



***Strategic Environmental Assessment
and SFs Operational Programmes:
An assessment***

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SEA Directive - Objectives

- High level of protection of the environment
- **Integration of environmental considerations** into the preparation of plans and programmes
- Promotion of **sustainable development**

by

an environmental assessment of certain plans and programmes likely to have significant effects on the environment

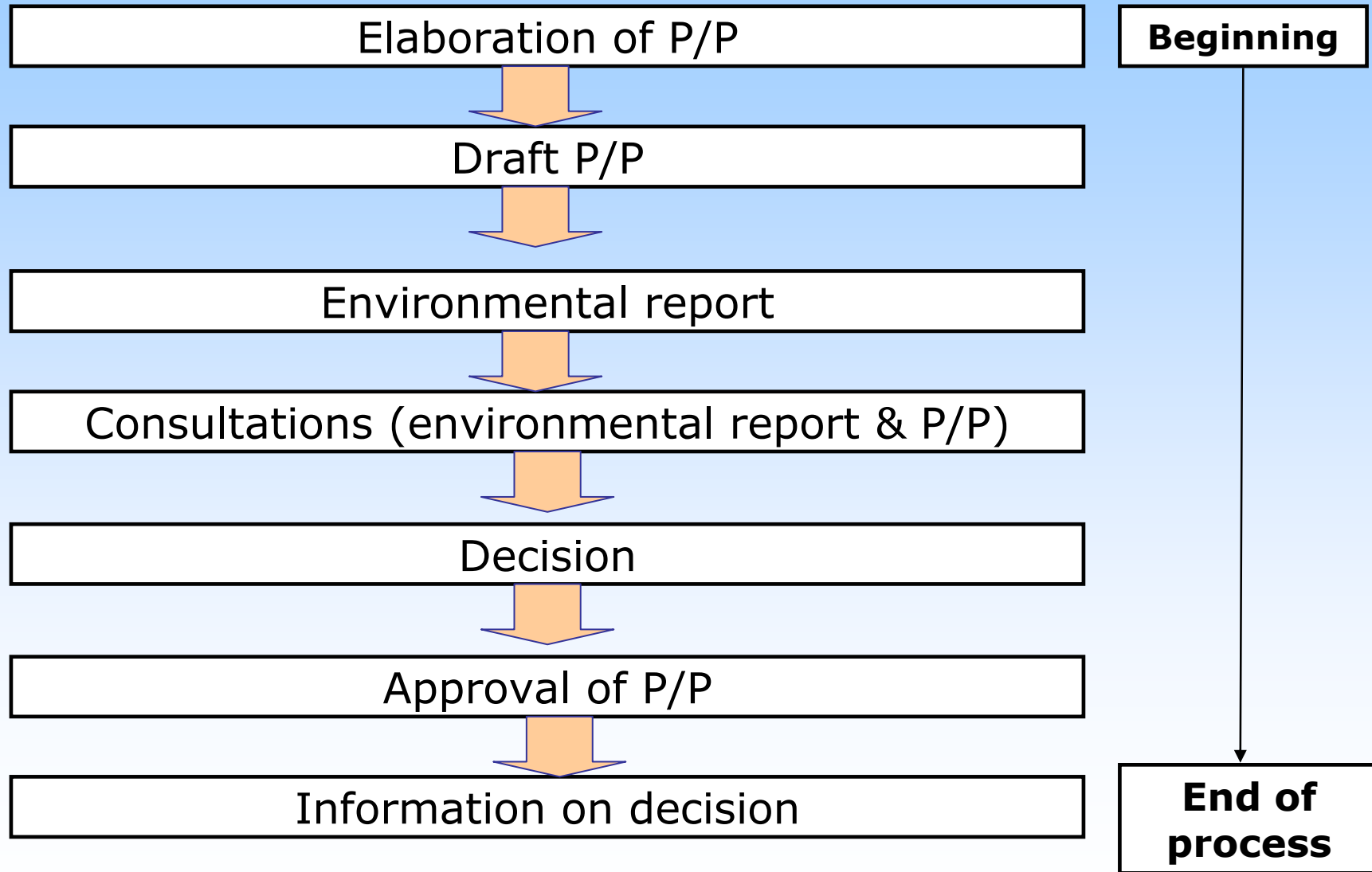


SEA Directive and the planning process

- The environmental assessment must be carried out:
 - **during preparation** of the plan or programme
 - **before adoption** of the plan or programme
- SEA can be incorporated into existing (planning) procedures, or in new ones

