Chapter A2: Integration of SEA into plan & programme making

Resource Manual to Support Application of the UNECE Protocol on Strategic Environmental Assessment
A2.1 Contents of the Chapter

- Plan & programme making, SEA & the links between them
- Practical approaches to integrating SEA into P/P making
  - Determining links between SEA & P/P making
  - Practical reasons for integrating SEA into P/P making
- Different options for applying Protocol during P/P making
A2.2 Plan & programme making, SEA & links between them

- Usual tasks of P/P making
- Elements in the SEA of P/Ps (& why integrate)
- Logical links between P/P making & Protocol requirements
A2.2.1 Usual tasks of plan & programme making

**Iterative process**

- Determination of the scope of the plan or programme
- Analysis of context and baseline
- Development & comparison of alternatives
- Documentation
- Consultation with relevant authorities and the public
- Decision-making

- Possible consultations with authorities
- Possible public access to information & participation
A2.2.2 Elements in SEA of plans & programmes

- Determination of whether SEA is required under the Protocol (see Chapter A3)
- Determination of scope of environmental report (& thus of the assessment): article 6
- Environmental report: article 7 & annex IV
- Decision-making: article 11 (taking into account)
- Monitoring: article 12
- Consultation with authorities: article 9
- Public participation: article 8
- Transboundary consultations: article 10
A2.2.2 (cont’d) Elements in SEA of P/Ps

• Integration necessary if SEA to be proactive instrument, influencing P/P making, as Protocol requires:
  – Protocol preamble: SEA should have an important role in preparation & adoption of P/Ps, & to extent appropriate, policies & legislation
  – Article 1, objective: to provide for high level of environmental protection by ensuring environmental considerations thoroughly taken into account in P/P development
  – Article 2.6 defines SEA as process stretching beyond evaluation of likely environmental effects to include taking into account environmental report & results of public participation & consultations in P/P
  – …
Further, Article 11 requires due account taken of conclusions of environmental report when P/P adopted
- But many conclusions:
  - environmental baseline relevant to P/P
  - environmental objectives in P/P
  - measures to prevent / reduce / mitigate negative effects
  - reasons for selecting alternatives of P/P
  - monitoring
- Difficult to take all into account in single decision at end of P/P-making process
- Various conclusions of environmental report might be considered during P/P development, as & when available, and due account taken when adopting P/P
- Directive is clearer: its Article 8 requires environmental report & results of consultations be taken into account during P/P preparation & before its adoption / submission to legislative procedure
A2.2.3 Logical links between P/P making & Protocol

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**Plan or programme making**

- Determination of the scope of the plan or programme
- Analysis of context and baseline
- Development & comparison of alternatives
- Documentation
- Consultation with relevant authorities and the public
- Decision-making
- General monitoring of implementation

**SEA**

- Determination of whether SEA is required under the Protocol
- Determination of the scope of the environmental report (and thus of the assessment)
- Environmental report
  - Analyze the context & baseline
  - Contribute to the development & comparison of alternatives
  - Complete the environmental report
- Consultation with relevant authorities and the public
- Inputs into decision-making
- Environmental monitoring of implementation

*Note: Public participation, consultation with authorities and transboundary consultations are not included in full in this simplified diagram.*
A2.3 Practical approaches to integrating SEA into P/P making

- Determining links between SEA & P/P making
- Practical reasons for integrating SEA into P/P making
- Issues for consideration
A2.3.1 Links between SEA & P/P making

- Review of P/P-making process
  - Each P/P-making process is different
  - Optimal points for entry of SEA into P/P-making processes cannot be established without detailed knowledge of specific P/P-making systems
  - Review of P/P-making process possible on 2 levels
    1. Review of procedures – perhaps for design of SEA guidelines for particular P/P-making procedure
    2. Review of a process used to draw up specific P/P – perhaps for design of specific SEA approach in drawing up range of other P/Ps
• Suggested focus of review
  – Formal/informal P/P-making logic & sequence of key P/P-making tasks
  – Any environmental analyses normally performed within specific P/P-making process
  – Consultation with environmental & health authorities within P/P making
  – Access to information & any provisions for public participation during P/P making
• Such review may offer useful insights for design of customized SEA processes that build on existing P/P-making tasks (not replacing or duplicating them)
A2.3.2 Reasons for integrating SEA into P/P making

