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Practical aspects of EIA implementation

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Coordination between EIA team and initiator

- Ideally, EIA influences the project design so its properly considers likely environmental impacts (location, type of technology, timing of construction/operation)
- Effectively, the above can happen already during the EIA process
- However, it can be ensured only by extensive communication and cooperation between EIA team and project developers (planner, engineering team, etc.)

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Case example: EIA for wind-power

- EIA is in its scoping stage
- Survey of birds and bats is already ongoing for several months (the legislation requires at least 12 months survey for the EIA report)
- Based on preliminary finding, a number of wind-power installations have been reduced and positions adjusted in order to minimize likely conflicts with bat ecosystems
- The EIA report will consider the adjusted project

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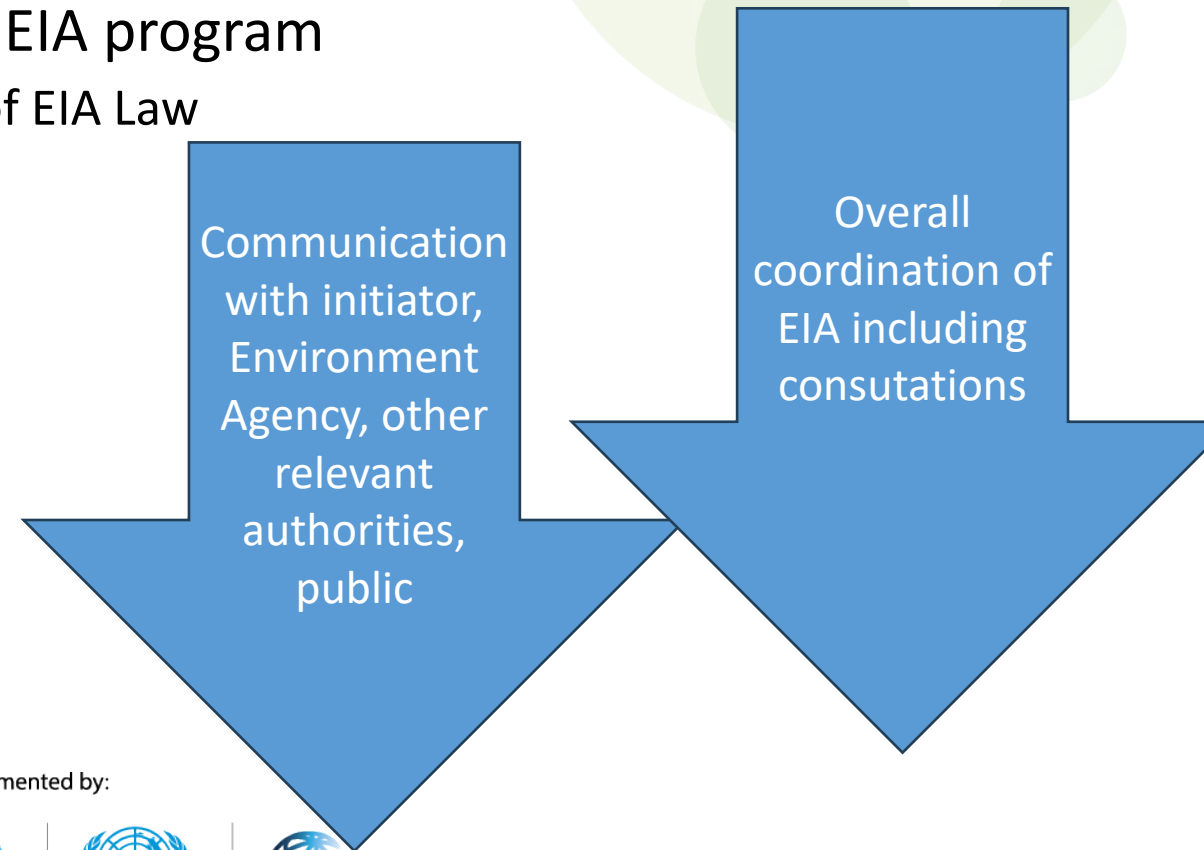




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Formal EIA stages and tasks for EIA experts

- Request for environmental agreement and EIA program
 - Compile the information required by Annex 3 of EIA Law
- Preparation of EIA report
 - Surveys, measurements, baseline analysis
 - Analysis of likely impacts
 - Formulation of mitigation measures
 - ...
 - ...
- Public debates
 - Presentation of EIA findings and conclusions



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Composition of EIA team – legal requirements

EIA report can be prepared by natural persons or groups of persons who, cumulatively, meet the following qualification criteria:

- a) higher studies in environmental sciences, engineering, industry, environmental technology, law, economics and/or other related fields and qualification studies in the field of environmental assessment;
- b) 3 years of professional experience, academic research and consultancy, with practical knowledge and experience in carrying out environmental assessment;
- c) lack of criminal record for false declarations.

