, or the Ministry of Environment (MOE), visits each project site for verification and control. For the latter, project proponents prepare follow-up reports of EIA and submit them to the MOE. The MOE commissions the Korea Environment Institute (KEI), the National Institute of Ecology (NIE), and the Korea Environment Corporation (KECO) to review these reports.
5. Background and issues identified (why and how does this good practice was started and evolved?)	<p>Up till now, project proponents have prepared follow-up reports on environmental impacts and submitted them to the consultation agency. However, these reports as presented have never been verified.</p> <p>Therefore, there has been a lot of criticism that the post-investigation is a mere formality. During the EIA consultation stage, project proponents may propose to take mitigation measures and obtain the agency's approval, but there are an increasing number of cases in which these measures have not actually been implemented.</p> <p>There has been criticism that the MOE's control and supervision are required for follow-up management in order to ensure that the EIA works efficiently. It is why the MOE began in 2016 to commission the KEI, NIE, and KECO to review the follow-up reports for thorough verification.</p>
6. Key features of good practice and its consequences/outcomes	<p>In 2016, there were 649 follow-up reports on environmental impacts actually reviewed by the KEI, 657 reports by the NIE, and 765 reports by the KECO, making a total of 2,071.</p> <p>Although it is stipulated to prepare follow-up reports in accordance with the guidelines for the preparation of follow-up reports on environmental impacts, there were a lot of cases in which these guidelines were not followed. Indeed, out of the 555 reports reviewed by the KEI from January to October 2016, there were 347 reports not based on the guidelines.</p> <p>In order to make a truly effective review, it is necessary to encourage that the follow-up reports be prepared strictly based on the guidelines.</p> <p>By verifying follow-up reports on environmental impacts for a two-year period from 2016 to 2017, a lot of observations were presented from review of descriptions concerning plants and animals as well as water quality. Also, it has been found that although investigations of the conditions during the construction work and operation periods were conducted with sincerity in many cases, causal analysis of problems given as a result of follow-up investigation was not adequate, and sufficient additional mitigation measures were not taken.</p> <p>Important observations from review of plant and animal issues pointed to continued monitoring of legally protected species, causal analysis of changes in biodiversity, and efficiency of transplanting plans. Many observations concerning water quality referred to causal analysis of water quality changes.</p> <p>Although it may be difficult to fully analyze environmental impacts from a single follow-up report of impacts, it is expected that, as a result of the analysis of hundreds of reports</p>

	conducted by the review agency, impact tendencies and the causes of problems can be found out in relation to the business and regional characteristics.
7. Lessons learnt/way forward	<p>Some project proponents recognize that the EIA is simply an administrative procedures for obtaining consent from the MOE. It is why they add various mitigation measures to the environmental impact statement (EIS) while they are less interested in environmental management after obtaining necessary project permission or authorization.</p> <p>It can be expected that by means of follow-up report review, project proponents assume greater responsibility for the post-management of the environment.</p> <p>It is desired that follow-up investigation manuals for each business type be prepared for use by project proponents. It is also expected that the review agency can investigate the problem tendencies of each business type or regional characteristic.</p>
8. Photos	

<Korea>

Good Practice 2: Concise Assessment System

1. Stage of EIA Process	(2) Quality of EIA (screening; scoping; survey, forecast, and evaluation)
2. System/ Implementation	System
3. Country	Korea
4. Outline of good practice	<p>The EIA generally takes three steps in Korea—steps of draft of assessment method (scoping document), draft environmental impact statement (EIS), and EIS. However, small-scale EIA projects are subject to the EIS step only, without procedures involving a scoping document, draft EIS, or public participation.</p> <p>The concise assessment system is applicable to any small-scale project that is not subject to the Environmental Impact Assessment (EIA) Act but is carried out in an area in which uncontrolled development is considered to be likely or site management is required for environmental protection. The applicable business scale is 5,000 m² to 30,000 m², and other requirements are specified in the national guidelines.</p>
5. Background and issues identified (why and how does this good practice was started and evolved?)	<p>Since the EIA Act was enacted in 1993, environmental problems caused by business projects less than the applicable levels have become serious social issues. The problems were particularly serious when water pollution due to an individual factory located near a clean water source made newspaper headlines.</p> <p>Thus, the MOE obligated prior environmental consultation, in which project proponents should consult with the MOE concerning some types of projects that are not applicable to the EIA Act but are likely to contaminate the environment.</p>
6. Key features of good practice and its consequences/outcomes	<p>While the EIS documents applicable to the EIA Act are reviewed by the Korea Environment Institute (KEI), those of small-scale projects are reviewed directly by the consultation agencies concerned, i.e. regional environmental offices, in principle.</p> <p>However, development projects that are small in scale but are either likely to cause a conflict or have environmentally sensitive features may be referred to the KEI for examination. In 2017, there were 380 EIA for small-scale projects, out of an approximate yearly total of 3,500, or around 10%, sent to the KEI for examination.</p> <p>It takes around three months to prepare an EIS for a small-scale project, which is considerably shorter than a general style document, taking more than 1.5 years.</p> <p>If the project is highly likely to cause a conflict, guidance will be given to the project proponent to hold explanatory meetings with those people affected.</p> <p>There is some reputation that the small-scale assessment system has been operated quite stably thanks to preparation guidelines in place for small-scale EIS and the excellent performance level of the document preparation consultants.</p>
7. Lessons learnt/way forward	<p>In Korea, many local governments have no bylaws established concerning the EIA. So the small-scale assessment system is highly appreciated as an effective means for environmental management of business projects not applicable to the EIA Act.</p> <p>In the application, the burden to be borne by project proponents is not so great because they are not subject to the draft assessment method or draft EIS procedures. It can also be said that the system has been applied in quite a flexible manner, since, in the case of environmentally sensitive projects, examination requests are sent to the KEI and guidance is given to business operators to hold explanatory briefings.</p> <p>However, follow-up management is not required obligatorily for small-scale EIA. So, going forward, measures should be taken to improve post-management requirements.</p>
8. Photos	

