Czech Republic:
SEA in spatial planning

Kyiv, June 10th, 2015

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Integra Consulting Ltd.

SEA in the Czech Republic i.

- First SEA/EIA Act adopted in 1992 requiring
  - Application of SEA for
    - ´concepts´ submitted and approved by central state authorities in the fields of energy, transport, agriculture, waste treatment, mining and processing of minerals, recreation and tourism
    - Regional spatial plans
  - Elaboration of SEA Report (to be ensured by planning agency)
  - Making proposed concept together with Report available for public review (60 days)
  - Final SEA statement to be issues by MoE

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SEA in the Czech Republic ii.

- First SEA carried out in 1996, about 40 SEAs conducted between 1998 – 2004
- New SEA/EIA Act adopted in 2004 fully transposing EU SEA Directive and significantly
  - Extending the scope of SEA application (all national and regional concepts + local plans based on screening)
  - Elaborating SEA procedure
    - Screening and scoping (including consultations)
    - Drafting SEA report
    - Consultation
    - Final SEA statement
    - Adoption of the concept taking into account SEA statement

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Spatial planning context i.

- Since 1974 the Act on Spatial Planning stipulated a necessity to **take into account balance between economic development, social aspects and protection of environment** (however, the legal ´theory´ and practice differed)

- New Act on Spatial Planning adopted in 2006 and adjusted spatial planning scheme
  - National Territorial Development Policy
  - Regional Spatial Development Principles
  - Local spatial plans

  + territorial analytical studies (for regions and municipalities)

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National Capital (1,180,000 in 2005)
over 300,000
over 100,000
over 50,000
over 20,000
other main city
other city
Capital of region (Kraj)
Chief town of district
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Odra

Spatial planning context ii.

- SEA related requirements (since 2006)
  - ´Sustainability appraisal´(SA) has to be carried out for spatial planning documents
  - SEA is a part of SA
  - Requirements for SEA are stipulated directly by Act on Spatial planning i.e. the SEA procedure is integrated in the spatial planning process
  - Act on Spatial planning also stipulates the framework content for SEA report (following provisions given by the SEA Directive)
  - SEA/EIA Act only provides that ´***…SEA has to be carried out for spatial planning documents…***´

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Spatial planning context iii.

- ´Sustainability appraisal´(SA) i.e. ´**assessment of impacts on sustainable development of the territtory**´
  - SEA
  - Study on impacts to Natura 2000
  - Evaluation of likely impacts regarding issues addressed in territorial analytical studies (mainly socio-economic aspects)
  - SWOT analysis for the area and likely effects on its conclusions
  - Contribution to spatial planning priorities
  - Summary
    - Likely effects on balance between favorable environment, economic development and social cohesion
    - Contribution to avoiding risks regarding livelihood of current and future population

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Case example 1: SEA for National Territorial Development Policy

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National Territorial Development Policy

- Prepared by the Ministry for Regional Development (and Spatial Planning Institute)

- It stipulates
  - National development areas and axes (urgent need for changes because of their international and national importance)
  - National specific areas (problems regarding the sustainable development of the territtory)
  - National transport corridors
  - National technical infrastructure corridors (gas, electricity)
  - Main spatial development priorities for each region

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SEA background

- Conducted by broad team of experts, contracted by the Ministry for Regional Development
- April 2005 – May 2006
- One of the first SEAs for the national policy in accordance with new SEA/EIA Act (and thus with the EU EC Directive)
- Intensive communication with the MRD and the Spatial planning institute on integrating SEA recommendations

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SEA approach i.

- Identification of the national sustainability objectives (through baseline analysis and based on existing documents)

- GIS analysis of potential conflicts of proposed areas and corridors with environmental limits / issues e.g.
  - Nature protection areas
  - Landscape fragmentation
  - Areas of groundwater accumulation

  …to provide “early warnings” to be addressed in detail at the lower level (regional territorial development principles, local land-use plans, transport infrastructure planning etc.)

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SEA approach ii.

