

Practical application of SEA in the renewable energy sector

Start-up workshop: SEA scoping and baseline analysis

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Introduction to stakeholder consultation in SEA

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Definitions

- “The public” means one or more natural or legal persons, and, in accordance with the national legislation or practice, their associations, organizations or groups
- “The public concerned” means the public affected or likely to be affected by, or having an interest in, the environmental decision-making; for the purposes of this definition, non-governmental organizations promoting environmental protection and meeting any requirements under national law shall be deemed to have an interest.

SEA Protocol Requirements

- Ensure early, timely and effective opportunities for public participation, when all options are open, in the strategic environmental assessment (SEA) of plans and programmes;
- Ensure the timely public availability of the draft plan or programme and the environmental report;
- Ensure that the public concerned is identified;
- The Protocol is quite flexible regarding the form of informing the public and consulting with the public;
- The participation of the public in the preliminary assessment process is recommended

SEA Protocol Requirements (2)

- Ensure that the public concerned, including relevant non-governmental organisations (NGOs), has the opportunity to express its opinion on the draft plan/programme or environmental report within a reasonable timeframe;
- The representatives of the public concerned should be properly identified to ensure that they are not just occasional strangers;
- Ensure that the detailed arrangements for informing the public and consulting with the public concerned are determined and made publicly available.

The information to be presented to stakeholders (Annex V)

1. The proposed plan or programme and its nature.
2. The authority responsible for its adoption.
3. The envisaged procedure, including:
 - (a) The commencement of the procedure;
 - (b) The opportunities for the public to participate;
 - (c) The time and venue of any envisaged public hearing;
 - (d) The authority from which relevant information can be obtained and where the relevant information has been deposited for examination by the public;
 - (e) The authority to which comments or questions can be submitted and the time schedule for the transmittal of comments or questions; and
 - (f) What environmental, including health, information relevant to the proposed plan or programme is available.
4. Whether the plan or programme is likely to be subject to a transboundary assessment procedure.

SEA Directive (1)

- The authorities and the public shall be given an early and effective opportunity within appropriate time frames to express their opinion on the draft plan or programme and the accompanying environmental report before the adoption of the plan or programme or its submission to the legislative procedure.

SEA Directive (2)

Member States shall:

- Designate the authorities to be consulted which, by reason of their specific environmental responsibilities, are likely to be concerned by the environmental effects of implementing plans and programmes.
- Identify the public, including the public affected or likely to be affected by, or having an interest in, the decision-making subject to this Directive, including relevant non-governmental organisations, such as those promoting environmental protection and other organisations concerned.
- Determine the detailed arrangements for the information and consultation of the authorities and the public.

Principles of Effective Participation

- SEA anticipates broad involvement of the public; it is a participatory instrument per se.
- The participation of the public is mandatory, at least during the review of the SEA Report.
- That said, the public may also contribute effectively to the scoping stage of the SEA process.
- The participation of the public in the SEA process should be more geared to contribute to resolving the issues rather than simply express diverging opinions.

Practical arrangements to public participation

- Stakeholder identification should be done at early SEA stages (screening, scoping)
- Methods of public participation should be selected according to stakeholders' capacity and needs.
- Plan of stakeholder consultations should be developed at SEA early stage.
- If needed capacity building events could be organised

Benefits of Public Participation

- Ensuring that more optimal decisions are made that are supported by the public because all possible aspects and views have been considered and taken into account.
- Ensuring that important information is obtained to support the SEA and decision-making process (e.g., from groups affected by the implementation of a plan/programme or living in certain areas)
- Ensuring that a stronger public support is available to support the implementation of a plan/programme.

Public Participation Mechanisms

- Information materials, presentations
- Public information centres, information hotline
- Internet/network consultations
- Public meetings, roundtables, public hearings
- Workshops
- Consultation committees

Questions for discussion

Planning of public participation:

- Stakeholder identification: who are the key stakeholders of the Pilot project?
- Key methods of public participation