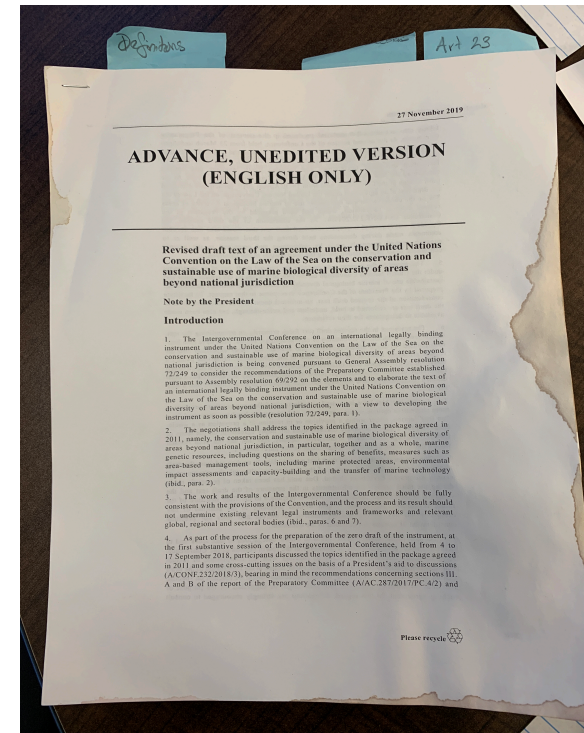
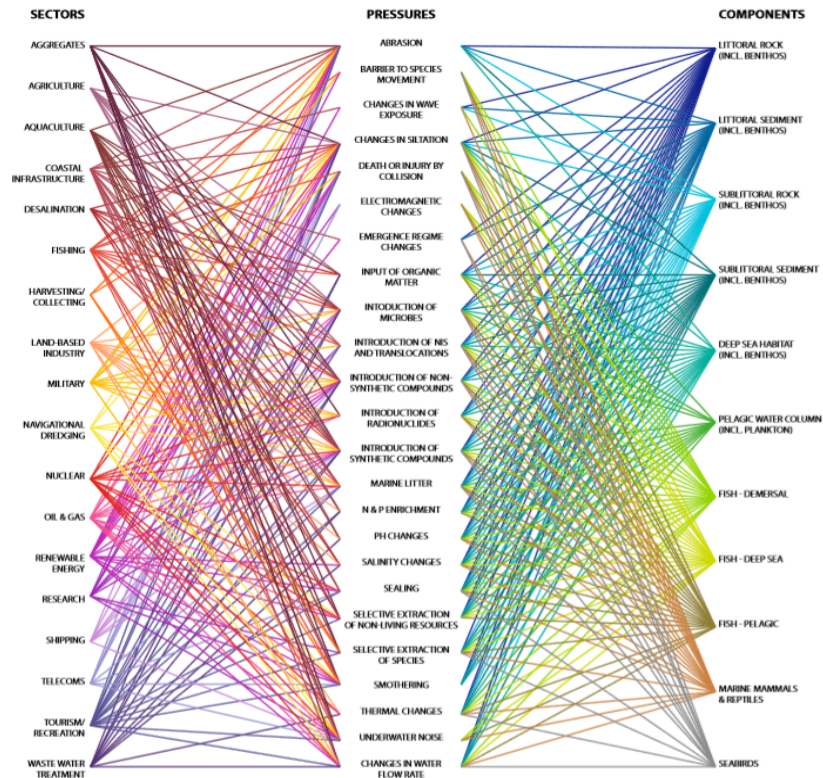


Cumulative effects assessment in the BBNJ agreement:

Getting from here...

to here



The good news:

Cumulative effects assessment isn't new

We've been doing it since the 1970s



The good news, continued...

Many States participating in the BBNJ process have experience with domestic processes and requirements for cumulative impact assessment.



DIRECTIVE 2011/92/EU OF THE EUROPEAN

PARLIAMENT AND OF THE COUNCIL of 13

December 2011 on the assessment of the effects of certain public and private projects on the environment as amended by Directive 2014/52/EU

OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 16 April 2014 , Annex IV, Para 5:

5. A description of the likely significant effects of the proposed project on the environment resulting from, inter alia:

(e) the **cumulation of effects** with other existing and/or approved projects, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources;

The description of the likely significant effects on the factors specified in Article 3(1) should cover the **direct effects and any indirect, secondary, cumulative, transboundary, short-term, medium-term and long-term, permanent and temporary, positive and negative effects of the project.**

Convention of the Protection of the Marine Environment of the Baltic Sea Area,

Article 7.3. The Contracting Parties concerned shall jointly take appropriate measures in order to prevent and eliminate pollution **including cumulative deleterious effects”.**



The vast majority if not all coastal States participating in the BBNJ process are party to one or more international agreements or arrangements that require cumulative effects assessment.