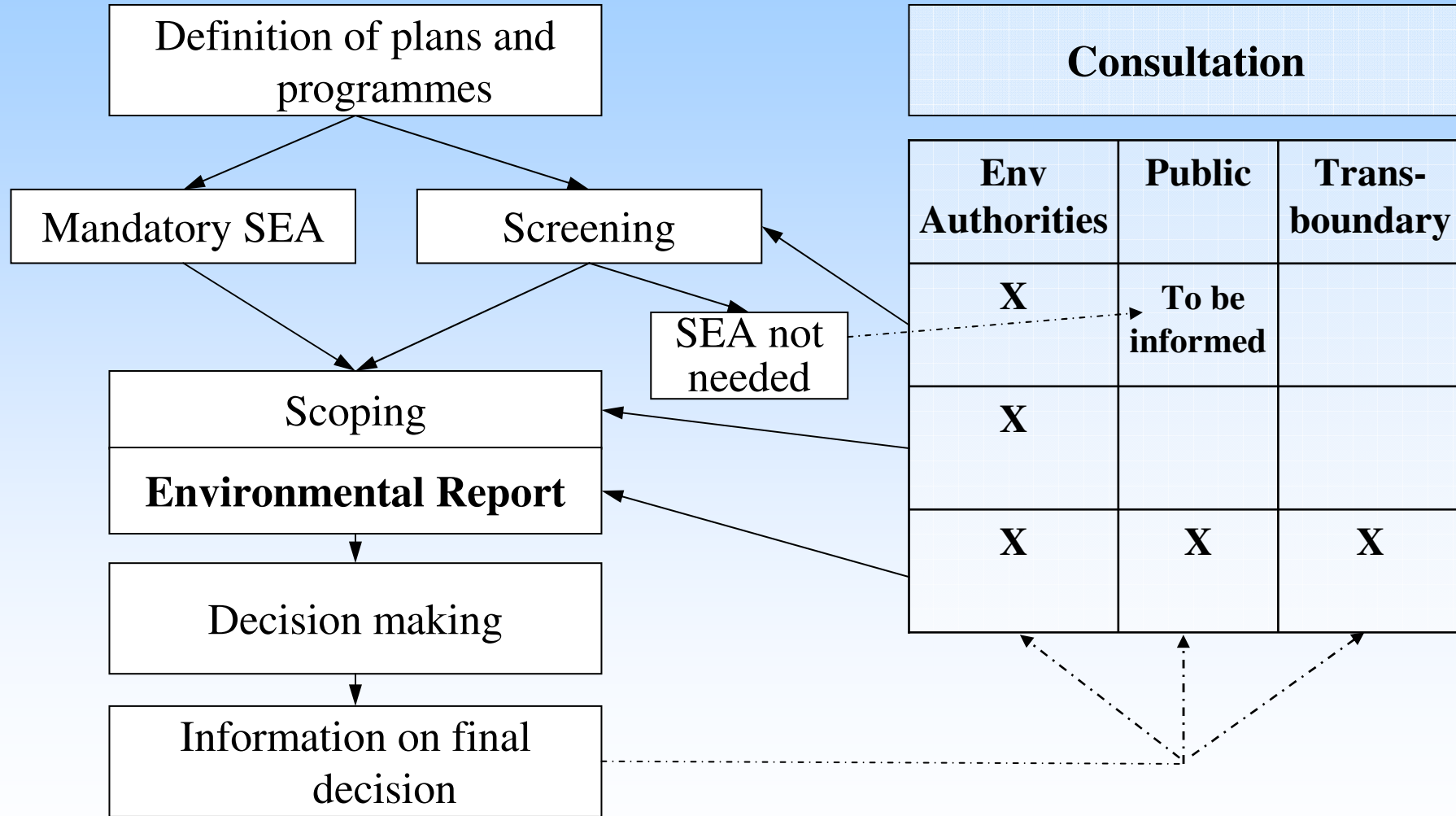


SEA process





The SEA process





Key elements of SEA - the Environmental Report (1)

Must identify, describe and evaluate:

- the likely significant **environmental effects of implementing the plan / programme**, including
 - effects on biodiversity, soil, water, air, climatic factors
 - effects on population, human health, architectural and archaeological heritage, landscape
- reasonable **alternatives** taking into account the objectives and the geographical scope of the plan / programme
 - ! alternatives must include the « zero » alternative



Key elements of SEA - the Environmental Report (2)

- Outline of the plan/programme and **relationship with other p/ps**
- Current state of the environment and **evolution without the plan/programme(=0 Alternative)**
- Environmental characteristics of the area
- **Environmental protection objectives**, how they were taken into account
- Mitigation measures
- **Monitoring measures**
- **Non-technical summary (important)**



