

NAME : DANIELLA SOARES
COUNTRY : BRAZIL
REGISTRATION NUMBER : 5256

GROUP REF. : C3
PREF. SUBJECT : 2
QUESTION N° : 2.1

In Brazil, National Environmental Policy, enacted in 1981, establishes the Environmental Impact Assessment (EIA) as one of its instruments, through which it seeks to identify, mitigate and assess the potential socio-environmental impacts of an activity or project.

Another instrument of action of the Environmental Policy is the environmental licensing, an administrative process, also supported by other regulations, such as the resolutions of the National Council for the Environment - CONAMA. Licensing is a topic of interest to different actors in society, directly and indirectly affected by development projects, such as those in the electricity sector.

At the federal level, the Brazilian Institute of Environment and Natural Resources - IBAMA is responsible for issuing environmental licenses for projects such as large hydroelectric plants and transmission lines. There are three licenses - LP, LI, and LO - which correspond to the study, design and operation phases.

Specific studies are carried out for each of these licenses. Most Environmental Impact Assessments - EIA systems have a common structure across countries. In the Brazilian case, carrying out an environmental impact study is preceded by the elaboration of a term of reference in which the environmental agency mentions the scope of the study to be carried out. Studies of the biotic environment require the observation of specific regulations at the federal, state and municipal levels. For each biome, there are specific laws that must be observed in the stages of environmental impact assessment, as well as in the collection of primary data in the field.

Other regulations related to biodiversity that deserve to be highlighted are the National System of Conservation Units, the Forest Code, CONAMA Resolution n° 428/ 2010 and the Ordinance of the Ministry of the Environment that updates the Brazilian list of endangered species. More recently, the Payment for Environmental Services Act was enacted.

In EIA, surveys are carried out to identify flora and fauna species, with a particular focus on rare, endemic and threatened species. The identification and mapping of Priority Areas for Conservation is also carried out, considering the document of the Ministry of the Environment entitled "Priority Areas for Conservation, Sustainable Use and Sharing of Benefits of Brazilian Biodiversity". Initiatives are always proposed to avoid, reduce, mitigate, repair and/or compensate identified impacts in order to prevent risks. Companies implement and monitor environmental measures supervised by environmental agencies.

For generation and transmission lines projects, sensitive areas are usually considered in the examination of alternatives, such as: the occurrence of native vegetation; nature conservation units and other legally protected areas; priority areas for biodiversity conservation; the routes and areas of concentration of migratory birds; bodies of water, wetlands and permanent preservation areas; areas of high declivity or abrupt relief breaks; the areas of scenic beauty; indigenous lands; and the « quilombola » lands (residents of quilombo settlements first established by escaped slaves in Brazil).

Some companies in the electric sector have included biodiversity in their business strategies, establishing indicators and targets related to Sustainable Development Goal – SDG 15 – Life and land. Although there are no specific rules in Brazil, numerous companies have assumed voluntary commitments and goals aiming "no net biodiversity loss". Brazilian Business Commitment to Biodiversity, launched in 2019 by the Brazilian Business Council for Sustainable Development (CEBDS), is an example of commitment, which has already eighteen signatory companies, from different sectors of economy.

Sources to learn more:

LAISE – Environmental Legislation of Interest to the Electricity Sector – Federal Level, Eletrobras Environment Department (updated monthly).

The BiodivEPE tool – Biodiversity in energy project planning, an interactive tool developed with GIS resources – Geographic Information Systems, by the Energy Research Company (last update May 2022).

The Environmental Impact Assessment Guide for Power Transmission Systems, published by IBAMA (2020).

Term of Reference for Environmental Impact Studies - offshore wind, published by IBAMA (2020).