

Environment and Climate Regional Accession Network (ECRAN)

Workshop Report on the 'Regional training workshop on SEA in spatial planning'

15 – 16 June, 2016, Tirana, Albania

ENVIRONMENT AND CLIMATE REGIONAL NETWORK FOR ACCESSION - ECRAN

TRAINING REPORT Activity No. 2.4 Environmental Assessments Task 2.4.3. Other assessments Regional training workshop on SEA in spatial planning 15 – 16 June 2016, Tirana, Albania

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LIST OF ABRE	LIST OF ABREVIATIONS					
CEMAT	Council of Europe Conference of Ministers responsible for Spatial/Regional Planning					
EIA	Environmental Impact Assessment					
ESPON	European Observation Network for Territorial Development and Cohesion					
ESPD	European Spatial Development Perspective					
EU	European Union					
INSPIRE	Infrastructure for Spatial Information in the European Community					
IAP	Ionian-Adriatic Pipeline					
MS	member State					
SEA	Strategic Environmental Assessment					
UK	United Kingdom					
UNECE	United Nation Economic Commission for Europe					
UNESCO	United Nations Educational, Scientific and Cultural Organization					
WG	Working Group					





I. Background/Rationale

General information about the event

Spatial planning represents one of the most important planning schemes in almost all ECRAN beneficiary countries. Since large development is often proposed in the spatial plans (e.g. transport infrastructure corridors, industrial zones etc.), implementation of spatial plans may significantly affect the environment as well as human health. Therefore, efficient application of SEA for spatial plans is an essential way to avoid or minimize negative effects related to the spatial development and to contribute to better environmental and health 'performance' of the spatial planning.

Following the discussions at the 3rd Annual Meeting of the ECRAN Environmental Assessment Working Group (Vienna, November 2015) the spatial planning was selected as one of the areas to be addressed at the regional workshops on 'SEA/EIA for specific economic sectors / policy areas' (under the Task 2.4.3. Other assessments).

There has been a long history of SEA application for spatial/land-use plans within EU, therefore case examples from Croatia, Czech Republic, and Slovenia may provide information to be applied in ECARN beneficiary countries. Since SEA pilot in Albania (supported by ECRAN in 2015 – 2016, task 2.4.2) was conducted for the General National Territorial Plan, this case will provide a basis for discussions on efficient application of SEA for spatial plans, as well as it will enable to visit several sites where the most significant effects were identified by SEA and thus illustrate practical approaches to the assessment.

Current state of the affairs in the beneficiary countries in the specific sector

The event relates to the Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (SEA Directive). Although the process of harmonizing the national legislation with the requirements of the SEA Directive has been initiated in all ECRAN countries, and some of the countries have already achieved full compliance with both Directives (Croatia, Montenegro, Kosovo^{1*}, Serbia, the fYR of Macedonia), the implementation of this directive is still in many countries in its early stage. Almost all ECRAN countries are facing a lack of capacity for appropriate SEA implementation both at the national and sub-national levels.

The spatial/land-use planning schemes exist in all ECRAN beneficiary countries, and there have been a number of SEAs applied in last years for various spatial planning documents. However, several challenges regarding efficient SEA application can be formulated, among others including:

- SEA process to certain extend duplicating analyses and consultations carried out within preparation of the spatial plan
- Unclear screening criteria to determine if SEA is needed for the local spatial plans and amendments of existing spatial plans

¹ This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.





age



- Low awareness of the spatial planners and/or authorities responsible for preparation of the spatial plans on SEA and its role and possible outputs
- Relatively weak enforcement of SEA recommendations in the spatial plans
- Lack of GIS data and insufficient application of GIS tools and analyses

Summary of the main topics covered

As already mentioned above, the main focus of the workshop was to address the efficient application of SEA for spatial planning documents at the national, regional, and local levels. In order to cover the topic above, following sessions were included in the agenda:

- SEA in spatial planning brief introduction
 - o Spatial planning in EU
 - Specifics of SEA for spatial plans
- Case example: SEA of the General National Territorial Plan
 - o Main stages in SEA process
 - Methods and tools applied
 - o Major conclusions
- Croatian, Czech, and Slovenian experience with SEA in spatial planning sector
 - o Scope of SEA application for spatial plans
 - Procedural aspects, methods and tools
 - o Case examples
 - o Existing challenges
 - Spatial planning in Albania
 - o History and evolution
 - o Current status
- Addressing alternatives group work
 - Approach to development and assessment of alternatives
 - o Linkages to lower level planning levels and project permitting







II. Objectives of the training

General Objective

To present case example of SEA for the General National Territorial Plan of Albania as well as Croatian, Czech, and Slovenian practice of SEA application for spatial plans and thus provide hands-on experience for the workshop participants.

