

Workshop on linkages between the Water Framework Directive (WFD) and SEA/EIA

Introduction to SEA and EIA

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This Project is funded by the European Union



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What is SEA and EIA

- **SEA (Strategic Environmental Assessment)** is a systematic & anticipatory process, undertaken to analyse environmental effects of proposed plans, programmes & other strategic actions and to integrate findings into decision-making
- **EIA (Environmental Impact Assessment)** is a systematic process to identify, predict and evaluate the environmental effects of proposed actions and projects



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Why we need SEA/EIA

- To improve competitiveness and potentially reduces costs
- To increase transparency and reduce risk for proponents/investors
- To be consistent with requirements given by the EU and International Financial Institutions (WB, EBRD, EIB etc.)



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Main tasks for SEA and EIA

- To analyse the environmental and health effects of proposed development
- To suggest measures to mitigate adverse effects
- To bring stakeholders' opinions/input into planning
- To inform planners, project developers, decision-makers and other stakeholders of likely effects / issues



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SEA and EIA

SEA is not a mega-EIA, it should not duplicate EIAs. It ideally covers strategic issues of concern that cannot be effectively addressed through project-level decision-making

SEA should support efficient EIA application by providing guidelines for subsequent EIAs

- Identify specific issues to be investigated in detail within EIA
- Propose optimal location (or “no-go areas”) within wider territory
- Highlight likely cumulative impacts with other projects to be considered within EIA

EIA shall address specific impacts and suggest mitigation measures



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Main differences between SEA and EIA

SEA

- Takes place at earlier stages of decision-making cycle
- Pro-active approach to development proposals
- Shall address strategic aspects cumulative impacts
- Considers broad range of potential alternatives
- Emphasis on environmental mainstreaming

EIA

- Takes place at end of decision-making cycle
- Reactive approach to development proposal
- Identifies specific impacts on the environment
- Considers limited number of feasible alternatives (in detail)
- Emphasis on preventing, mitigating and minimizing impacts



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SEA and EIA

Assessing local spatial plans represents “meeting point” for SEA and EIA

Closer to SEA because they

- are prepared through formalized planning procedure
- prepared/approved by authority
- assessing cumulative impacts is important

Closer to EIA because

- planning is driven by specific projects
- information and data allow detailed analyses



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Principles of efficient SEA/EIA

- Undertaken by the planning authority / project developer
- Applied as early as possible in planning / project preparation
- Focused on key issues
- Evaluates reasonable range of alternatives
- Provides appropriate opportunities for involvement of key stakeholders & the public
- Carried out with appropriate, cost-effective methods & techniques of analysis



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Principles of efficient SEA/EIA

Individual SEA/EIA should be adjusted to the plan & programme or project assessed, considering its focus, planning process, structure of the document, governmental agencies and other stakeholders involved etc.

SEA/EIA can address a wide range of issues

- Protection of environmental components (air, soil, water, biodiversity...)
- Environmental management (waste, energy, flood control...)
- Human health (mainly environmental health determinants)
- Social aspects (wellbeing, poverty, (un)employment...)