- Qualitative evaluation and description of likely impacts (considering results of GIS analysis)

- Suggestions for
  - Additional issues to be addressed in the Policy (e.g. natural disasters)
  - Modification of Policy´s priorities (to better integrate environmental aspects)
  - Adjustments of criteria for development proposals
  - Detailed modifications of each development area / region (additional priorities, infrastructure, proposals to exclude certain specific projects etc.)

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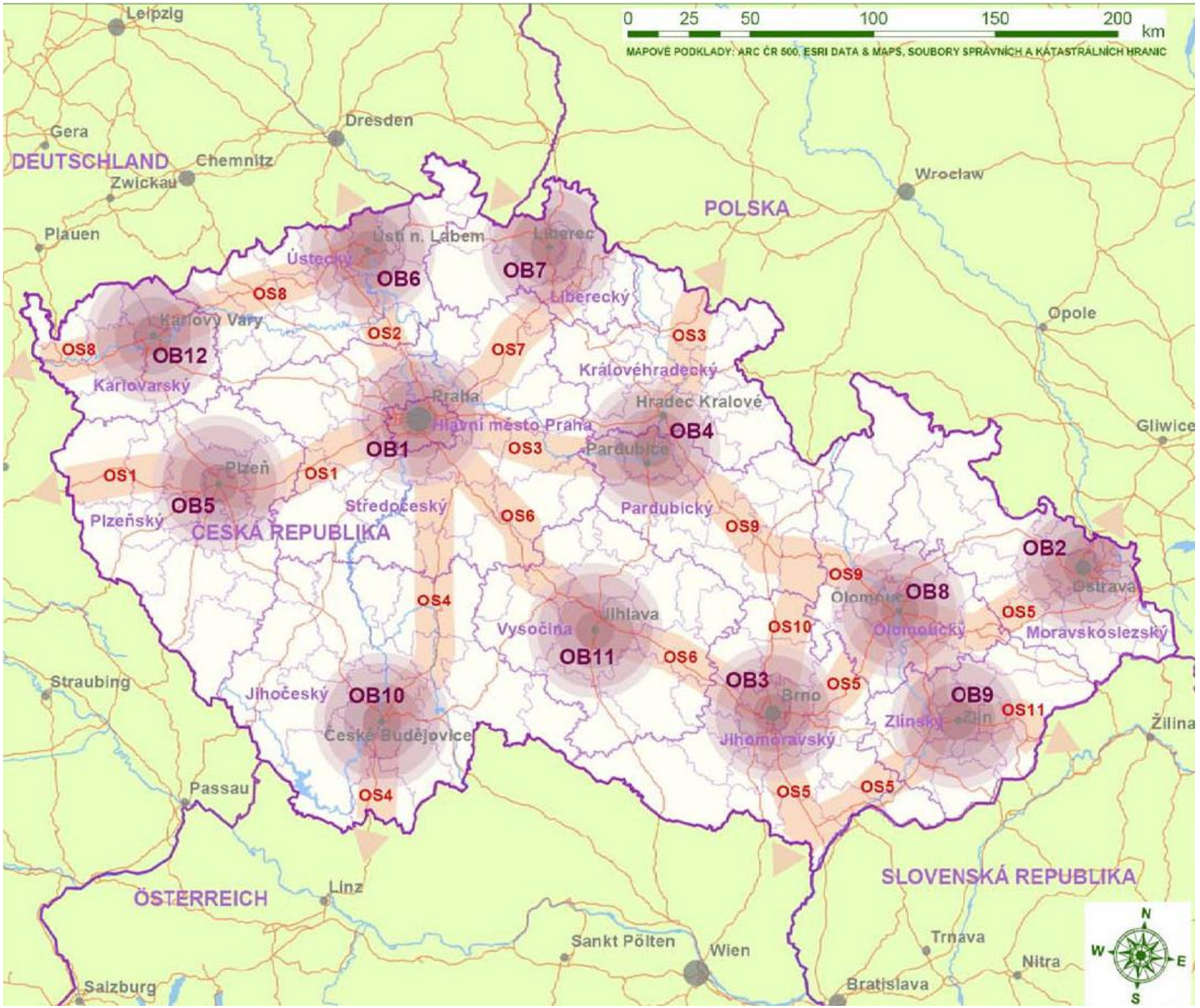
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Potenciální překryvy
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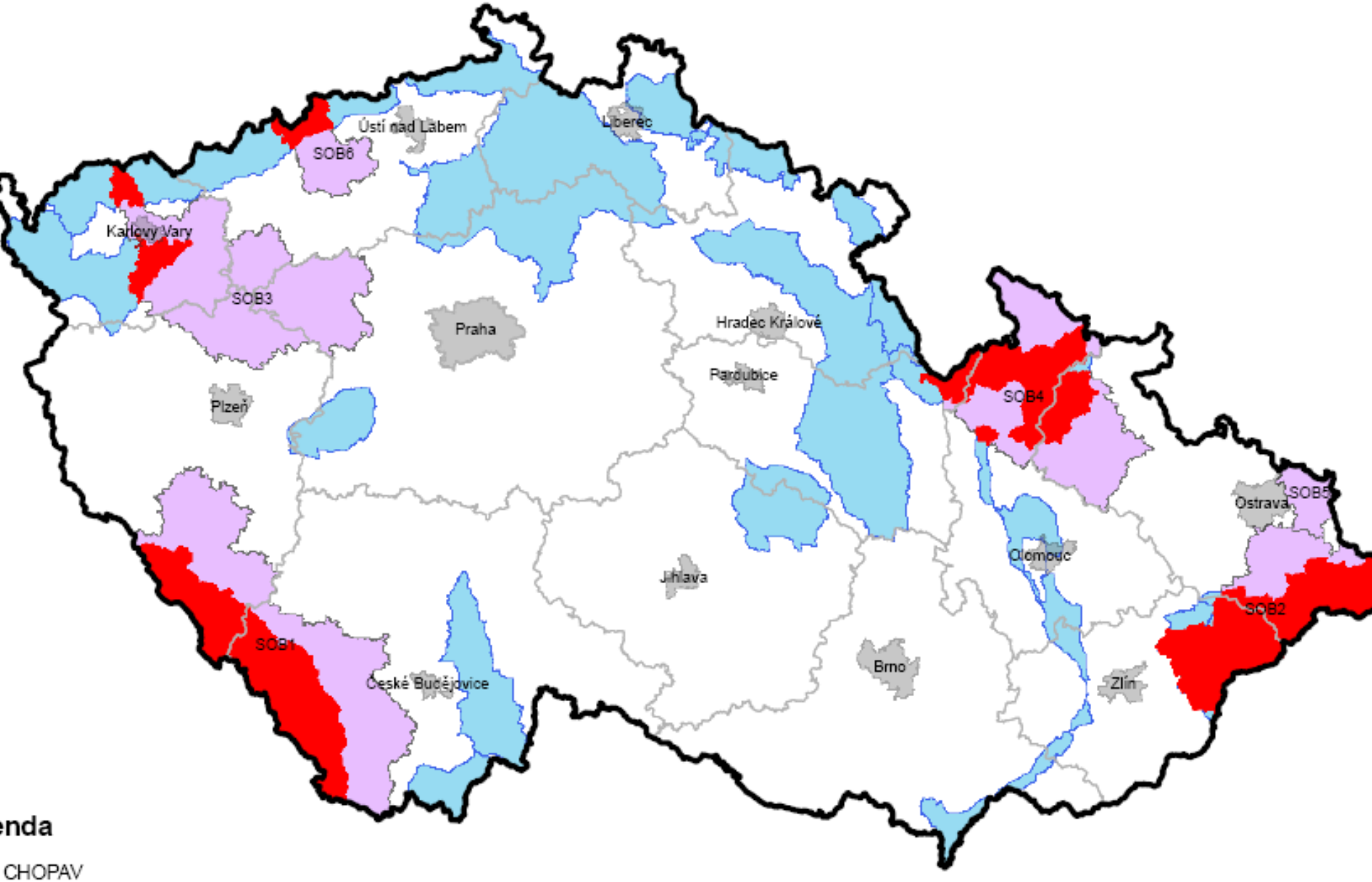