Specific Objectives

- To highlight main issues regarding SEA application for spatial plans.
- To share Albanian, Croatia, Czech, and Slovenian experience with practical SEA application for spatial plans.
- Based on presented practical cases to formulate recommendations to enhance SEA practice in spatial planning in ECRAN beneficiary countries.

Results/outputs

The expected results are:

- Increased understanding of the efficient application of SEA for spatial plans.
- Contacts established between the study visit participants and the relevant governmental institutions to be further utilized







III. EU policy and legislation covered by the training

Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment

The SEA Directive has been in force since 2001 and it should have been transposed by July 2004 by all EU member states. Its requirements have had to be integrated in the national legal frameworks. More information can be found at http://ec.europa.eu/environment/eia/home.htm

The SEA Directive stipulates the framework for SEA application in EU Member States. It defines main responsibilities of the MSs to be ensured.

The SEA Directive defines a group of plans and programmes, which shall be subject of SEA (or screening). Plans and programmes in the sense of the SEA Directive are those, which are prepared or adopted by an authority (at national, regional or local level) and be required by legislative, regulatory or administrative provisions. However, the SEA Directive does not include a list of plans and programmes (as the EIA Directive does for types of projects), it rather defines criteria to be considered when deciding if SEA should / should not be applied for a certain planning document.

In principle, SEA shall be applied mandatory for plans/programmes which:

- Are prepared for agriculture, forestry, fisheries, energy, industry, transport, waste/ water management, telecommunications, tourism, town & country planning or land use, and
- 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.

The SEA procedure as designed by the SEA Directive includes for major steps:

- Preparation of environmental report, in which the likely significant effects on the environment and the reasonable alternatives of the proposed plan or program are identified
- Consultations with public and the environmental authorities on the draft plan or program and the environmental report prepared (including transboundary consultations if relevant)
- Taking into account the environmental report and the results of the consultations when adopting the plan or program
- Providing information to the environmental authorities and the public on how the SEA has been taken into account in the adopted plan or program and/or relevant decision.

The MSs are also obliged to monitor significant environmental effects of the plan or program during its implementation.

Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment as amended by Directive 2014/52/EU

The newly amended EIA Directive (2014/52/EU) entered into force on 15 May 2014 to simplify the rules for assessing the potential effects of projects on the environment. The main amendments are as follows:

• Member States now have a mandate to simplify their different environmental assessment procedures.







- Timeframes are introduced for the different stages of environmental assessments: screening decisions should be taken within 90 days (although extensions are possible) and public consultations should last at least 30 days. Members 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.
- The quality and the content of the reports will be improved. Competent authorities will also need to prove their objectivity to avoid conflicts of interest.
- 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. These projects will need to be monitored using procedures determined by the Member States. Existing monitoring arrangements may be used to avoid duplication of monitoring and unnecessary costs.

More information about new EIA Directive can be found at <u>http://ec.europa.eu/environment/eia/review.htm</u>

Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention)

The United Nations Economic Commission for Europe (UNECE) Espoo Convention sets out the obligations of its Parties to assess the environmental impact of certain activities at an early stage of planning. It also lays down the general obligation of States to notify and consult each other on all major projects under consideration that are likely to have a significant adverse environmental impact across boundaries.

Useful references on practical guides or links to various web sites

- SEA and EIA
 - A Practical Guide to the Strategic Environmental Assessment Directive. Office of the Deputy Prime Minister, UK, 2005
 - Handbook on SEA for EU Cohesion Policy 2007-2013. GRDP, 2006
 - Bonde, J., Cherp, A.: Quality review package for strategic environmental assessments of land-use plans. Impact Assessment and Project Appraisal, 18(2). 2000.

