



INSTITUTE OF THE REPUBLIC OF SLOVENIA
FOR NATURE CONSERVATION

Experiences with appropriate assessment in Slovenia

Tina Klemenčič, B.Sc. Biology
Novi Sad, 25.9.2014

1



IRSNC

The Institute of the Republic of Slovenia for Nature Conservation

- The Institute of the Republic of Slovenia for Nature Conservation is a national expert institution.
- Our mission is to produce high quality scientific work to protect and conserve the natural environment.
- The work of IRSNC is based on 7 regional units that cover entire country and a central unit as a support and integration element.





Some abbreviations...

SEA (Strategic Environmental Assessment) – strateška procjena

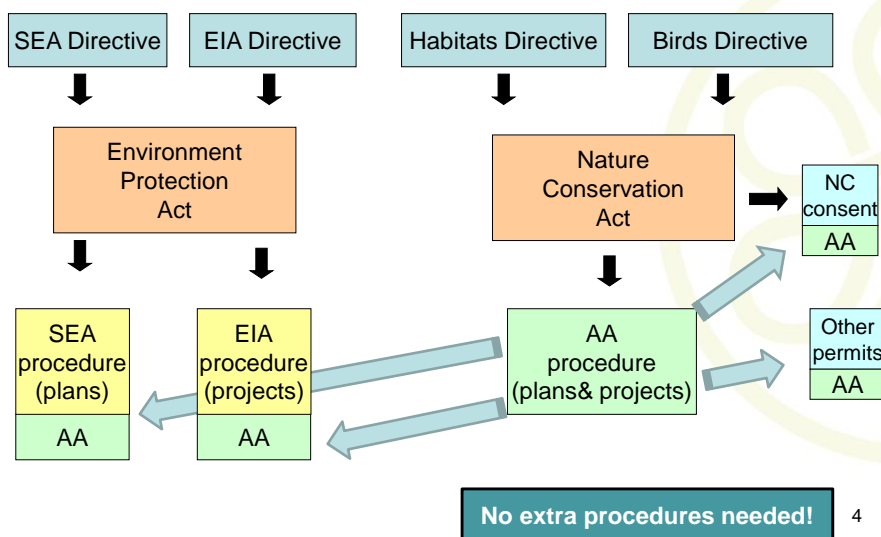
EIA (Environmental Impact Assessment) – procjena ujecaja na životnu sredinu

AA (Appropriate Assessment) – ocjena prihvatljivosti

ER (Environmental report)



SEA, EIA and AA linkages in Slovenia





IRSNC

Article 6.3 of the Habitats Directive

Art 6.3.

- Any plan or project not directly connected with or necessary to the management of the site
- but likely to have a significant effect thereon, either individually or in combination with other plans or projects,

Cumulative impacts

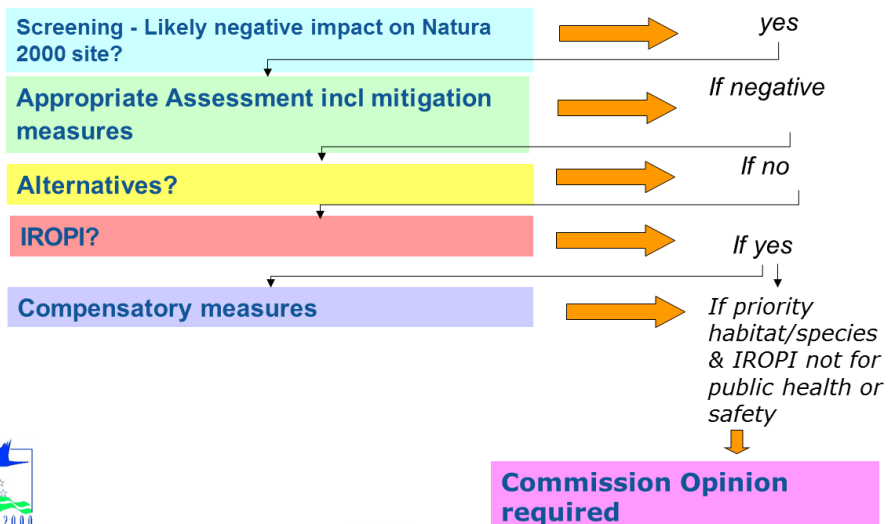
Precautionary principle
- shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives.