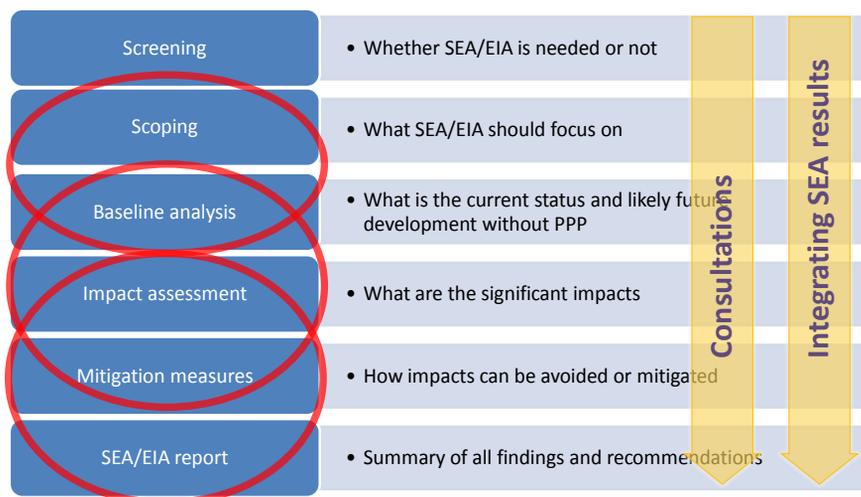


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Typical SEA/EIA steps and analyses



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SEA/EIA in European Union

- Both widely applied
 - EIA since mid-1980
 - SEA since early 1990

- Main provisions stipulated in relevant directives:
 - Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment
 - Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (amended by Directive 2014/52/EU)



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SEA Directive – main features

- Refers to plans and programmes, which must be prepared or adopted by an authority (at national, regional or local level) and be required by legislative, regulatory or administrative provisions

- SEA is mandatory for plans/programmes which:
 - prepared for agriculture, forestry, fisheries, energy, industry, transport, waste/ water management, telecommunications, tourism, town & country planning or land use and
 - which set the framework for future development consent of projects listed in the EIA Directive.

- OR
 - have been determined to require an assessment under the Habitats Directive

For PPs covering small area and for modifications of existing PPs, screening is required!



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SEA Directive – main features

- Main steps in SEA procedure:
 - Preparation of an environmental report
 - Carrying out of consultations (including transboundary ones),
 - Taking into account of the environmental report and the results of the consultations in decision-making
 - Provision of information on the decision



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EIA Directive – main features

- EIA is applied for “projects” i.e.
 - The execution of construction works or of other installations or schemes,
 - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources
- Annex I projects: EIA is mandatory
- Annex II projects: screening needed by
 - Case-by-case examination,
 - Setting thresholds or criteria (Annex III provides guidance)



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EIA Directive – main features

- Project developer has to supply information about the project in appropriate form (Annex IV)
- Developer may request before submitting an application for development consent an opinion from the competent authority on the information to be supplied
- The competent authority shall consult the developer and environmental authorities before it gives its opinion



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EIA Directive – main features

- Consultations with
 - Environmental and health authorities
 - Public concerned
 - Likely affected countries (transboundary)
- The results of consultations must be taken into consideration in the development consent procedure



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EIA Directive – amendments

- To simplify their different environmental assessment procedures
- Timeframes are introduced for the different stages of EIA:
 - screening decisions should be taken within 90 days
 - public consultations should last at least 30 days.
 - Member States also need to ensure that final decisions are taken within a "reasonable period of time".
- The screening procedure, determining whether an EIA is required, is simplified. Decisions must be duly motivated in the light of the updated screening criteria.
- EIA reports are to be made more understandable for the public, especially as regards assessments of the current state of the environment and alternatives to the proposal in question.



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EIA Directive – amendments

- The quality and the content of the reports will be improved.
- The grounds for development consent decisions must be clear and more transparent for the public. Member States may also set timeframes for the validity of any reasoned conclusions or opinions issued as part of the EIA procedure.
- If projects do entail significant adverse effects on the environment, developers will be obliged to do the necessary to avoid, prevent or reduce such effects.



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SEA/EIA Directive – achievements and challenges

- ☺ Widely applied and contributing to environmental and health protection
- ☺ Public used SEA/EIA to get involved in planning, project design and decision-making
- ☺ Decision-makers takes SEA/EIA seriously and conclusions are followed
- ☺ Quality of analyses is increasing



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SEA/EIA Directive – achievements and challenges

- ☹ SEA/EIA tends to be procedural exercise with loosing its primary objective
- ☹ Over-application of SEA/EIA
- ☹ Poor linking SEA and EIA, overlaps and duplications

SEA/EIA can be only as efficient as the administration/governance system in a given country



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Questions, comments?



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