UN Fish Stocks Agreement Art. 5(d): "**...assess the impact of fishing, other human activities and environmental factors,** on target stocks and species belonging to the same ecosystem or associated with or dependent upon the target stocks."

Protocol on Environmental Protection in the Antarctic Treaty, Annex 1 "(f) consideration of **cumulative impacts** of the proposed activity in the light of existing activities and other known planned activities;"

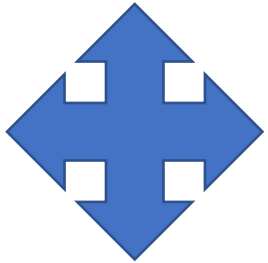
UNFCCC Article 7 (e) "Assess..., in particular environmental, economic and social effects as well as their **cumulative impacts** and the extent to which progress towards the objective of the Convention is being achieved;"



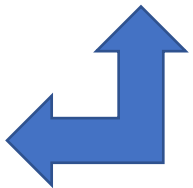
BBNJ: Where are we now with Cumulative Impact Assessment?



There is consensus that cumulative impacts should be taken into account in the conduct of EIA



There are differing views on **how** cumulative impacts should be taken into account



There are different views on whether to explicitly require climate-related effects be taken into account in cumulative impact assessments



The definition of cumulative effects assessment remains subject to discussion.

Issues to be resolved

1. Separate Article or part of the EIA process (Article 35)?
2. Cumulative “effects” vs “impacts”
3. “Consider” vs “taken into account”
4. “As far as possible”?
5. Guidelines: “may” or “shall” be developed by the Scientific and Technical Body? If “shall”, what happens in the interim?
6. How should cumulative effects be assessed/defined?



6. How should cumulative effects be assessed/defined?

Two alternative formulations in the President's Draft Text:

Article 1.6: "Cumulative impacts means impacts on the same ecosystems resulting from different activities, including past, present or reasonably foreseeable activities, or from the repetition of similar activities over time, including climate change, ocean acidification and related impacts."

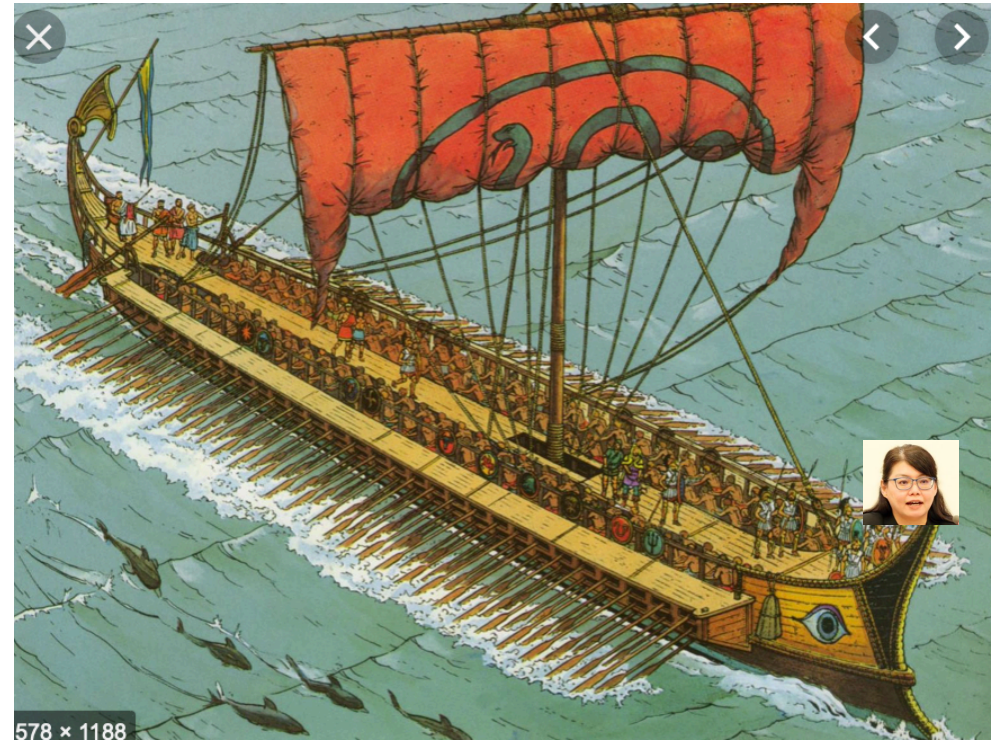
Article 25 Para 2 Alt.2: "In determining cumulative effects, the incremental effect of a planned activity under the jurisdiction or control of a State Party when added to the effects of past, present and reasonably foreseeable future activities shall be examined regardless of whether the State Party exercises jurisdiction or control over those other activities."