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Composition of EIA team

- The requirements for experts in the EIA team should reflect the environmental aspects addressed in the EIA (in principle, the conclusions of EIA program)
- Team leader/coordinator
- Coordinator of stakeholder consultations
- Experts on specific environmental issues
- Health expert
- Expert on social issues
- Expert on a given type of project e.g. energy expert, road expert

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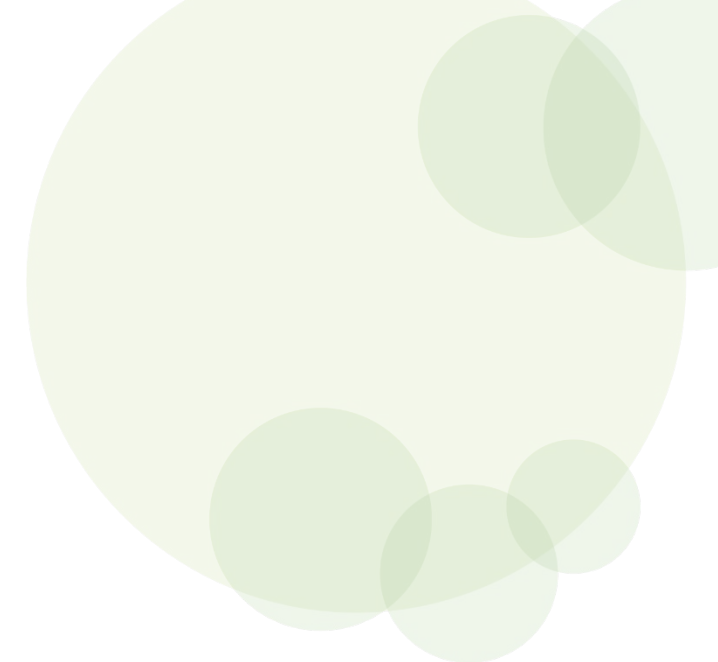


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Budgetary aspects

- Budget for EIA should consider following costs
 - Overall coordination of EIA
 - Communication with the initiator
 - Consultations
 - Preparation of the EIA report including all necessary surveys and measurements
 - Purchase of data
 - Direct costs including the costs related to the transboundary consultations
- Ideally, there should be certain flexibility in the budget for additional expertise and/or tasks

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Transboundary consultations

- Good practice example: Agreement between Ukraine and Romania on the implementation of the Espoo Convention
 - Preparation initiated in March 2021 (workshop on the TbEIA organized by the UNECE)
 - Signed in November 2022
 - Entered into force in July 2023
 - Recently, the two countries are working on establishing a bilateral commission on EIA provided for under the Agreement.

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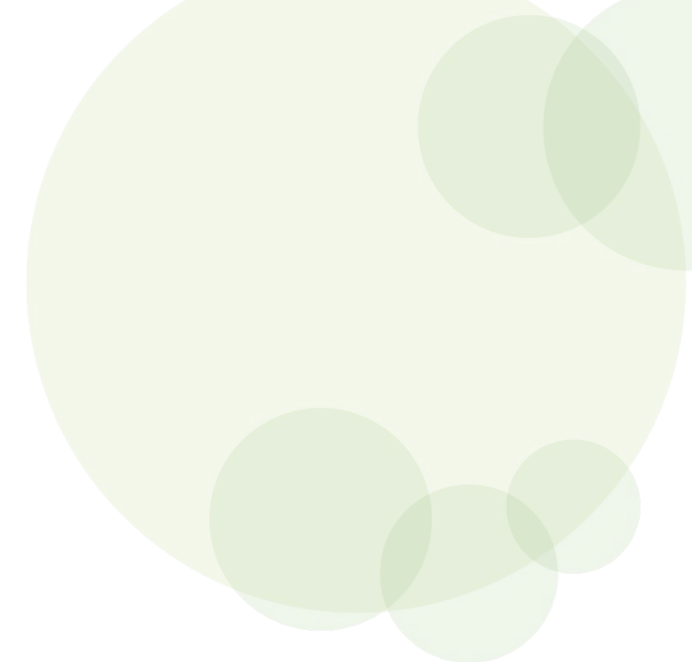


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Examples of issues addressed

- Ways of communication
 - Focal/contact points serving as competent authorities
 - Email communication preferred
 - Confirmation and verification (in case of doubts on the delivery, the diplomatic channels should be used)
 - English language
- Translation
 - English + optionally national languages (in editable format)
 - Accuracy stressed out, however AI software translation allowed (but it must be indicated)
- Timeframes: 30 days to respond to notification, between 45 and 90 days for comments on the EIA report, 30 days for providing additional information

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Examples of issues addressed

- Transboundary consultations in scoping
- Emphasis on sufficient quality of EIA report, which should clearly set out the methodological considerations and the reasoning behind the identification and assessment of likely significant adverse impacts.
- Joint Commission on EIA in a transboundary context
 - To oversee and review the implementation of Agreement;
 - To establish working groups for overseeing and following up specific transboundary EIAs;
 - To determine if there are likely transboundary impacts
 - To facilitate consultations

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Thank you for your attention!

Martin Smutny

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