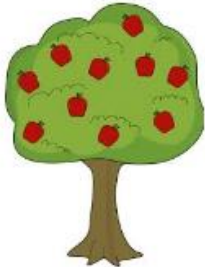
Assessment obligation
- In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.

Precautionary principle

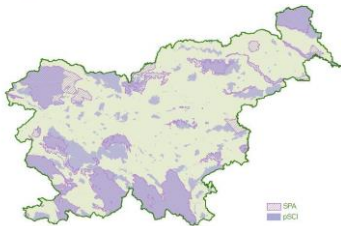


Step-by-step assessment of plans and projects affecting Natura 2000 sites (Art 6.3 & 6.4)

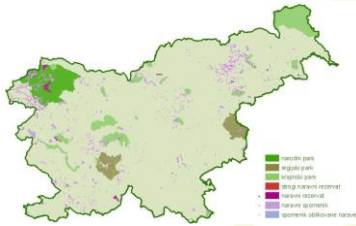




Appropriate assessment in Slovenia



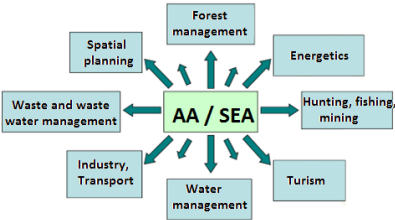
Natura 2000 sites



Protected areas

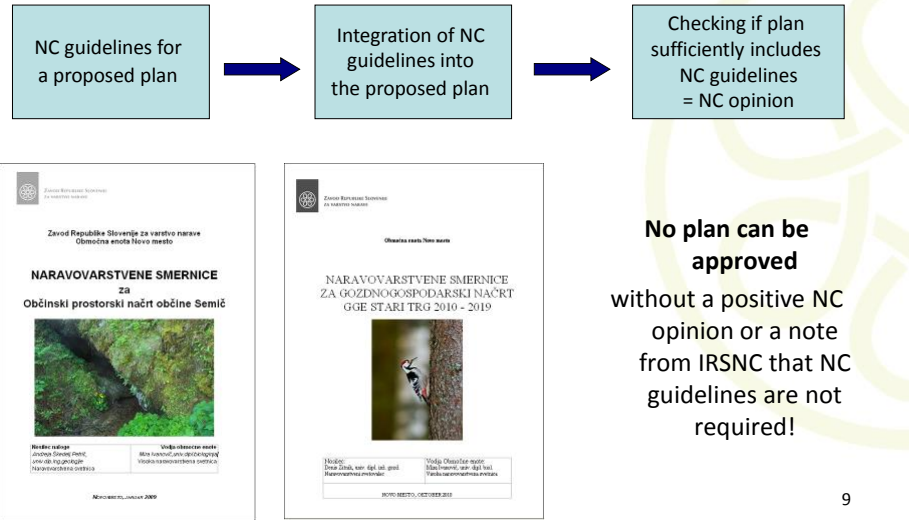
AA in SEA: For every plan or change of plan (or programme), national or local, that could have significant impacts on Natura 2000

Rules on appropriate assessment





Nature Conservation Guidelines and following opinion



Example of guidelines

Natura 2000	Guidelines, recommendations
 SPA Ljubljansko barje	Works should be done outside of breeding, nesting or wintering periods for birds, that is from June to October
Protected areas	Regimes, conditions, guidelines, recommendations
 KP Ljubljansko barje	It is forbidden to change resting or breeding parts of habitats Works should be located outside of breeding part of a habitat, that is...
Valuable natural features	Guidelines, recommendations
 NV Iška river	Water pollution should be avoided with appropriate measures, such as..
Areas of ecological importance	Guidelines, recommendations
 EPO Big carnivore area	Litter bins should be protected from bears





IRSNC

How do we prepare such guidelines?