A possible way forward: combine concepts in Arts 1.6 and 25.2 Alt 2

“In determining cumulative **effects impacts**, the incremental effect of a **proposed ~~planned~~** activity under the jurisdiction or control of a State Party when added to the effects of past, present and reasonably foreseeable future activities **and effects, including those related to climate change and transboundary pollution**, shall be examined regardless of whether the State Party exercises jurisdiction or control over those other activities.”

Placement: Coupled with a clear obligation to assess cumulative impacts (for example, in Article 25.1), this language could be

- a. Part of a stand alone Article on cumulative effects
- b. Among the list of required elements of environmental impact assessment reports (Article 35)



Inter-relationships between cumulative EIA provisions and other elements of the package

- capacity building
- ABMTs

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The challenges and opportunities in cumulative effects assessment

Melissa M. Foley ^{a, b, c, d, e}, Lindley A. Mease ^{c, d, e}, Rebecca G. Martone ^{b, d, e}, Erin E. Prahler ^c, Tiffany H. Morrison ^{d, e}, Cathryn Clarke Murray ^{c, d, e}, Deborah Wojcik ^{f, g}

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Abstract

The cumulative effects of increasing human use of the ocean and coastal zone have contributed to a rapid decline in ocean and coastal resources. As a result, scientists are investigating how multiple, overlapping stressors accumulate in the environment and impact ecosystems. These



Ocean & Coastal Management

Volume 120, February 2016, Pages 88-98

Validation and limitations of a cumulative impact model for an estuary

Dana Clark ^{a, b, c, d}, Eric Goodwin ^a, Jim Sinner ^a, Joanne Ellis ^a, Gerald Singh ^b

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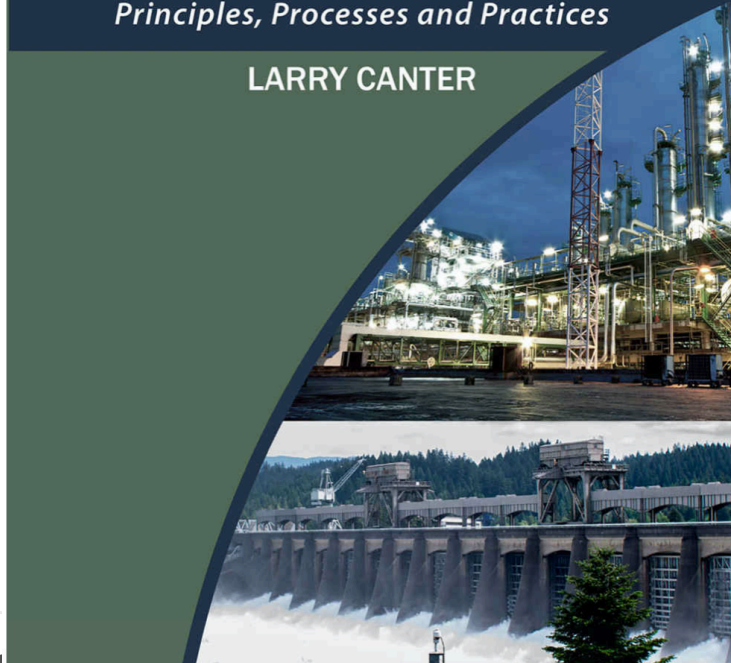
Highlights

- Marine management requires estimates of the cumulative impact of human activities.

CUMULATIVE EFFECTS ASSESSMENT AND MANAGEMENT

Principles, Processes and Practices

LARRY CANTER



Perspectives on Driving Changes in Project-based Cumulative Effects Assessment for Biodiversity: Lessons from the Canadian Experience

Authors and affiliations

Eric Dibo ^a, Bram F. Noble, Luis Enrique Sánchez

23 July 2018

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Abstract

Cumulative effects assessment (CEA), as a required practice for the environmental assessment of projects in many countries, faces several practical challenges, especially related to biodiversity. Drawing on the perspectives and experiences of Canadian EA practitioners, this paper explores options or drivers of change for improving project-based assessment to better tackle cumulative effects on biodiversity. An on-line survey was conducted with 40 professionals from the private sector, government departments/agencies, universities, and non-governmental organizations, examining the current challenges and opportunities

WORKSHOP ON CUMULATIVE EFFECTS ASSESSMENT APPROACHES IN MANAGEMENT (WKCEAM)

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Looking up, down, and sideways: Reconciling cumulative effects assessment as a mindset

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<https://doi.org/10.1016/j.eiar.2016.04.007>

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Highlights

- Conceptualization of cumulative effects assessment as a mindset
- Elaboration of technical, law and policy and participation issues critical to CEA