



commission for environmental impact assessment

Ministerio de Desarrollo Sostenible Bolivia
Viceministerio de Recursos Naturales y
Medio Ambiente
Sr. Viceministro E. Aguilera
Sr. Director General Medio Ambiente G.
Mérida

your reference

your letter of

our reference

-

056-068 Sh/Mz

subject

direct dial

Utrecht,

Advice on Terms of Reference for SEA
Polo de Desarrollo (Puerto Busch) Bolivia

+ 31 30 234 76 54

30 September 2004

Dear Mr. Aguilera and Mr. Mérida,

By fax, dated 30 June 2004, you requested the Netherlands Commission for Environmental Impact Assessment to advise on Terms of Reference and supervision for an SEA in the area of Puerto Busch, Bolivia.

It is my pleasure to submit herewith the Advice on Terms of Reference prepared by a working group of the Commission. I would like to draw your attention to the following points:

First of all, I would like to thank you for the excellent organisation of our visit, enabling the working group to meet with a great variety of stakeholders and to have visits to the sites of the proposed interventions. The Commission appreciated the fact that a team of the Vice Ministry of Natural Resources and Environment has accompanied the Commission full-time during its visit. This has demonstrated the commitment of the Vice-Ministry to the efforts for successful implementation of SEA in Bolivia and has contributed to the aim of undertaking this first SEA pilot as a 'training on the job'. Also the presence of both the Minister of Sustainable Development and the Vice-minister for Natural Resources and Environment at a debriefing meeting at the end of the Commission's visit is very much appreciated.

The challenge with the SEA in the area of Puerto Busch is to be able to demonstrate the benefits of doing SEA, gradually convincing all stakeholders. Some of the potential benefits in this case are:

- Create (local) commitment for the plans. The Commission noticed for instance in Puerto Suárez, that the local population is not so much opposing plans or projects, but mainly complaining about the lack of participation and transparency. SEA can contribute to this and at the same time offers the possibility to identify additional projects needed to satisfy the problems of local population, for instance in relation to drinking water, sanitation and urban transport problems. The SEA also provides a platform to identify compensation and mitigation measures.

Postal address P.O. Box 2345
3500 GH UTRECHT, THE NETHERLANDS
Visiting address Arthur van Schendelstraat 800
Utrecht. The Netherlands

Telephone +31 30 234 76 60
Telefax +31 30 230 43 82
Website www.eia.nl
E-mail mer@eia.nl

- Prevent obstacles for economic development. The multiple plans in the framework of the Polo de Desarrollo need to be undertaken in an integrated and sustainable way. SEA can help to prevent critical situations in the future, for instance by addressing potential environmental risks as a consequence of the complex hydrological system, and social risks as a consequence of rapid changes in land use and property rights. SEA thus provides insight in future problems and can anticipate measures that have to be taken now to prevent problems in future, hampering economic development.
- Augment the possibilities to prevent natural disasters. The Polo de Desarrollo will possibly lead to an accelerated development and growth of ports in the area. Similarly mining operations will get an impulse. Ports and mines are generally known to cause environmental (and social) problems, which need even more attention in the (environmentally sensitive) area of the Pantanal and in the (politically sensitive) area bordering Brazil and Paraguay.
- Improve political image and good governance. As the Pantanal is a unique ecosystem which receives a lot of international attention, the undertaking of an SEA by the Bolivian government will add to the creation of more confidence amongst environmentalists, but also (perhaps even more important) amongst international investors. A trustworthy government demonstrating that it is now controlling an otherwise disorderly development, and taking its international commitments seriously, such as the undersigning of the Ramsar-convention, will increase its possibilities to attract trustworthy and reliable investors (both public and private).
- Save time and money during the execution of plans. Investing in an umbrella SEA now, will facilitate the execution of EIAs which according to Bolivian law have to be undertaken anyway for single activities. For example: information on hydrology, which has to be gathered for this pilot SEA is also necessary to plan future urban development (Puerto Suárez, Puerto Quijarro), to plan mining and other project activities, to plan infrastructure for road and river transport and to plan natural park management.

In general, this pilot SEA can contribute greatly, through its participative and transparent approach, to the commitment of all stakeholders for the proposed plans and projects.