- Practical reasons beyond legal obligations
- Need effective instruments that assist rather than complicate P/P making
- SEA processes regarded as effective & efficient if
  - Enable effective consideration of environmental issues in P/P development
  - Assist in identification of conflicting views & interests & so increase credibility of decision-making
  - Do not unnecessarily prolong P/P making
  - Are not unreasonably costly
A2.3.2 (cont’d) SEA into P/P making - reasons

• So, important to coordinate SEA with P/P making
• Goal is to ensure
  – SEA provides early & effective inputs into P/P making
  – environmental considerations thoroughly taken into account in P/P making
• In reality, SEA practitioners may be confronted with numerous challenges in achieving effective coordination, & ultimately integration, of SEA & P/P making
A2.3.3 Issues for consideration

• Proper use of logical links between P/P-making tasks & SEA tasks can help achieve one Protocol objective:
  – ‘to ensure that environmental, including health, considerations are thoroughly taken into account in the development of plans and programmes’ (art. 1(a)).

• Apparent logical links between P/P making & SEA only realized if practical links occur on following levels:
  – P/P development & preparation of environmental report
  – Consultation with authorities
  – Public participation
A2.3.3 (cont’d) Issues for consideration

- Links between P/P development & preparation of environmental report
  - Joint use of data
  - Joint inputs into development of relevant alternatives
  - Addressing P/P-making & environmental issues during comparisons of alternatives, in modelling (if any), etc.
- Links in consultation with authorities
  - Joint consultative processes for public authorities
  - Joint evaluation of comments obtained, etc.
- Links in public participation
  - Single system to facilitate public access to documentation
  - Single system for consultations with the public
  - Single system for evaluation of comments, etc.
Problematic application:
SEA that is ex-post & separated from P/P making

SEA partially integrated into P/P making

SEA fully integrated into P/P making
A2.4.1 SEA that is ex-post & separated from P/P making

Plan or programme making

- Determination of the scope of the plan or programme
- Analysis of context & baseline
- Development & comparison of alternatives
- Documentation
- Decision-making
- General monitoring of implementation

SEA

- Determination of whether SEA is required under the Protocol
- Determination of the scope of the environmental report (and thus of the assessment)
- Environmental report
- Environmental monitoring of implementation

Note: Public participation, consultation with authorities and transboundary consultations are not included in this simplified diagram.
A2.4.1 (cont’d) SEA that is ex-post & separated from P/P making

- Weaknesses:
  - Does not influence P/P development
  - May duplicate effort
  - May lead to duplication in commenting process & may confuse participating authorities & the public
  - Delays P/P-making process
  - Risk that SEA not in accordance with Protocol / Directive

- ‘Ex-post’ means ‘Based on or determined by actual results, rather than expectations; calculated retrospectively’ (OED)
A2.4.2 SEA partially integrated into P/P making

Plan or programme making

Joint consultations with authorities and public participation, as appropriate

Environmental report

Protocol on SEA
A2.4.2 (cont’d) SEA partially integrated into P/P making

• Benefits:
  – Reduces delays
  – Saves resources
  – Early consideration of different viewpoints
    • minimize risk of late surprises & conflicts
  – Consultations may include relevant environmental & health authorities & the public (concerned)
  – SEA may be in accordance with Protocol / Directive

• But, demanding of SEA team – has to follow entire P/P-making process (maybe non-linear, not on schedule?)
A2.4.3 SEA fully integrated into P/P making
A2.4.3 (cont’d) SEA fully integrated into P/P making

- Same benefits as partial integration of SEA into P/P making
- Plus creates optimal environment for cooperation
  - helps build trust between stakeholders
- Possible concerns that SEA experts may
  - become fully co-opted in P/P-making process, or
  - be marginalized, or
  - make trade-offs not publicly disclosed
- These concerns may be relevant for less well-governed & transparent P/P-making processes