We need good knowledge of:

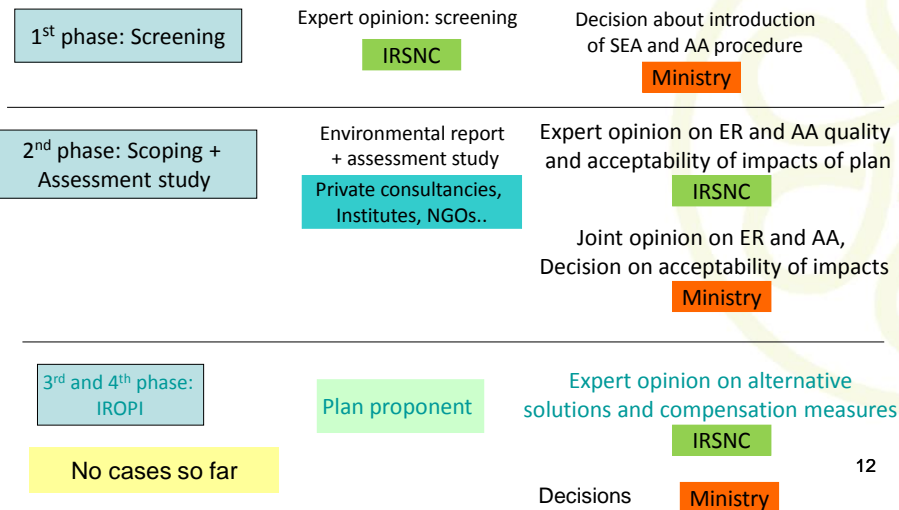
- the area
- planned activities and their consequences
- present species and habitats
- ecological demands of present species and habitats



IRSNC

SEA procedure

Consenting Authority: Ministry in charge for SEA



No cases so far

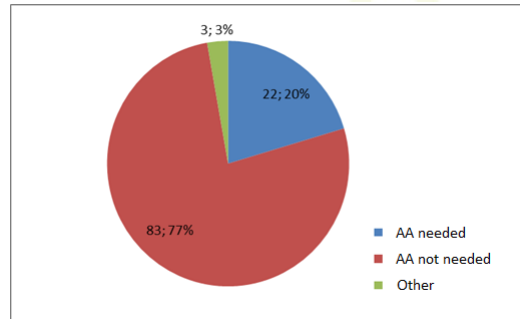
12



AA within SEA: Analysis of expert opinions

Cca. 200 opinions per year in SEA procedure on first and second phase;

First phase (screening)



13



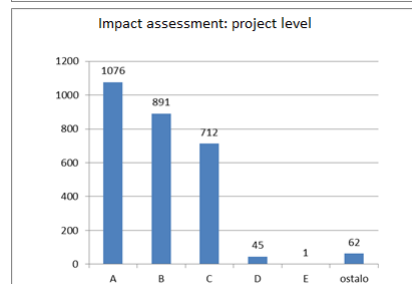
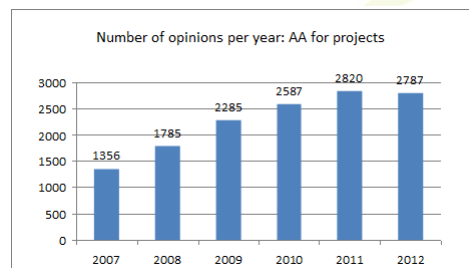
AA within EIA and other procedures on project level

Consenting authority is Environmental Agency, local authorities or other authorities

- Construction permit and other permits: AA is made by IRSNC
- AA within EIA: similar as SEA (cca. 15 per year)

