GOOD PRACTICE APPLICATION OF SEA PROTOCOL FOR NATIONAL SPATIAL HYDROPOWER PLANS IN SLOVENIA

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Key issues

- Outline of development and environment
- The procedure: key steps and timeline
- Summary of costs
- Key benefits
- Lessons learned
SEA for national hydropower plans
Outline of development and environment
State of Environment: underground waters, floods, nature conservation
Cumulative effects on fish species
Transboundary assessment of possible effects on Natura 2000 sites in the Republic of Croatia
The summary conclusion of the Appropriate Assessment
The procedure: key steps and timeline

A step-by-step approach:
- notification,
- environmental report preparation,
- consultation with environment authorities, transboundary consultation,
- public participation,
- consultation on mitigation measures and their approval,
- draft final decision.
Notification

- The notification contained all documents and data according to Article 10 of the SEA Protocol:
  a.) the draft plan and environmental report including information on its possible transboundary environmental, including health effects;
  b.) information regarding the decision-making procedure, including a reasonable time schedule for the transmission of comments.
- Croatia responded in the proposed time of one month and sent the confirmation to cooperate in the transboundary SEA procedure supported with reasons such as care for underground water sources in Zagreb and Samobor, possible effects on the morphology of the river, nature conservation, flood protection and possible risks.
Time and programming

- The focal points discussed the possible timeframe according to the legislation in both countries, the legislative timeframe for the stages of the procedure, and prepared the time plan to avoid or minimise possible delays by planning the time schedule at early stage.
- As a time-saving measure, public participation on both sides of the border was organised almost in parallel.
- Clear agreement on schedule:
  - in sending the formal notification (30 days),
  - in responding to the notification (30 days),
  - in public consultation and participation (30 days),
  - on technical consultation (60 days),
  - in the final opinion on the draft decision (90 days) and
  - on informing of the final decision (30 days).
Financial aspects

- The application of transboundary SEA had certain financial implications.
- Financial aspects were agreed.

Costs of translation of the SEA report, covered by Party of Origin:
- presentation of documentation, 20.000 evro
- an additional expert consultation, 5.000 euro
- public hearing and participation, 5.000 euro

Costs of translation, covered by Affected Party:
- publication of the public hearing in the Croatian press and organisation of the public hearing and participation, 1000 euro.
Transboundary consultation

- After the SEA report was accepted by the Ministry, as the competent authority in Slovenia, it was presented to the Ministry of Environment and Nature Protection of Croatia for comment.
- Environmental commissions were established on both sides. These are composed for all transboundary procedures on the Sava River, with the following members: environmental experts, environmental authorities, planning authorities and energy authorities.
- The above were consulted on the following:
  - the state of the environment;
  - possible alternatives, including a no-action alternative;
  - evaluation methods;
  - cumulative effects;
  - possible effects;
  - and mitigation measures for the following: sediment, erosion, water protection, nature conservation and flood protection.
Technical cooperation

- Points of contact and focal points for the purposes of the Espoo Convention and its SEA Protocol were designated with their tasks and responsibilities. The cases show that the procedures could be managed successfully via focal points.
- A formal contact has been carried out to meet the legal requirements of the SEA Protocol. The cooperation shows that it is important to trigger informal negotiation throughout the process and especially at the starting, consultation and final stages.
- Experience in the two cases shows that the negotiations which were conducted between points of contact and responsible authorities within both countries as well as between authorities and NGO and public on both sides of the borders were essential for the conclusion of the procedure.
- To manage the process, working groups – called “delovna skupina” in Slovenia and “povjerenstvo” in Croatia – were organised on both sides of the border and cooperated during the whole process until the final decision.
An example of communication through the focal points for ESPOO on plans, projects or existing facilities in case of transboundary effects on neighboring countries.
Key steps
Key transboundary SEA benefits

- SEA for renewable energy planning helps the planning procedure
- SEA is process which green the programmes
- Public comments on SEA reports are positive, better public altitude
- SEA support location alternative development and assessment
- SEA helps in open and transparent procedure
- SEA helps in better plan
- Better location
- Better plan and positive to the environment on both sides
- Mitigation measures are included
- Transboundary interdisciplinary teams /knowledge exchange
Lessons learned

Key ingredients of successful transboundary SEA

- Step by step approach
- Notification at the very early stage, when all options are open
- Technical consultation between two expert teams as soon as possible
- Technical translation of SEA report in the official language of Affected Party
- Costs and technical support to Party of origin
- Effective public participation, organized in cooperation and on both sides of the border in parallel
- Agreement on all steps
- Agreement on timing
Thank you!