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CHOPAV

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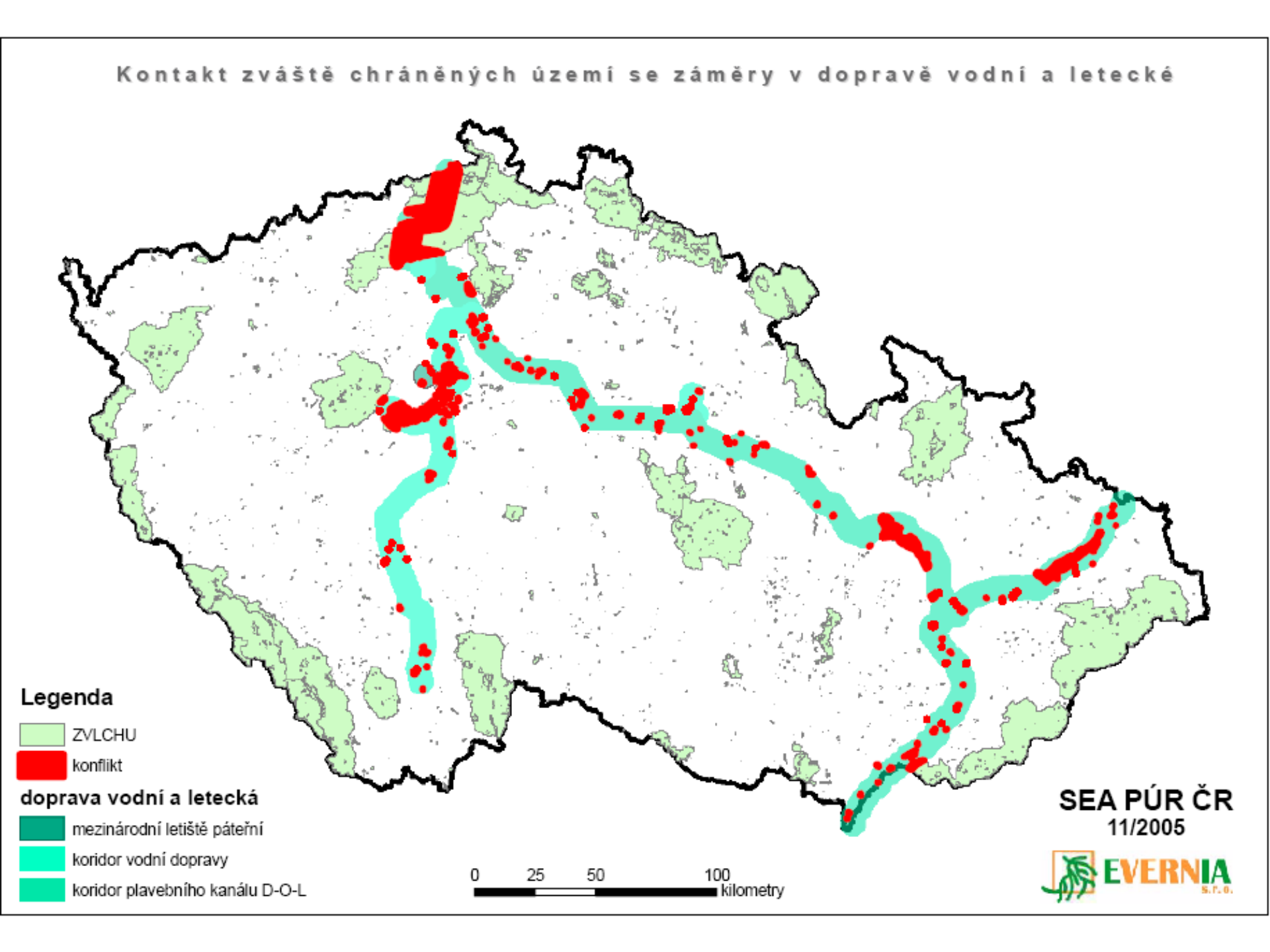
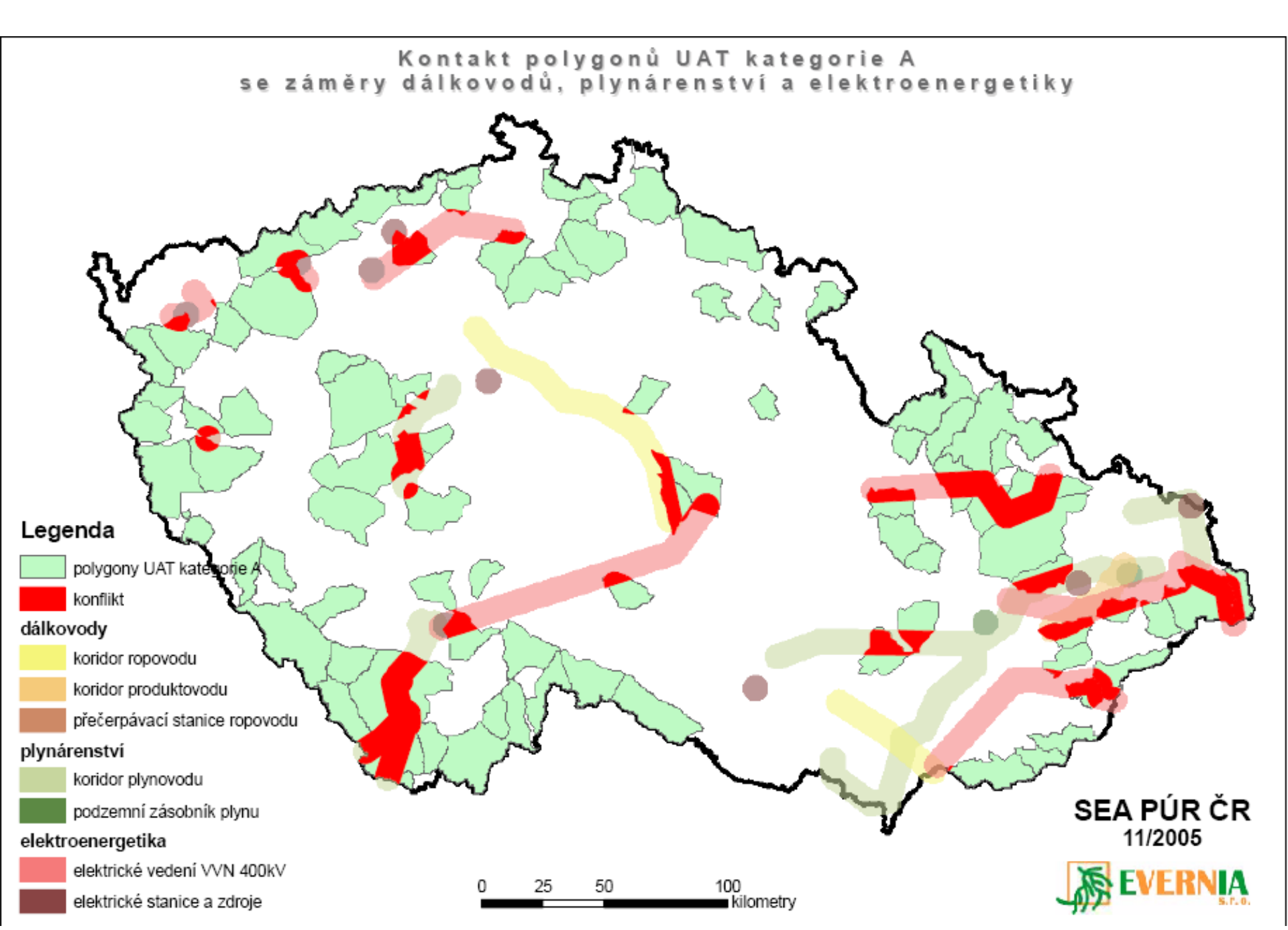