Another issue I would like to emphasise is that this pilot is designed to be a learning exercise on SEA. The undertaking of the SEA will have a 'learning by doing' approach in which ministries, regional government (Prefectura) and municipalities play a role. It is of utmost important that all responsible stakeholders feel themselves owner of this SEA. At government level, the key stakeholders in this SEA are the Ministry of Economic Development, the Ministry of Sustainable Development and the Prefectura de Santa Cruz.

This SEA however will be more effective and have greater impact if also the following stakeholders are participating:

- social groups, for example now pressurising for a reduction of surface area with a protected status.
- private sector, urging for implementation of projects as soon as possible.
- international stakeholders, Brazil and Paraguay, as impacts of the Polo de Desarrollo will not stop at the border, but also because these countries can provide information, which is not available in Bolivia, for instance on hydrology.

During its stay in Bolivia, the Commission has noticed that another SEA is being undertaken for the so-called 'Corredor-Norte' with funds from the Inter-american Development Bank (IDB), in co-operation with the Bolivian Ministry of Transport (Servicio Nacional de Caminos). This SEA has to be finished in May 2005, but apparently the Ministry of Desarrollo Sostenible has no formal role in this SEA whatsoever. The reasons for this situation are not exactly clear to the Commission. However, as SEA is new to Bolivia, and practical experience is now being acquired, the Commission would strongly advise to

Postadres Postbus 2345
3500 GH UTRECHT
Bezoekadres Arthur van Schendelstraat 800
Utrecht

telefoon (030) 234 76 66
telefax (030) 233 12 95
website www.eia.nl
e-mail mer@eia.nl

interchange experiences. The Ministry has taken the initiative already through inviting the consultant for Corredor Norte for a presentation on the set-up of this particular SEA. Continued co-ordination, also with the Ministry of Transport and the IDB is highly recommended.

As being stated already, Bolivia is at the very beginning of introducing and implementing SEA. Generally, practice shows the following development cycle for effective SEA.

- in 1 years time: the decision taken by MDS to introduce SEA generates a discussion with colleagues in other Vice-ministries within MDS, between MDS and other Ministries, and at different government levels (regional and local). Capacity building starts gradually and a beginning is made with first drafts of SEA regulation.
- in 3 years time: several drafts of SEA regulation have been discussed and an approval is near. Several SEA pilots have been undertaken. The Polo de Desarrollo (Puerto Busch) is the first one, a second pilot already envisaged is Salar de Uyuni and as possible pilots have been mentioned: SEA for the Bolivian Poverty Reduction Strategy or an SEA for a watershed. In these three years also provisions have to be made for institutionalising SEA in terms of determining mandates and responsibilities and ensuring financial sustainability of the SEA system. Capacity building is on-going and manuals for experts and planners who want to undertake SEA are being developed.
- in 10 years time: Experience from 10 years SEA practice in Bolivia will enable the adjustment and improvement of the SEA regulation, manuals and lead to effective SEA accepted by all stakeholders as a useful instrument.

Finally, I would like to express the willingness of the Commission to continue co-operation with the Ministry of Sustainable Development in the next stages of SEA introduction in Bolivia. This co-operation can take place at several levels:

- Supplementary advice on the final ToR for the SEA for the Polo de Desarrollo (Puerto Busch), as soon as decisions have been taken on the leading planning process and the level of SEA, including set-up and management of the SEA (coming months).
- Coaching during the undertaking of this SEA and quality review (during 2005).
- Contribution to capacity building in SEA (2004-2005).
- Advice on ToR for a second SEA pilot, Salar de Uyuni (early 2005?)
- Assistance in drafting SEA regulations and institutional embedding.

Preferably these activities should be agreed upon in for instance a Memorandum of Understanding.

The Commission would appreciate to be kept informed about the use that is made of this advice.

Yours faithfully,

Mr. Klaas Jan Beek



Chairman of the Working Group on SEA Polo de
Desarrollo (Puerto Busch), Bolivia

cc. Netherlands Embassy
Mr. J.K Verkooijen, Mr. H. van den Heuvel

Postadres Postbus 2345
3500 GH UTRECHT
Bezoekadres Arthur van Schendelstraat 800
Utrecht

telefoon (030) 234 76 66
telefax (030) 233 12 95
website www.eia.nl
e-mail mer@eia.nl