Key elements of SEA - Monitoring

- Member States have to monitor the significant environmental effects of the implementation of the plan/programme in order to:
 - identify at an early stage unforeseen adverse effects
 - be able to undertake remedial action
- Existing monitoring arrangements may be used
- Monitoring measures must be covered in the SEA Report



Key elements of SEA - Consultations

- Environmental authorities
 - in screening
 - in scoping
 - on the draft plan/programme and the env. report
- The public
 - on the draft plan/programme and the env. report
- Transboundary consultations
 - on the draft plan/programme and the env. report



Key elements of SEA - Decision making Art. 8

The competent authorities have to take account of the:

- Environmental report
- Opinions expressed pursuant to the consultation (public, environmental authorities)
- Results of any transboundary consultation



Key elements of SEA – Information on the decision-Art.9

Information about final decision has to be provided to the public, environmental authorities, other countries (if consulted):

- Adopted plan/programme
- Statement summarising how environmental report and results of consultations have been taken into account, and reasons for choosing between alternatives
- Monitoring measures



SEA provisions-reminder

Certain important elements of the SEA:

- TIMING-**procedure**
- ENVIRONMENTAL REPORT-**procedure** and **substance**
- CONSULTATIONS-**procedure** and **substance**
- DECISION-INFORMATION-**procedure** and **substance**
- QUALITY ASSURANCE-**Substance**



Documents required by the Commission to ensure the conformity of assessments carried out in the SFs (1)

Documents already existing in the frame of the SEA Procedure

- **Non Technical Summary**, Foreseen by Annex I, point j of the Directive.
- **The statement** foreseen by article 9(1)(b) summarising how environmental considerations and the opinions expressed have been taken into account
- **The description** of the measures decided concerning monitoring foreseen in articles 9(1)(c) and 10 (monitoring)



Documents required by the Commission to ensure the conformity of assessments carried out in the SFs (2)

Ad hoc document to be prepared by MS and submitted with the previous documents

- **Information** on the **consultations** with the public and the environmental authorities concerned -who has been consulted, how they were informed, how long was available for responses, what means were used- (Art. 6 of the directive).



Assessment:

GENERAL ISSUES

- Justification for no SEA - screening
- Some minimalist SEA procedures, others ambitious
- In some cases SEA procedure not finished when submitting OP



Assessment:

ENVIRONMENTAL REPORT

- Report does not cover all issues in Annex I (particularly alternatives; zero option)
- Parts of the OP not covered by SEA procedure (indicative list of major projects)
- Impacts not always quantified



Assessment:

NON TECHNICAL SUMMARIES

- Often poor quality - not giving the info in Annex I
- Sometimes just sign posting “go to page X”
- Some cases no NTS at public consultation

Assessment:



CONSULTATIONS ENV. AUTHORITIES

- Some complaints that Env. Authorities were not properly consulted on the content and/or results of SEA process
- Not always clear if views of Env. Auth. were taken into account



Assessment: PUBLIC CONSULTATIONS

- Timeframes differ between MSs, sometime not sufficient
- Some MSs limited participation
- Often consultation only posted on web
- Some “complaints” (not yet formal) arrived at DG ENV by public/NGOs
- Consultation must be on both SEA report + NTS and OP



Assessment: **ARTICLE 9 STATEMENT**

- No statement / to be issued later
- Often vague and general
- Need to review the OPs to take into account the SEA
- Statement not always covers all information required (consultations, integration and alternatives)



Assessment:

MONITORING

- Significant impacts not always clearly identified
- Monitoring measures not clearly identified-problems with transposition of Env. Directives?
- Indicators measuring impact on CC (some MS “carbon neutrality”)



Assessment:

CROSSBORDER OPs

- Crossborder OP used average timeframe for public consultation
- Language
- Application of SEA Directive to accession and non EU countries? (ESPOO in the future)



QUESTION?

Overall impact of the application of the SEA Directive on the quality of the OPs?



CONCLUSION 1: SEA Assessment for the SFs

- The Commission can only judge from submitted documents-many problems
- SEA experts in MS should be able to give their assessment-input looking at things from inside
- Major issue: the capacity of environmental authorities to play an important role
- Awareness raising needed for the public in general



CONCLUSION 2: SEA Assessment for the SFs

FUTURE CHALLENGE

- Any modification of the OPs
- Monitoring and follow up
- Transfer of experience –good practices to other Programmes/Plans
- Review of national legislation?



Thank You