Kontakt polygonů UAT kategorie A se záměry dálkovodů, plynárenství a elektroenergetiky



SEA conclusions

- To integrate proposed adjustments of the Policy (especially national priorities and priorities for development areas / regions)
- To implement monitoring system including environmental indicators (SEA suggested a ´long list´)
- To exclude section on water transport corridors and related development proposals (due to impacts to Natura 2000)

- Under above conditions, the Policy can be adopted

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Benefits of SEA

- SEA identified a number of **potential planning conflicts** i.e. provided ‘early-warnings’ for further spatial development

- SEA formulated principles and possible **mitigation measures** applicable at the level of more detailed regional planning and thus contributed to efficient spatial planning

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Case example 2:
SEA for Krasna Hora Municipal Spatial Plan

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Mohelnice
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Nová Paka
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Škoda Transportation
Vodní nádrž Orlík
Vodní nádrž Slapy
Vodní nádrž Lipno
Vodní nádrž Žermanice
Vodní nádrž Nové Mlýny
Vodní nádrž Kružberk
Vodní nádrž Slezská Harta
Vodní nádrž Dalešice
Vodní nádrž Mostiště
Vodní nádrž Vranov
Vodní nádrž Nové Heřminovy
Vodní nádrž Šance
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Main features of spatial plan

- Amendments of existing plan
  - Aim is to “examine and modify current functions of certain localities and to identify new areas for urbanization”
  - Purpose is to “***define new localities for building, for additional service functions in municipality, and other areas for small businesses and manufactures, which will provide new working places in the area. Important is also recreational function***”.
  - **Altogether 11 localities proposed to be modified (i.e. to change their function)**

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Types of proposed modifications

Agriculture land	⟹	small manufactures and services
Permanent grass	⟹	recreation, green areas
Agriculture land	⟹	sport facilities, recreation
Agriculture land	⟹	buildings, small services
Other areas	⟹	family houses

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Approach to SEA

- „Ex-post“ assessment (3 experts, altogether 25 mandays)

- Evaluation of likely impacts regarding the key issues identified during scoping stage i.e.
  - Environmental components (biodiversity, landscape, agriculture land)
  - Public health
  - Cultural heritage

- Evaluation was based on the environmental status of localities to be changed (done through field survey)
- Suggesting adjustments of proposed changes

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Landscape	**Likely adverse impact (less significant, direct, permanent);** location close to inhabited area can cause local change of the landscape character, area use shall not include large buildings.
Soil	**Likely adverse impact (less significant, direct, permanent);** change will cause degradation of agriculture land (total area 2,11 ha), it can also cause soil pollution.
Public health	**Likely adverse impact (secondary, short-term, temporary);** change can cause higher emissions to the air and noise from manufacture and traffic. Since location neighbours with houses, its necessary to minimize these impacts (to move facility further from houses, find better transport connection, to implement "green belt"). Specific impact to the public health depend on the specific type of manufacture, and have to be addressed in detail within further procedures (building permits and EIA).

Mitigation measures

- To exclude of 1 location from the plan
- To modify 3 locations (area reduction, different land-use)
- To modify some project proposed for implementation on selected locations
- + conditions for implementation

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Conditions for implementation

- Due to close location to inhabited area, its necessary to **conduct detail noise and emission study before the project implementation**. Study has to include also assessment of potential cumulative impacts with already existing agriculture production.
- The most noisy parts of the manufacture place as far from the inhabited area as possible
- The separate family houses from the manufacture by “green belt”
- To save trees along the road
- **To solve waste water and rain water management before initiation of development of the area**

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Pros and *cons*

☺ SEA affected the final version of the plan – proposed modification have been included in the plan (although tough and demanding discussions had to be done with municipality and planners)

☹ Lack of data

☹ Plan has not strategic character (only list of projects)

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Benefits of SEA

- SEA contributed to better protection of environment and human health within the municipality
- SEA helped to avoid environmental pollution and health disturbances (noise)

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Thank you for your attention!

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