Case studies/examples to illustrate practical situations or best practices that have been covered during the training

Several case examples were presented in order to illustrate practice in the EU as well as in non-EU countries. These included:

- SEA of the General National Territorial Plan (Albania)
- SEA of Spatial Plan of Požeško-slavonska County (Croatia)









- SEA of the Prague's Metropolitan Plan (Czech Republic)
- SEA of Urban development plan of Municipality of Braslovče (Slovenia)







IV. Highlights from the training workshop

Summary of each training session and description of the training activities (delivered presentations, small group work, plenary discussions, etc.) done during each training session

Following sessions were carried out during the workshop:

- **SEA in spatial planning brief introduction:** The introductory presentation explained terms 'land-use planning' and 'spatial planning' as well as listed main initiatives at the EU level i.e.:
 - Council of Europe Conference of Ministers responsible for Spatial/Regional Planning (CEMAT, since 1970')
 - European Regional/Spatial Planning Charter (1984) i.e. Torremolinos Charter
 - European Spatial Development Perspective (ESPD, 1999)
 - INSPIRE Directive (2007) Infrastructure for Spatial Information in the European Community
 - European Observation Network for Territorial Development and Cohesion (ESPON)

It described the expected role of SEA in spatial planning and highlighted possible challenges in its practical application. The concluding part provided examples of Sustainability Appraisal (UK) and flexible approach to SEA/EIA application in the Netherlands.

• *Site visit:* The site visit was organized to visit sites, which were addressed in the SEA of the General National Territorial Plan of Albania, to increase understanding of the approach to the assessment, analytical tools used, etc. Shkodra Lake and its vicinity was visited. Further information on the site and aspects related to the SEA and the General National Territorial Plan were provided during the trio.

Shkodra City is located on the shore of Shkodra Lake that is the transboundary lake with Montenegro. Shkodra City, with around 115.000 inhabitants, is the main city located in the northern Albania. The city is defined as one of the 6 main centers referred at the future development regions in the National Territorial General Plan. The National Territorial General Plan proposes a transboundary protected area 'Buna National Park' as the basis for sustainable regional development. The proposed zoning is based on the UNESCO Biosphere Reserve guidelines. The proposed National Park would provide the transboundary area of Ulqin and Velipoja between Shkodra Lake and the Adriatic Sea, with the necessary infrastructure for rural development.

At the southern part of Shkodra city the outflow of Buna River from Shkodra Lake is located. Few meters further southward Buna River receives the waters of another important river, Drini River. Buna River has a mean annual discharge of about 300 m³/s (the discharge through the Buna delta into the Adriatic Sea is about 584 m³/s). The Drini River is the largest tributary of the western Adriatic Sea with about 15,000 km² catchment area (including Ohrid lake system) and an annual average discharge of 270 m³/s. In the early 1970's three huge dams were built in this middle river section changing the hydrological, hydraulic and sediment regime of the river considerably.





The system of mountainous river sections, unique lake outflow and tectonic active landscape, and relief leads to very complex discharge situations during floods, and thus it was necessary to assess the whole riverine landscape and to discuss impacts on that system. Apart from the ecological values of the Buna River territory, it is defined as the main hub of hosting some important economic development from the point of view of transport and energy sector:

- The 'Blue Road' corridor is proposed to connect from North-South the Montenegro with Albania passing through the Buna territory.
- The feasibility study, which has been conducted for the forthcoming gas pipeline investment IAP (Ionian-Adriatic Pipeline), defines as the most suitable route the Buna territory for connecting Croatia-Montenegro-Albania natual gas pipeline.
- Several HPPs are designated for concession on the Drini river basin.
- Along the mountain ridges near Shkodra and Velipoja, several wind mill parks are proposed to be constructed
- Flood protection of Shkodra city must be guaranteed by the bypass via the former Drin channel, which could be natural channels towards Lezha town. For the whole area all flooded areas and potential retentions areas have to be defined and combined.

The participants received the visual descriptions on site being located in the main strategic point of the city i.e. Shkodra Castle. The discussion was split in two parts:

- First part oriented towards the northern area (viewpoint of Shodra Lake and its wetlands, Buna outflow, the city and the northward areas).
- Second part was located at the southern area (viewpoint of Buna plain and the river, Kiri and Drini inflow to Buna River), as the area proposed for the ecological and economic developments.

The cumulative impacts related to development proposed by the National Territorial General Plan were presented and discussed with participants on site. Apart from the presentation of mitigation measures proposed by the SEA towards to Plan, as well as the alternative options, participants raised a number of questions.