<Korea>

Good Practice 3: Operation of the Specialized Review Agency

1. Stage of EIA Process	(2) Quality of EIA (screening; scoping; survey, forecast, and evaluation) (3) Environmental management planning, monitoring, and follow-up report
2. System/ Implementation	System
3. Country	Korea
4. Outline of good practice	For the examination of the environmental impact statements (EIS) in Korea, the Minister of Environment has legally been obliged to request opinions from the Korea Environment Institute (KEI), which is the specialized review agency, since 1997. The KEI submits its views concerning the Draft EIS and EIS to the MOE. While all of the MOE's views are to be disclosed, the KEI's views are disclosed only in response to information disclosure requests.
5. Background and issues identified (why and how does this good practice was started and evolved?)	<p>Until 1997, the MOE's views had been disclosed in the form of a committee report or an individual specialist report. There were often problems, as follows:</p> <ul style="list-style-type: none"> - Different views were given to similar business projects because of the great difference between individual experts concerned. - Unrealistic views were presented by scholars who were not specialists in environmental impact assessment. - Scholars presented their views within their own specialty areas, without considering the balance of the entire evaluation. <p>So, the act was amended in 1997, making the KEI conduct the review.</p> <p>The KEI's assessment group is staffed by an approximate total of 60 people, of which 31 are investigation members having a doctorate. During the last year, 1,748 projects were reviewed. The average review period for one project was around ten days.</p> <p>The Environmental Assessment Group of the KEI consists of three divisions and one center; i.e. the Division of Land Policy Assessment, Division of Public Infrastructure Assessment, Division of Resource & Energy Assessment, and the Center for Environmental Assessment Monitoring.</p>
6. Key features of good practice and its consequences/outcomes	<p>Positive achievements attained through the establishment of a specialized review agency include heightened stability (i.e. predictability) as well as the reality of opinions. The KEI has also assisted greatly in the EIS preparation by developing technical EIA methods and issuing EIS preparation guidelines.</p> <p>It must be emphasized that the system is highly praised because the independence and fairness of the KEI's assessment opinions are ensured, as it is an agency under the jurisdiction of the Office of the Prime Minister, totally independent of the MOE. Although many of the KEI's opinions are reflected in those of the MOE, there are some politically sensitive cases in which the views of the MOE and the KEI are divided. Recently, debates are made in the national diet by comparing both agencies' views and criticizing the MOE's decision-making positions. Positive features of the EIA in Korea can be found in such a tense balance between the two national agencies.</p>
7. Lessons learnt/way forward	The specialized review agency is required to fulfill four important factors. The first is fairness, or basically independence from the pursuit of interests and political positions. Since the KEI is under the jurisdiction of the Office of the Prime Minister, separated from the MOE and approval agencies (the Ministry of Land, Infrastructure, and Transport as well as local governments), its independence is established to a certain degree. Although it is isolated from individual governmental ministries, it is difficult to say it is independent from national-scale president-promoted projects. The second important element is specialty. In the KEI, more than 30 researchers with doctorates are engaged in the EIA review, and

	<p>investigation into technical EIA methods is being undertaken. The third is investigation functions. The KEI has been conducting studies on problems found in review cases, resulting in the development of EIA methods and preparation of guidelines. For consultants, prior guidelines are of greater assistance than follow-up review. The fourth point is a focus on actual business sites. Understanding the actual development site is of the utmost importance in the EIA. At the KEI, however, each of the reviewers is assigned to handle nearly 20 cases each week, making it quite difficult to go out to visit project sites so often. This last point is the most important challenge the KEI is now facing.</p>
8. Photos	