ENVIRONMENTAL IMPACT ASSESSMENT - CROATIA

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TRANS-EUROPEAN NORTH-SOUTH MOTORWAY (TEM)
17 December 2015, Vienna, Austria
EIA AND PROJECT PREPARATION

Key steps of project preparation

• Pre-feasibility Study;
• Feasibility Study;
  » EIA – starting moment
  » EIA completion – when all mitigation measures are defined (all details provided) and development consent issue
• Preliminary design;
• Final Detailed design;
• Location permit
• Construction permit
• Procurement;
• Implementation.
Legal framework

- Environmental Protection Act (OG 80/13, 153/13, 78/15)
- Regulation on Environmental Impact Assessment (OG 61/14)
- Regulation on Information and Participation of the Public and Public Concerned in Environmental Matters (OG 64/08)
- Act on Ratification of the Convention on EIA in a Transboundary context (Espoo Convention) (OG-IT 6/96)
- General Administrative Procedure Act (OG 47/09)
COMPETENT BODY

❖ NATIONAL LEVEL - Ministry of Environment and Nature Protection

❖ REGIONAL LEVEL - competent administrative body in the county or City of Zagreb

Other institutions

❖ concerned environmental authorities (ministries, state administrative and expert organizations, public sector)

❖ regional and local authorities
Regulation on the environmental impact assessment („Official gazete”, 61/14)

ANNEX I

EIA is MANDATORY

For the project for which EIA is mandatory, the nature impact assessment (Habitats Directive) is carried out within the same procedure in co-ordination with Nature Protection Directorate

ANNEX II

SCREENING up to competent authorities to decide if an EIA is needed or not

Ministry of environmental and nature protection

ANNEX III

SCREENING up to competent authorities to decide if an EIA is needed or not

Administrative body in the county or in the City of Zagreb

ANNEX IV

Mandatory content of Environmental Report (Environmental impact study) - an integral part of the application
Environmental Impact Assessment - Croatia

**MINISTRY OF ENV. AND NATURE PROTECTION**
- Scoping: The procedure to determine whether or not an EIA is required
- Scoping: the procedure where a developer can request advice on the impacts to be assessed in the EIA

**AUTHORISED INSTITUTION**
- Finalisation of the Study
- Review of the Study
- Decision on environmental acceptability of the project
- Public Information and Consultation

**EIA PROCEDURE IN CROATIA**

- Screening
- Scoping
- Preparation of Env. Report (Study)
- Request (Application) + Env. Report
- EIA Committee
- Authorised Institution
- Ministry of Env. and Nature Protection

**DEVELOPER / MENP**

**PUBLIC**

**AUTHORISED INSTITUTION**

**MINISTRY OF ENV. AND NATURE PROTECTION**
- Takes account of env. report and consultations
- End of EIA process
Screening

- case-by-case analysis in line with set criteria and/or criteria prescribed in Annex V
- request for screening includes: information on the developer, description of the location, description of the characteristics of the project (considered alternatives), description of the likely significant effects of the project on the environment, proposal of environmental protection measures (if considered)
- list of projects subject to screening
Screening

- informing the public about request
- reviewing the opinions of the other responsible body and opinions, objections and proposals of the public and public concerned submitted during the information process

Decision:

- EIA needs to be carried out
- EIA does not need to be carried out - an explanation of the reasons due to which it was established that EIA needs/does not need to be carried out for the project
- public is informed about decision
Scoping

- not mandatory
- request for scoping includes: information on the developer, description of the location, description of the characteristics of the project (considered alternatives), description of the likely significant effects of the project on the environment
- request to the bodies and/or persons designated by special regulation for the purpose of obtaining their opinion
- informing the public about request reviewing the opinions of the other responsible body and opinions, objections and proposals of the public and public concerned submitted during the information process
- instructions on the content of the Environmental Report (issuing the instructions not affects the right to request a supplement of the Report’s content in the course of the EIA procedure)- public is informed about instructions
Environmental Report (ER)

- companies authorized for professional environmental protection activities - accuracy, expertness and fulfillment of prescribed requirements
- based on updated, authentic and available information
- ER is result of:
  - scoping
  - mandatory content – prescribed in Annex IV
  - when a project may have a significant impact on ecological network (NATURA 2000 site in Croatia) the content of the Report also includes a chapter elaborating the effects of the project on the ecological network (NATURA 2000 site in Croatia) in accordance with those regulation
Advisory Expert Committee (AEC)

- appointed for each individual project
- CB determines the composition and number of members of the (AEC), depending on the type of project
- members of AEC are appointed from the list of persons published in the Official Gazette

members of AEC:
- scientific and expert employees
- representatives of the bodies and/or persons designated by special regulations (the concerned environmental authorities)
- representatives of local and regional self-governments units
- representatives of MENP

Responsibilities:

- establishes that ER is complete
- reviews the opinions, objectives and proposals from the public debate
- explains the reasons for their acceptance or non-acceptance
- gives its opinion on the acceptability of the project
- proposes environmental protection measures and environmental monitoring programme
INFORMING THE PUBLIC