- **Summary of Day 1:** At the beginning of the day 2 ECRAN experts delivered a short overview of conclusions from the previous day and delivered answers to few specific questions/topics that remained unanswered:
 - SCREENING many of participants mentioned an extraordinary high number of screening procedures linked to Spatial Planning. ECRAN experts reminded the participants that SEA Directive is rather clear on what types of plans should/should not undergo full SEA, which is why screening procedures for such cases are rather pointless. Instead they should primarily focus on screening procedures for SPPs where screening procedure can deliver concrete answers and results.
 - MONITORING all participants agreed that SEA remains "toothless tiger" if there is no mechanism how to force Spatial Planners and decision making bodies to ensure that SEA conclusions and recommendations are not only incorporated into the final version of the





plan, but also implemented in practice. ECRAN experts presented several mechanisms how SEA conclusions and recommendations cam be incorporated into the plan. Later on Slovene case example on "obligatory monitoring" of Spatial Plan of the City of Ljubljana was presented as a good practice example. Participants were also encouraged to use concrete monitoring indicators that can be directly linked to results of a new Spatial Plan and that can be obtained/measured/calculated based on existing data.

- Experience with SEA in spatial planning from EU countries (Croatia, Czech Republic, and Slovenia): In this part of the workshop attention shifted to presentation of practical experience from SEA implementation in Spatial Planning sector in Croatia, the Check Republic and Slovenia. ECRAN and TAIEX experts presented all three systems as well as 3 concrete case examples to show strengths/weaknesses of those systems and explain open issues/difficulties that arise from practical implementation. Lively discussion accompanied all three presentations and participants were keen to discuss how to transfer some practical solutions and some good practices into their own countries.
- Group work exercise How to design SEA for spatial plans and what methods and tools to use: Participants were reminded about the main issues the case example SEA, which was the subject of the study visit on Day 1, had to deal with. Later on they were asked to envision implementation of similar interventions/plan in their own countries and answer the following questions:
 - How would you approach identification of alternatives (who should develop alternatives, when in planning process/SEA these should discussed)
 - At which level of planning/environmental assessment you would analyze, compare, and select the best alternative from environmental, social, and economic point of view
 - Suggest methods and tools which could be employed to analyze major likely effects of those alternatives at various planning/EA levels

Participants were divided into national groups and delivered presentations of their approaches and methods to be used. Lively debate with specific questions from the audience for individual presenters followed.

• Visit to the National Art Gallery: Spatial planning in Albania and Final Discussion: Representatives of the Ministry of Urban Development and the National Territorial Planning Agency organized a short field-visit to the Albanian National Gallery to visit the Presentation of the national spatial planning system in Albania including the Integrated Coastal Management Plan and the Integrated Management Plan for the Economic Area Tirana-Durres. After the conclusion of the site visit final discussion was opened for any remaining questions left unanswered and the workshop was closed.









Conclusions

Based on the discussions following the presentations it can be concluded that the experience from Slovenia, Croatia, and the Czech Republic, as well as the case example from Albania, were found relevant to ECRAN countries. It has been confirmed that the spatial planning is one of the key planning schemes in the participants' countries and requires high attention regarding proper application of SEA considering also the fact the often it may lead to transboundary impacts.







V. Evaluation

	vvononop	i antioipaint		ation		
Qı	lestion	N°. Responses	Yes	No	Partially	Do not know
1. Was the wo according to th	rkshop carried out ne agenda	26	25 (96)%	1 (4)%	0 (0)%	N/A
2. Was the pro structured?	ogramme well	26	26 (100)%	0 (0)%	0 (0)%	N/A
3. Were the ke the topics add	ey issues related to ressed?	26	26 (100)%	0 (0)%	0 (0)%	N/A
4. Did the worl to improve you	kshop enable you ir knowledge?	26	25 (96)%	0 (0)%	1 (4)%	N/A
5. Was enougl questions and	h time allowed for discussions?	26	25 (96)%	1 (4)%	0 (0)%	N/A
6.How do you assess the quality of the	Speaker/Expert	N°. Respon 103	ses Exce 83 (8			tisfactory Poor 1 (1)% 0 (0)%
speakers?						
Qı	lestion	N°. Responses	Yes	No	Partially	Do not know
based on the r workshop (nev	ect any follow-up results of the v legislation, new approach, etc.)?	26	25 (96)%	1 (4)%	N/A	N/A
	nce is needed pert mission, study ent mission) on	25	25 (100)%	0 (0)%	N/A	N/A
9.Were you	Conference venue	26	25 (96)%	0 (0)%	1 (4)%	0 (0)%
satisfied with the logistical arrangements,	Interpretation	25	23 (92)%	1 (4)%	1 (4)%	0 (0)%
if applicable?	-					

