

## INFORMATION EXCHANGE ON EIA/SEA IN A TRANSBOUNDARY CONTEXT

### 1. Transboundary environmental impact assessment (EIA) in relation to the ESPOO Convention:

- In the framework of transboundary assessment for plans carried out **outside of the territory of the Czech Republic**, ME obtained the following plans:

#### Polish plans

*“Sanitary sewers for the municipality of Krzyzanowice”* – the EIA process was commenced at the end of 2003 and is still continuing

#### Slovak plans

*“Railways of SR, Modernization of the Bratislava – Kúty railway track for a speed of 160 km/hod”* – the EIA process has already been completed

*“Myjava Wind Park, Poľana site* – CR has stated that it is interested in participating in the EIA process

*“R6 superhighway Púchov – SR/ČR state border”* - CR has stated that it is interested in participating in the EIA process

- In the framework of transboundary assessment for plans carried out **inside of the territory of the Czech Republic**, ME obtained the following plans:

The only plan implemented in the territory of CR that is subject to transboundary assessment pursuant to Espoo is the plan *“Spent nuclear fuel storage site at the Temelín nuclear power plant”*.

B) The Ministry of the Environment is the competent authority for transboundary strategic environmental assessment.

C) A national EIA/SEA Information System database has been created. It contains all the available information on the EIA/SEA process, including transboundary EIA/SEA processes. The EIA/SEA Information System has been placed on the ME web site [www.env.cz](http://www.env.cz) and on the web site of the Czech Environmental Institute [www.ceu.cz/eia](http://www.ceu.cz/eia).

D) Czech bilateral agreements related to the Espoo Convention

On the basis of the Espoo Convention and EIA Directive, the Czech Republic is negotiating bilateral agreements with the four neighbouring countries of Germany, Poland, Austria and Slovakia. These bilateral agreements will contain detailed procedural rules for transboundary EIA.

- **Czech Republic – Germany:** Most of the steps in the transboundary EIA/SEA process have already been agreed by both parties in the prepared Czech – German agreement. At the 6<sup>th</sup> meeting of the Czech – German Commission for the Environment in Berlin, they agreed that the substantive negotiations on the Czech – German agreement on

transboundary EIA for implementation of the ECE UN Convention on transboundary environmental impact assessment can be expected to be concluded in the foreseeable future.

- **Czech Republic – Poland:** Negotiations with Poland were commenced in 1999. However, in 2002, when the draft agreement was in a very advanced stage of preparation, extensive reorganization occurred at the Polish Ministry of the Environment and, with the new composition of the Parliamentary Assembly, there was also a substantial change in the attitude towards the required form of the bilateral agreement. Thus, it was necessary to start practically right from scratch. Once again, agreement has been achieved on most of the provisions of the agreement. The next working meeting is to be held in Warsaw.
- **Czech Republic – Austria:** Immediately after Act No. 100/2001 Coll., as amended by Act No. 93/2004 Coll., came into force, the draft Czech-Austrian agreement was sent to the Deputy Prime Minister and Minister of Foreign Affairs, Cyril Svoboda, for the commentary procedure. After receiving comments from MFA and their incorporation into the draft agreement, the material was sent to the Austrian party. This material with the new Austrian comments will form the basis for expert negotiations, for which the Czech party, including representatives of MFA CR, will be invited to Vienna.
- **Czech Republic – Slovakia:** A meeting took place in July 2002 with the Slovak party for the purpose of preparation of a bilateral agreement. At that time, the Czech party elaborated the results of the fruitful negotiation into a draft agreement within a short time and sent it to the Slovak party. Negotiations are being held on another meeting of the Czech-Slovak working group.

**The SEA Protocol was submitted to the Parliament of CR for ratification in November 2004. Negotiations have not yet been commenced on bilateral agreements in the framework of the SEA protocol.**

#### **E) Other information relevant to implementation of the Espoo Convention.**

Only the Ministry of the Environment is a competent authority for transboundary SEA in the Czech Republic. This is true both in the case where the Czech Republic is the country of origin and where it is the affected country. In both cases, the competent authority proceeds in cooperation with the Ministry of Foreign Affairs. In the Czech Republic, transboundary EIA is subject to the same rules as every other EIA in the territory of the country; however, some special rules can be found in the provisions of Act No. 100/2001 Coll. The requirements of the Espoo Convention for SEA are the subject of Chapter II (Sections 11, 12, 13 and 14) of the Act, related to transboundary environmental impact assessment.

These special rules are based on Article 7 of the EIA Directive and the regulations following from the Espoo Convention. On the basis of the Espoo Convention and EIA Directive, the Czech Republic negotiates bilateral agreements with the four neighbouring countries of Germany, Poland, Austria and Slovakia. These bilateral agreements will contain detailed procedural rules for transboundary EIA.

## **2. Transboundary strategic environmental assessment (SEA):**

- *Proposal for updating of the regional plan for the region “Upper part of the Elbe / Eastern Erzgebirge” of the country of Saxony* – German SEA, CR issued a viewpoint in the framework of scoping.

- ***Proposal for updating of the regional plan for the region Horní Lužice – Lower Silesia of the free state of Saxony*** – German SEA, CR issued a viewpoint in the framework of scoping.

### **3. Developmental projects in transboundary EIA/SEA**

- Continuing project ***“New pathways in implementation of projects with transboundary environmental impact”*** (Espoo Convention and Aarhus Convention) – project of the Office of the Lower Austrian Provincial Government with participation by The Federal Ministry of Agriculture, Forestry, Environment and Water Management and the Ministry of the Environment of the Czech Republic.
- Continuing project ***“Capacity Building in Implementation of the Environmental Acquis at the Local and Regional Level”*** – this project was established by EU and is organized by DHV CR Ltd., and Czech engineering consulting company.