- CB have to inform the public of:
  - **EIA procedure**: the request, the decision on submitting ER for public debate, the decision on environmental acceptability of the project
  - **screening**: the request, the decision
  - **scoping**: the request, the instruction on content of ER

- The information is **published on web pages of CB and other appropriate way** (public notices in the press, public notices in the official journal, public notices on relevant notice boards, electronic media, written publications, etc.)
PUBLIC PARTICIPATION

- the public participate in EIA procedure during the public debate

- public debate includes:
  - public inspection
  - public hearing

- at least 30 days

- the public and public concerned participate in the public debate in a way as to:
  - have the right of access to public inspection
  - ask questions during the public hearing
  - have the right to enter proposals and objections into the book of comments
  - submit proposals and objections into the minutes during the public hearing
  - submit written proposals and objections to the CB

- the opinions, objections and suggestions of the public and public concerned must be reviewed prior to issuing decision
Environmental Impact Assessment - Croatia

DECISION

- the Decision on Environmental Acceptability will be adopted only after CB reviews:
  - the AEC’s opinion on the acceptability of the project
  - opinions, objections and proposal of the public and public concerned submitted during the public debate
  - results of any transboundary consultations
  - the decision can be challenged in the Administrative Court

DIFFICULTIES

- „old EIA procedures”
- lack of data
- delays – insufficient quality of EIA documentations
1. State road DC 414, section Sparagovići – Doli – ongoing
2. Mainland - Pelješac with access roads (bridge) - finish (30/10/2015)
4. Highway A5 Hungarian border - Beli Manastir – border with Bosnia and Herzegovina, Sredanci – border with Bosnia and Herzegovina, the bridge on Sava river - finish (2/11/2015)
5. Relocation of road D517 in Beli Manastir - finish (7/7/2015)
<table>
<thead>
<tr>
<th>DESIGNING/PLANNING</th>
<th>CONSTRUCTION</th>
<th>MAINTENANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Integration of environmental protection measures in the Environmental impact study and requests of permits requires for the construction and operation of the motorway</td>
<td>Specific environmental requirements in construction contracts</td>
<td>Preventive environmental protection</td>
</tr>
<tr>
<td>Landscaping design project</td>
<td>Environmental protection plan made by contractors and Developer</td>
<td>Monitoring the transport of dangerous goods</td>
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<tr>
<td>Drainage system projects</td>
<td>Monitoring and supervision of environmental protection according to its components (water, air, soil, etc.)</td>
<td>Organizing exercises/tutorials</td>
</tr>
<tr>
<td>Projects of construction walls for protection against noise</td>
<td>Restoration of entire zone devastated by intervention in better condition, ie. at least into the initial state</td>
<td>Audit environmental protection procedures</td>
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<td></td>
<td>Controlled waste separation by type, attributes and disposal</td>
<td>Maintenance of closed drainage system</td>
</tr>
<tr>
<td></td>
<td>Setting up noise protection walls</td>
<td>Monitoring and supervision of environmental protection according to its components (water, air, soil, etc.)</td>
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<tr>
<td></td>
<td>Analysis of supervision data and monitoring environment protection</td>
<td>Landscaping and maintenance of the area in the motorway corridor</td>
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<tr>
<td></td>
<td></td>
<td>Monitoring fauna</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Monitoring flora</td>
</tr>
<tr>
<td>Animal</td>
<td>2011</td>
<td>2012</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>------</td>
<td>------</td>
</tr>
<tr>
<td>Bear</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>Deer</td>
<td>15</td>
<td>25</td>
</tr>
<tr>
<td>Wild boar</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td>Wild cat</td>
<td>9</td>
<td>5</td>
</tr>
<tr>
<td>Fox</td>
<td>1</td>
<td>9</td>
</tr>
<tr>
<td>Birds</td>
<td>5</td>
<td>4</td>
</tr>
<tr>
<td>Other: dog, rabbit and others.</td>
<td>10</td>
<td>20</td>
</tr>
<tr>
<td>Badger</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>48</strong></td>
<td><strong>72</strong></td>
</tr>
</tbody>
</table>
GOOD PRACTICE

LIFE DINALP BEAR

Population level management and conservation of brown bears in northern Dinaric Mountains and the Alps

LIFE13 NAT/SI/000550
Rijeka-Zagreb Motorway d.d. is responsible for the implementation of measures to prevent incidents on the highway, which includes:

- setting 60 km of electrical fences,
- 6 pop-ramp,
- 30 unilateral exit doors for animals,
- 25 waste containers,
- establishment of an emergency team to the highway,
- setting up information boards and info terminals
In Summary

- Any project which might have a significant impact on the environment must be assessed
- Whole projects are assessed
- Decisions are made by competent authorities
- The decisions of the competent authorities must be reasoned
- The results of the decisions and assessments must be followed
- There must be open and transparent consultation
- Decisions must be available for all to see
THANK YOU FOR YOUR ATTENTION!

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