Workshop - Participants' Evaluation

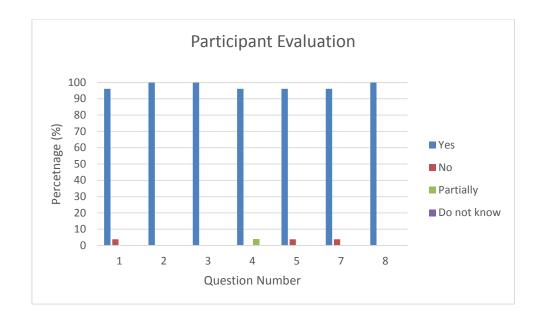
Comments:

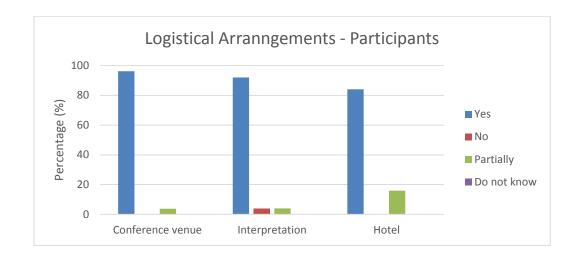
- Excellent as every time;
- Very good organization and good experience;
- It is necessary to continue with such seminars in order to country region that are addressed on the second one achieved better contacts with the aim of cross-border cooperation. Holding seminars should be dispersed equally in all countries. Best regards;
- It was a very useful workshop. The site visit was very good and wonderful. Thank you very much to ECRAN, TAIEX, Human Dynamic;
- No comments.

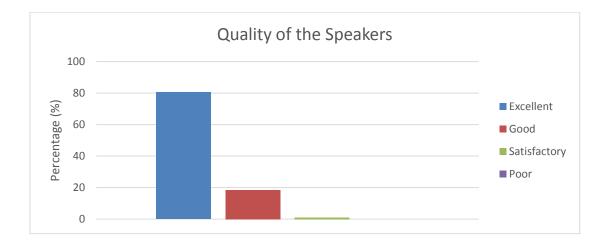
















This Project is funded by the European Union



Workshop – Speakers Evaluation							
Questic	on	N°. Responses	Yes	No	Partially	Do not know	
 Did you receive a information necessa preparation of your of 	4	4 (100)%	0 (0)%	0 (0)%	N/A		
2. Has the overall ai workshop been achi		4	4 (100)%	0 (0)%	0 (0)%	N/A	
3. Was the agenda v structured?	well	4	4 (100)%	0 (0)%	0 (0)%	N/A	
4. Were the participa throughout the sche workshop?		4	4 (100)%	0 (0)%	0 (0)%	N/A	
5. Was the beneficia represented by the a participants?	4	4 (100)%	0 (0)%	0 (0)%	N/A		
6. Did the participan take part in the discu		4	4 (100)%	0 (0)%	0 (0)%	N/A	
7. Do you expect that beneficiary will unde up based on the res workshop (new legis administrative appro	4	3 (75)%	0 (0)%	N/A	1 (25)%		
8. Do you think that beneficiary needs fu assistance (worksho mission, study visit, mission) on the topio workshop?	4	4 (100)%	0 (0)%	N/A	N/A		
9. Would you be ready to participate in future TAIEX workshops?		4	4 (100)%	0 (0)%	N/A	N/A	
10.If applicable, were you satisfied	Conference venue	4	4 (100)%	0 (0)%	0 (0)%	0 (0)%	
with the logistical arrangements?	Interpretation	3	3 (100)%	0 (0)%	0 (0)%	0 (0)%	
	Hotel	3	2 (67)%	0 (0)%	1 (33)%	0 (0)%	
Comments:	Comments:						

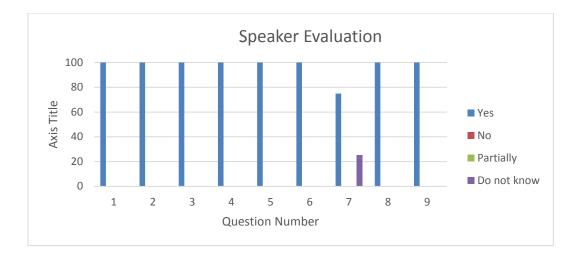
Workshop – Speakers' Evaluation

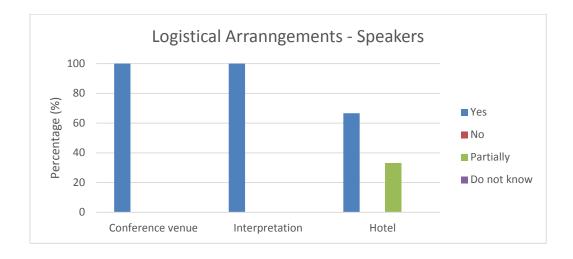


















ANNEX I – Agenda

Day 1 : June 15, 2016

Topic: Introducing the case example and site visit

Chair and Co-Chairs: Mr. Martin Smutny (ECRAN KE3, Coordinator of Environmental Assessment WG), Ms. Ornela Shoshi (Ministry of Environment, Albania), Mr. Klemen Strmšnik (ECRAN NKE),