Analysis of expert opinions

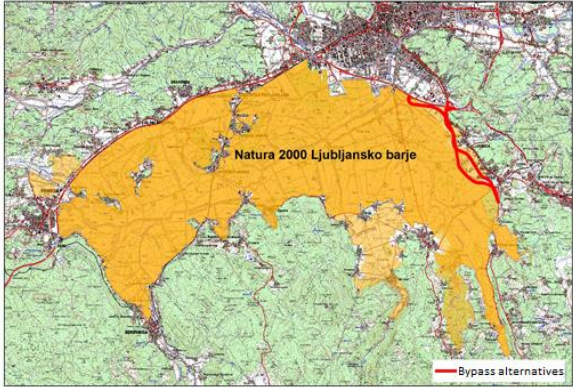
- A - no impact or positive impact
- B - not significant impact
- C - not significant with mitigation measures
- D - significant impact
- E - destroying impact



14



Škofljica Bypass Case Study



Natura 2000 site Ljubljansko barje with Škofljica bypass alternatives (IRSNC Database)

Natura 2000 Ljubljansko barje:
13.560 ha

SI 5000014 Ljubljansko barje (SPA)
SI3000271 Ljubljansko barje (SCI)

Landscape park Ljubljansko barje

Bypass length: 4,5 – 7,5 km
(depending on alternative)

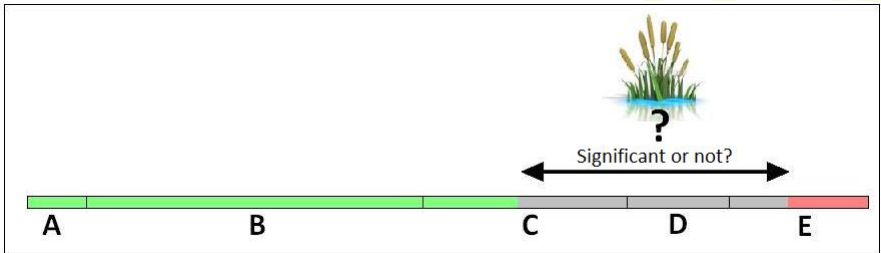
15



Issues: Extensive mitigation measures

Depending on the chosen alternative, between 250 and 370 ha habitat replacement - mitigation or compensation?

Precautionary principle



A - no impact or positive impact
B - not significant impact
C - not significant with mitigation measures
D - significant impact
E - destroying impact

Not significant impact
Significant impact

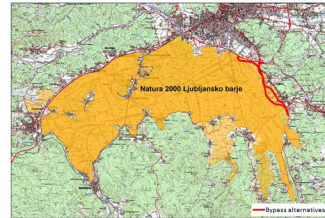
16



Issues: Insufficient study of alternatives

Plan objectives:

- (1) improvement of traffic safety,
- (2) ensuring traffic connectivity of the state from the direction of Kočevje – Ribnica with linkage to the motorway ring around Ljubljana and
- (3) reducing environmental and traffic burdens



17



Issues: political and other pressures

Ministry of
Agriculture
Disagreement



Resignation of high public
official demanded

Resignation of environment
Minister demanded

Growing traffic
jams



Private, economic
interests

Change of assessor



18



Consequences

- European commission stated that for Škofljica bypass plan the procedure 6(4) should be carried out rather than 6(3).
- National authorities informally stopped the plan after 8 years of preparation.
- Alternative solutions are being looked for, as well as temporary solutions to reduce traffic jams.
- Consideration of national and european legislation would lead to the same solution years ago, saving a lot of time and money.



Conclusions – lessons learned

- Natura 2000 does not disable development.
Expert opinions with negative outcome for investors are very few.
- Forcing to execute a plan or project on Natura 2000 by all means is not a wise decision. It is much better to follow the procedure according to legislation and leave any political or other interests aside.
- Arrogance, lack of knowledge and disrespecting of nature conservation leads to blockade of project, which is neither good nor effective from a development point of view.
- It also leads to perception that Natura 2000 stands in the way of development. This of course is not true, since other solutions could have been found if there was an interest to find them.
- One of the best instruments for achieving this goal is an equal participation of stakeholders in searching for the right solution.