Venue: Hotel Mondial, Rr. Muhamet Gjollesha, Tirana, Albania

		Tania Suchan Sub tania/Contant					
Start	Finish	Торіс	Speaker	Sub topic/Content			
08:30	09:00	Registration					
09:00	09:15	Welcome and introduction	Ms. Orneal Shoshi (Ministry of Environment of Albania) and Martin Smutny (ECRAN KE3)	Welcome on behalf of the host country Introduction to the agenda of the study visit			
09:15	09:45	SEA in spatial planning – brief introduction	Presentation by Martin Smutny (ECRAN KE3)	Specifics of SEA for spatial plans Experience in EU countries			
09:45	10.30	Main challenges regarding SEA in spatial planning in ECRAN beneficiary countries	Discussion facilitated by Martin Smutny (ECRAN KE3) and Klemen Strmšnik (ECRAN NKE)	Short presentations by participants regarding issues and problems they would like to address during the workshop			
10:30	11:00	Coffee Break					
11:00	12:00	Introductions to case example – SEA for the General National Territorial Plan of Albania	Andrian Vaso, SEA Team Leader	Main features of the General National Territorial Plan Approach to SEA, analyses conducted Findings and conclusions, SEA recommendations Achievements and challenges			







12:00	13:00	Lunch		
13:30	17:30	Site visit – Buna River, Shkoder		
17:30	18:30	Return trip to Tirana and site-visit evaluation	Klemen Strmšnik (ECRAN NKE)	

Day 2 : June 16, 2016

Topic: Practical application of SEA for spatial plans

Chair and Co-Chairs: Mr. Martin Smutny (ECRAN KE3, Coordinator of Environmental Assessment WG), Mr. Klemen Strmšnik (ECRAN NKE), Ms. Anamarija Matak (Ministry of the Environment and Nature Protection, Croatia)

Venue: Hotel Mondial, Rr. Muhamet Gjollesha, Tirana, Albania

Start	Finish	Торіс	Speaker	Sub topic/Content		
08:30	09:00	Registration				
9:00	9:15	Summary of Day 1	Mr. Martin Smutny (ECRAN KE3)	Main points discussed during Day 1 QA regarding the case example		
9:15	11:00	Experience with SEA in spatial planning from EU countries (Croatia, Czech Republic, Slovenia)	Ms. Anamarija Matak (Ministry of the Environment and Nature Protection, Croatia) Mr. Martin Smutny (ECRAN KE3) Klemen Strmšnik (ECRAN NKE)	Scope of SEA application for spatial plans Case examples – procedural aspects, methods and tools Existing challenges		
11:00	11:30	Coffee Break				

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11:30	13:00	Group work exercise: How to design SEA for spatial plans and what methods and tools to use.	Facilitated by Martin Smutny (ECRAN KE3) and Klemen Strmšnik (ECRAN NKE)	 The participants will be asked to suggest: 1. SEA procedure (i.e. main stages) for spatial plan and identify linkages to planning process 2. The most relevant methods and tools to be applied in SEA for spatial plans Discussion and case examples
13:00	14:00	Lunch Break		
14:00	15:00	Visit to the National Art Gallery: Spatial planning in Albania	Representatives of the Ministry of Urban Development and the National Territorial Planning Agency	Presentation of the national spatial planning system in Albania including the Integrated Coastal Management Plan and the Integrated Management Plan for the Economic Area Tirana- Durres.
15:30	16:00	Coffee Break		
16:00	17:00	Concluding discussion	Facilitated by Martin Smutny (ECRAN KE3) and Klemen Strmšnik (ECRAN NKE)	Summarizing main points and lessons learned with recommendations for ECFRAN countries







ANNEX II – Participants

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		Territorial Development		Albana.Zotaj@azht.gov.al
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ANNEX III – Presentations (under separate cover)

Presentations can be downloaded from:

http://www.ecranetwork.org/Files/Workshop_Presentations_SEA_in_Spatial_Planning_June_2016_ Tirana.zip





